



THE GLIMMERS OF EMPOWERMENT

WOMEN AND LAND RIGHTS

Akina Mama wa Afrika. 2018

Stories written by
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AKINA MAMA
WA AFRIKA



Commonwealth
Foundation





Foreword

The status of women in Africa as a whole, and the extent to which the broad regulatory environment promotes gender equality across different spheres of life, provides an important backdrop for understanding and addressing gender equality in land and investment governance. Moreover, patriarchal attitudes and practices persist, particularly in rural areas, which means that women continue to be marginalised in terms of access to land and productive resources. The unprecedented wave of large scale land acquisitions in Africa, driven in part by corporations with immense power and supported Governments have posed and continue to present a new threat to women's land rights to access, control and ownership. Yet in Africa, land is a critical tool of production and remains a social asset that is central to political and financial power, cultural identity and decision making. Eliminating discrimination in land is essential in redressing the impoverishment of millions of women on the African continent.

It is against this background that Akina Mama wa Afrika sought support from the Commonwealth Foundation in 2015 to strengthen the women's land rights movement in three countries: Malawi, Zambia and Eswatini through a series of interventions that included; Feminist Leadership Development, Movement Building and Policy Influence and Engagement. Using feminist lenses, we bring you the lived realities of African women in Southern Africa regarding access to, control and ownership of land.

Across the world, many women tell similar tales of discrimination, underpinned by cultural norms that deny women rights to land and the risks involved in seeking to secure land rights. This collection of oral herstories showcases acts of courage in the face of these obstacles, chronicling the lives of women who have dared to challenge discrimination, applied the law to protest land injustice and engaged with power holders to shift unequal power relations. It is our hope therefore that this collection offers glimmers of hope to other women facing similar challenges; land rights activists, development partners and other stakeholders in the struggle to secure land rights for women. May these stories of our sisters inspire us to be strong in the face of patriarchy, standing up for our rights. May these stories never die with them but live on through generations.

Akina Mama wa Afrika would like to acknowledge Ms. Hope Chigudu and Ms. Rudo Chigudu who conducted the interviews and synthesized the data into oral herstories that we all can learn from. We would also like to acknowledge our partners the Commonwealth Foundation whose support enabled the collection and publication of this collection as part of the efforts to strengthen the women's land rights movement in Southern Africa.

Eunice Musiime

Executive Director





Introduction

Stories of empowerment



"It was easy to persecute me without people feeling ashamed. It was easy to vilify me and project me as a woman who was not following the tradition of a 'good African woman' and as a highly educated elitist who was trying to show innocent African women ways of doing things that were not acceptable to African men." Wangari Maathai

How often do we see women that deviate from what is dubbed 'tradition' being persecuted? Their actions are seen not only as individual transgression but as an attack on culture, tradition and social values and are thus violently responded to. There is deep fear that their actions will corrupt 'innocent' women and encourage them to similarly transgress. It is therefore impossible to tell the individual stories of women's lives or relationship to land, environment, resources or any other issue without recognising how deeply rooted these issues are to a broader politics. A politics of transgression, the cost it bears and possibilities it creates.

In sharing their stories of childhood, family relationships, activism and relationship to land the narrators of these case studies remind us that women come as holistic beings. That their lives should not be fragmented into pieces that only reveal small fractions of their warrior existence and magnificence. In telling stories of women's relationship to land in the different countries these narratives enable us to see a fuller picture about women's lives and how land is inextricably linked to the rest of their realities and experiences. These are stories of struggle, disappointment and pain but also resistance, survival, personal victory, liberation, solidarity and sisterhood. They are stories about women that chartered paths where non-existed and women that discovered inner strength they did not know they possessed. Women that walked together and held each other in moments of brokenness and dejected and that pushed through year after year, in pursuit of transformation for women's lives and their relationships to land at community and national levels.

In discussions about women and land, a great deal of focus has gone into defining land as an essential means of survival and livelihood. Less has been said about the ways in which land relates to identity, dignity, a means of self-determination and a connection to history, ancestry and future generations. This book responds to this by primarily honouring the importance of land as livelihood and security for women. It however, goes further by subtly attempting to correct the erasure of the other ways in which women's lives are enriched and fulfilled through ownership and control of land.

Throughout this book, the outcome of Akina Mama Wa Africa initiative, the nine women adduce real and relevant lessons which may resonate with other civil society activists. In their struggles and activism, they have slogged on when the vision seemed to be receding rather than getting closer. They are teaching us that against the blinding paralysing magnitude and scope of societal problems, that are both caused and emphasised by patriarchy, class and gender, a small number of women acting locally and using creative approaches can make a difference.



The narrators use a variety of terms that describe the legal and cultural context in which they exist. They also describe the different kinds of land tenure and the ways in which land is acquired in their communities. These terms are explained in generic terms in footnotes but are described in the narratives themselves in the ways in which they are used and understood by the narrators.



This book consists of the narrative stories of eight women. Three from Malawi, three from Swaziland and three from Zambia. Each of the women was interviewed in a one-on-one interview using an oral history approach focusing on land. The audio recordings were transcribed and written up into narratives. We then worked with the narrators to shape the narratives in an attempt to ensure they accurately represented the narrator's words.

These stories tell us of the sheroes that have fought the struggle in the past, paving way for future generations. As Assata Shakur points out, unless women share their stories, no agent of patriarchy or capitalism will ever provide women such knowledge that has the power to inspire and liberate them

The narrators come from different geographical areas including rural, peri-urban and urban.

From Swaziland the first narrative tells the story of a well-known feminist activist and political analyst, Doo Aphane who took the state to court in a fight to enable women to register land in their own right.

Malter Vilakazi's, a trade unionist, presents the second narrative with her gripping personal struggle for land and how it linked her to other women in Swaziland fighting for women's land rights

The third narrator is Edah Gondwe Chimya, the Director of Zambia Alliance of Women (ZAW); she shares her own story as well as the story of the organisation she leads. Edah uses her leadership to support women to lobby for land ownership and other resources. She co-owns a farm with her husband.

Thabile Mokoena Dhlamini, a fierce activist, is our fourth narrator. She takes readers on a journey about discovering the value of land as well as the power of community and sisterhood in an uplifting narrative of how sisterhood saved a woman that believed she had hit rock bottom.

Tiwonge Gondwe an incredible activist from rural Malawi is the fifth narrator. Her tireless efforts have transformed the lives of women in her community. Her activism has mostly focused on women living with HIV and AIDS.

The sixth story is the narrative of Violet Malama from Zambia. She narrates her story of risk taking; resigning from a well-paying job because she wanted to be self-employed, sinking into poverty but eventually acquiring land and using it to join farmers' groups. Violet is now an employer, supplying selected farm inputs to other farmers.



Grace Tepula from Zambia is the seventh narrator. She shares the story of how she was raised to be a strong woman by her auntie and grandmother. She is a member of The Rural Women Assembly and the Zambia Alliance of Women. She owns land on which she grows cash crops and works with the collective to fight for land for women.

The eight story is that of Carol Kayira Kurimika, a women's rights activist working for an international non-governmental organisation whose work on land has been largely at national level. She talks about her political wakeup call that came as a result of witnessing malnourished children and realising that if their mothers had land, they would be well fed.

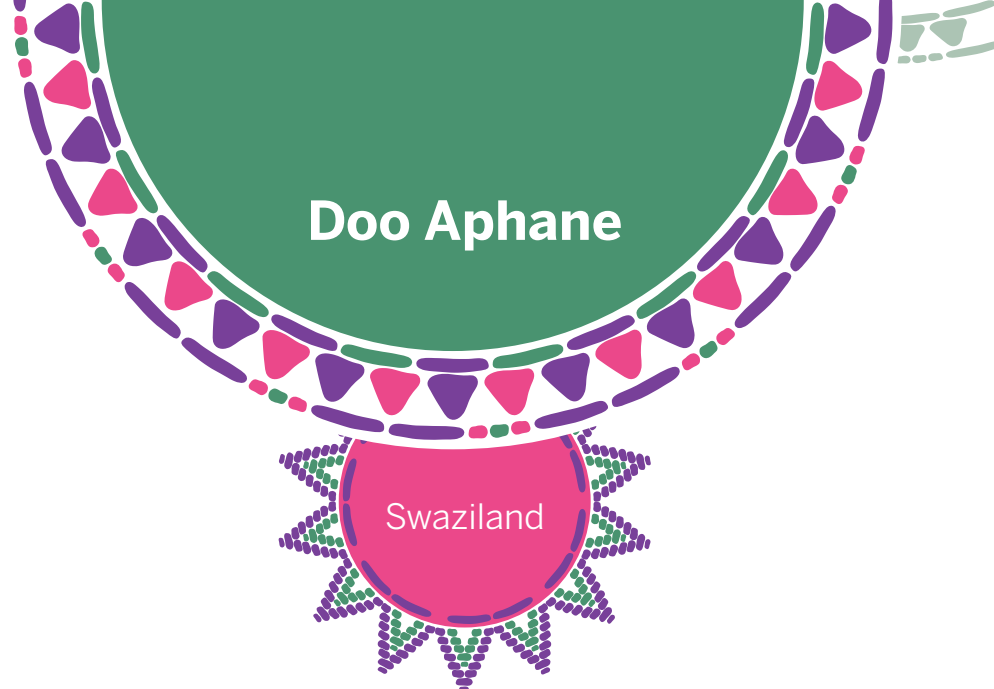
The final narrative, the ninth story, is by Emma Kaliya who combines her journey of discovering land alongside an intense process of self-discovery and then coming into activist organising as the head of a human rights organisation.

Each narrative is a lesson in empowerment, educating women about the challenges as well as possibilities for self-determination, livelihood security, dignity and rootedness possessed in land ownership and control.



**"No one is going to give you the education you need to overthrow them. Nobody is going to teach you your true history, teach you your true heroes, if they know that that knowledge will help set you free."
Assata Shakur**



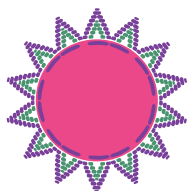


My name is Doo Aphone born in the buzzing hub of Manzini, the second city of Swaziland. I am the youngest in a family of six, one boy and five girls. All the women from my paternal side of the family are educated. I am a self-proclaimed feminist, passionate about women's rights and I hunger for a society with no under dogs.

My father who passed away in 1982 was a teacher and came from a relatively privileged background. His father was a Reverend (Pastor) in the Lutheran Church in South Africa. Both my parents were South Africans and of all my siblings, I am the only one that was born in Swaziland. My parents moved and settled in Swaziland at the invitation of the late King Sobhuza II, who was my father's former schoolmate. Being the youngest meant I had the privileges of being looked after by my elder siblings and also the misfortune of being bossed around. The one thing about me though was that I was quick to establish the boundaries between my duties as a young sibling and standing up for myself when necessary. I learnt early on in life the power of mobilising. In my extended family I jokingly started an association for last borns which was chaired by my late aunt. It comprised of the last born children from my extended family. We were tired of elder siblings making decisions on our behalf and always being expected to follow their lead.

My mother is still alive, she turned 90 in February of 2018. Her side of the family has shaped me a lot. I was raised in a family that valued equality, it was focused on education yet it was patriarchal in many other ways. Punishment with regards to coming home late was never the same between my sisters and my brother. They were hammered more about being out of the house after 5pm while my brother got the lighter end of the rod. I remember being about seven years old and telling my mother that she was unfair to my sisters. My sisters would not speak up but secretly gave me thumbs up to show they were happy I was speaking up for them. I could not understand how the Church reiterated and reinforced these messages. Many young girls were banned from attending church because they were pregnant. A church which was supposed to be the house of the Lord, welcoming and embracing the 'sinners' was rejecting them. Pregnant, unmarried women were ridiculed, asked to stand in front of the church, interrogated, and forced to apologise to the congregation. A man was never asked to do the same despite most of them violating the Christian faith 7th commandment, 'thou shalt not commit adultery!'





I was not taught to recognise injustice

At an early age, I understood what it meant to live in an unfair system, recognise injustice and push boundaries within that unjust society. At a year end Sunday school play, auditions were being held for the role of the prodigal son. The boys were asked to audition but because that was the part I wanted to play as well, I begged the teachers to let me audition it and I was allowed. I could not understand why a girl should not audition for the role. I was never afraid to stand for what I believed, I didn't even have to make an effort that was just the kind of child I was.


Society was and remains sexist and patriarchal. Even when people insulted each other, the language used was often about the private parts of one's mother or some other insult about the mother. It was obvious to me, as a child, that there was something unequal about being a woman. When I was 14, a bus conductor touched my breasts, and because I had learned and heard all these insults, I threw them at him. He nearly threw me out of a moving bus and I remember that while some passengers supported me, others were more upset about my language than about this man touching my 14 year old barely formed breasts. A huge debate ensued in the bus until the passengers decided that since we had all paid our fare the conductor should be dropped off the bus and the driver would pick him up on the return journey.

The incident drew so much attention that when news reached my mother, she was upset and asked why I used such foul language. I told her the language I used matched the man's foulness as he had no business touching me. I promised my mother that next time I would go to the police instead. Years later, after I was married, I got into an altercation with a conductor at a taxi rank who was upset that I did not want to get into his car because it was old. He yelled that I would not be young forever and that my husband would leave me when I was as old as his car. Again I could not hold my tongue and this time I was not as lucky. It turned out the guy had a gun in his car and he wanted to shoot me. The terminus had to be closed and some people helped me to escape. Sometimes my mouth gets me into trouble. I am a feminist and no means no and so I act on what I believe is right. I have a reputation now; some call me Beijing. Instead of getting insulted, I own it and invite all those who want to know about Beijing to come to me. Even at the level of the family, they know that I do not accept to be belittled on the grounds of gender.

When I was 26 and during the early years of my marriage, there was a young woman from the community who was forcibly married. While on a work trip, her boss forced himself on her and she became pregnant. The young woman was too embarrassed to say what happened so she acted as though she was interested in marrying him. That is how their relationship began; then we later discovered that he had raped her. The cattle he brought in the form of bride price was in open grazing land roaming, so the family suggested we return them. I realised transporting them would get us into expenses, so I led a delegation to the man's family to tell them to come and fetch their cattle. When they saw the delegation arrive with me in the lead they panicked, they went to get their lawyer and when he arrived, I was not afraid. I took him head on and told him that this man's family needed to come and collect their cattle before we reported them to the local authorities whom we would tell that the cattle were a nuisance, they had no owner and were disturbing the community. They were afraid, and they came to get their cattle, that was the end of the story. More than anything else, my passion is about social justice.

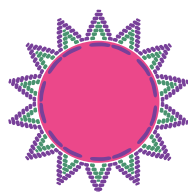
After Law School, my first job was at the Council of Churches and this is where you find the greatest level of injustice. I founded the Legal Aid at the Council of Churches, so I know church systems and how they work. As well, in 2007 to 2010 I worked for an NGO in my own church; The Lutheran Development Service. During the time, I worked with the Church Bishop who was the Chairperson of the Board of the organisation. He was a very open minded, objective, well educated, articulate Bishop. He was getting to be a strong feminist by virtue of working closely with me. So one day I said to him; "you know Bishop, when I was talking to some people, I just remembered that Lutherans do not give Holy Communion to pregnant unmarried women". I asked





him to allow them the following Sunday but he did not understand why this had to be done as the woman would have fornicicated. I pointed out to him that many men in the church were committing adultery every day and just because it was not visible, it did not mean it was not being done. This is still an ongoing conversation in the church.

Our society is very patriarchal and when women go to funerals, they are expected to wear head scarfs. I don't know how to tie one, so I never bother trying. For example, there was a funeral in the family and I went without the headscarf. I had cut my hair very short and texturized it. According to Swazi tradition, once you are married, you don't ever cut your hair. You cut your hair only when your husband dies. Many women pointed at my head in disbelief. Up to today, many people ask me why I cut my hair when he is still alive. I ask them if my husband breathes my hair. If he breathes oxygen like everyone else, then cutting my hair is not going to harm him. There are lots of gendered myths, taboos and beliefs within our societies that are supported and upheld by women. The policing of women's bodies by other women is everywhere. It's pervasive.




Land and I

I long realised how important land is to people and in particular to women. I feel that everyone is entitled to land because I grew up in a peri urban area where most people had rural roots and they would come to my father or my mother to talk about how they had been dispossessed of land after a husband died. I also saw women who lived in our town move back to rural areas, leaving their husbands working in the city and making lives for themselves there. I realised that it is good to have Swazi national land because you get a big chunk of land and you can live off it. There are disadvantages too depending on where it's located. For example, some children had to stop going to school after moving to the rural areas as there were no schools that were within walking distance.

I went to school in 1969, a year after we got independence. Before I went to high school, I could tell that if you were coming from a family with land, you were more secure than if you were coming from a family without land. Then of course after high school I went to law school. I had an even deeper appreciation of what it means to have rights on Swazi nation land; on title deed land. We also have another category of land, which we call crown land. Crown land is land that is registered in the name of the government. Sometimes people think the land is just vacant and they settle there only to be kicked off years later when the government decides what it wants to do with that land.

On the other hand there are those families that buy land, then build and settle on it and one day a woman finds out that the land was sold without her consent because in terms of the law, the land is registered

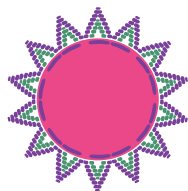


My relationship to land over the years is getting stronger and stronger. I really feel that land is one of the things that should be prioritised in our national development strategies, to make sure that it is equitably distributed.



in the name of the husband alone. Many women collapse as a result of such occurrences. This has given rise to stress related diseases among women such as high blood pressure. Our patriarchal societies have killed our women through oppression, regulation and violence. Is it too much to have a society where women live a life that is built on the choices they make, and where they benefit from their own labor?

My relationship to land over the years is getting stronger and stronger. I really feel that land is one of the things that should be prioritised in our national development strategies, to make sure that it is equitably distributed. Because if we say we want to deal with hunger, which I don't believe is difficult, people need to have land to grow their own food. Apart from the cost of buying food, there is the real worry of the increasing amount of genetically modified foods or foods grown with pesticides. It's better to grow your own food. If we are going to grow our own food it is also imperative to preserve seeds in order to prepare for the future. I have a storeroom where I store seeds and even here, in my office, I have some seeds stored under my desk.



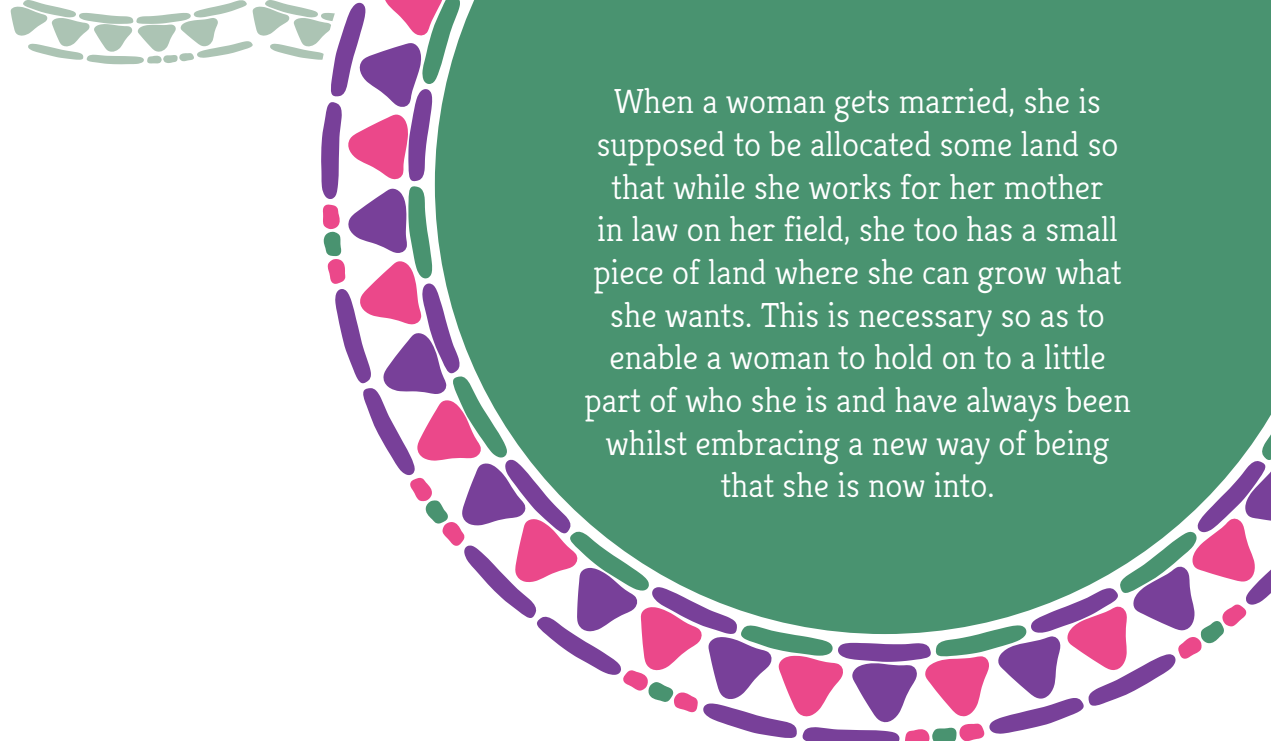
The story of land in Swaziland

The story of land in Swaziland, in a nutshell, is that it is the land of the people of Swaziland. But then we were once a protectorate. History tells us that the rulers would give land to Europeans for very small things; a shiny teaspoon or a mirror would fetch big chunks of land. But additionally, there were Europeans who came to settle here, in our country, and who did not have land, they would go and approach the authorities to ask for land for farming. They were granted the concessions to use but not own the land. However, because of lack of structures, systems and mechanisms to follow up, with time, they stayed on the land and in the country. The ordinary person paid homage to the chief and got a piece of land on the communal lands called Swazi nation land. And because the demarcation between farms and communal lands have not always been clear, chiefs were allocating land within these farms. This ended up in disputes especially when the land was sold and the new owners found people settled (squatters) on their farms. Courts would then make a declaration for the eviction of these families, but it is unclear who must compensate them. In such situations, people who suffer the most are the children and women. The 2005 Constitution says women can acquire land in their own right but in practical terms, this continues to be a challenge with many chiefs. Men find other ways of moving on with another wife, or they have a piece of land with title deeds somewhere else because it is easier for them to acquire land.

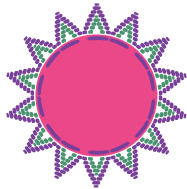
Currently we are seeing a lot of evictions. The ones that settled on concession land and are still holding on to those concessions are being told that those concession dates have passed, meaning all that land should be transferred back to His Majesty because it supposedly belongs to the king. But also, there is a program that was started where the government is buying some farms to change them into Swazi nation land, and hence enabling government to settle more people. While the repossession of land is an important process, a real challenge remains for women that do not have the financial means to buy title deed land and at the same time cannot access Swazi nation land due to traditional beliefs and systems of land acquisition. Land provides a means of survival and is also about a family legacy, a place of belonging to which families can return. For example, my grandparents passed on, but their home is still available for their children and grandchildren. It is their ancestral home. There are memories there and that connection is important. However, women are often denied this legacy.

Issue of land affect children as well. In Swaziland we were badly affected by HIV and a large number of children who lost their parents are of age now. They don't have land. Some were put in the few institutions that we have, others taken by relatives and yet many more just left in small huts. Their uncles and other relatives have allocated their parents fields to other people. Such children and their offspring's will grow up landless.





When a woman gets married, she is supposed to be allocated some land so that while she works for her mother in law on her field, she too has a small piece of land where she can grow what she wants. This is necessary so as to enable a woman to hold on to a little part of who she is and have always been whilst embracing a new way of being that she is now into.



The politics of land and the women's land case

Land is an economic resource, but land is also highly political because it's about who has power. It's a power game. Why is it that people whose fore bearers were all born in the country and knew no other, are landless? It is because land is political and is used as a tool of control. Those who have are able to control those that don't have. Right from the family to national level, land is political. When a woman gets married, she is supposed to be allocated some land so that while she works for her mother in law on her field, she too has a small piece of land where she can grow what she wants. This is necessary so as to enable a woman to hold on to a little part of who she is and have always been whilst embracing a new way of being that she is now into. However, there are some women who have been married for over 30 years and still haven't been allocated their own fields while others were given on the day of their wedding. That is how the family politics can affect land access.

My activism started as far back as 1988 when I was working at the Council of Churches. It started with me making women aware of the inequality in our laws and in our practices, both under customary and statutory laws because if you were married in community of property, which is the case for almost all the women, you could not register a title to land in your individual capacity. I also engaged with people I believed could influence change, like the leadership in the churches themselves because at the end of the day when a woman is marginalised or victimised in the society, it is often the church that is left to provide support. After only two years with the Council of Churches. I moved to Women in Law in Southern Africa (WLSA). During the time, we were seeing widows being evicted as soon as the husbands died or the husband moved on with another woman. When we were challenging these evictions, people said that what we were claiming was happening to women was unSwazi and treated us almost as though we were inventing these allegations and yet this was happening left right and centre.

In 1996, the drafting of the Constitution began, and it took nine years to complete. It only came into being in 2005. We had to find crafty ways of reaching women, explaining what a Constitution is and what kind of issues are addressed by a constitution because this kind of organising was not allowed. At the drafting stage, in order to influence creating content that reflected the needs of women, we came up with a strategy. When opinions were being collected one could go to whatever geographical area they felt they belonged to. This idea of belonging is what we exploited because you belong where you were born, you belong where you were married, and you also belong where you are living or working. We therefore mobilised women to go to all the places which they are legally recognised as belonging and put forward their ideas for the Constitution. We had clearly articulated our 16 demands and our strategy was that during the consultations, a woman would



only raise a few of the memorised demands and the next woman would not just add another demand, they would start by restating the already mentioned demands then add their own. In this way the ideas would recur on the records, which is an essential part of the process, and they would also be heard over and over by other people attending the consultations. Then it went on like this in various discussions and this ensured that women only went where they were entitled to be so as to avoid stirring up trouble or being noticed as a visible organised group. So from every corner in the country, the idea of women's equality was highlighted and emphasised over and over again. In addition, I took advantage of an introduction that had been made between myself and the Prince to request that WLSA be allowed to make expert recommendations as an institution. The Prince agreed and so we were allowed to contribute as experts. In the end we had a situation where what the experts advised was corroborated in all the regions and in all the constituencies about women's demands during the consultation process. We had been relentless about the land issue in all these processes. Women's groups then split up at the drafting stage, focusing on different areas of interest and expertise. It was a hectic time, we hardly slept because we were all so busy with different aspects of the constitution. The process was too rushed to stir trouble related to women's rights issues and our government just wanted to finalise that is how we got some of the demands we made. Then on 1 July of 2005, a new constitution was adopted.

In the new constitution we have equality before the law. Section 28, states:




Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities. Subject to the availability of resources, the Government shall provide facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement. A woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed.

And then section 211, which says in terms of Swazi nation land, there being no derogations, all the genders can get access to land but then what does it mean that there being no derogations? That is an issue with us.

There were celebrations. However, as is the case in many places, new law and policy only come out of constitutional challenges of the existing laws, so after four years of not seeing any change I started to ask why we were not challenging these things? Why we were not testing the waters? We set out on a mission to see how chiefs were handling the land issue in relation to women; we had women approach the different chiefs in the 365 chiefdoms of Swaziland and after six months we had a clear picture of how little change there was at the grassroots level.

Then came the moment for me to act. My husband and I bought some land and we wanted it in both our names, we ensured that on the deed of sale. The problems began when we got to the conveyancer, that is, the lawyer who was supposed to do the registration. Of course I was prepared. I knew there were going to be problems. For him, he did not see it as a fight. When time to register came, they did the normal procedure of



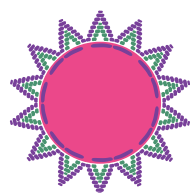
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verifying identity; a birth affidavit then a national identity document. My national ID says Doo Aphane. Then the conveyancer produced an affidavit for me to sign but it was in my husband's last name. So I told him there was a big error, 'I don't know this person. This is who I am and I gave you a copy of my ID. He told me that was the way it was done but I insisted that I did not know the person whose name they had written on the affidavit and that I was Doo Aphane and needed the affidavit to have my last name and not my husband's. The conveyancers even congratulated me on the work I had done during the constitution making process but informed me that they did not have enabling legislation to do what I was asking of them. They told me I would need a court judgment before they could help me do what I wanted. I then said thank you 'Mr Hlope', which is his wife's maiden name. He quickly corrected me, inserting his own last name instead. I told him I was puzzled; he had just informed me that when we get married we start to go by the names of our spouses; 'the privilege' of being married. He stood up in a fit of rage but I asked him to sit down and cool off and told him that he had terribly offended me by giving me a name that was not mine especially as I had given him my documents reflecting my actual names. I asked him to keep my papers safe, and that I would return to them with a court judgment. I got a lawyer, we drafted the papers and served the government notice.

The public responses were mixed but the shocking one was from some people in the women's movement who were not happy that I had taken the case to court. For them it was not about disagreeing with the cause, it was a tension about who gets to lead this drive for change. I could not understand why we should have such a tension when this was in Swazi women's public interest and not just mine. My prayers to the court were that the offending section 16 subsection 3 of the deeds registry should be removed from our statutes because of the constitution, and then I should be able to register with my husband as my choice. But by insisting that they remove section 16 subsection 3 that was to allow me and others in future to have a choice even to register on our own. I was fighting a huge women's rights issue beyond me. At first we were called to a round table. Government conceded that the law really was offending in light of the new constitution but that parliament should lead that process. I then was told that I would be allowed to register with my husband. I refused, because this was not just my fight but the fight of other women in Swaziland. The matter was taken to court and of course it was delayed, in one instance it was alleged that I was seen greeting one of the judges. Eventually the matter was heard on the 23rd of February 2010 and we won; what a great way to celebrate my birthday. The government appealed to the Supreme Court but by then I had already registered the land in my name, 'Doo Aphane'. The case is known as the Doo case but to me it is the Swazi women's land case.

The Supreme Court decided that women could register jointly or on their own and that parliament would have to come up with the necessary legislation within twelve months of the judgment, in the meantime women were free to register. So the victory was upheld and the rest is history. I still get excited when a woman tells me she has bought and registered land in her name.



Challenges for women's organising

I think it is safe to say that women's organising has taken a serious hit in recent years. What used to be coordinated and political movement work is now fragmented NGO projects. Some people do not even understand what women's rights are about or what feminism is. I think something has shifted. Passionate activism is no longer the driver for most activities. Instead we have people working from 9 to 5 in NGO's and are often hopping from one job to the next in order to survive. Staff turnover rates are just too high and it makes sustaining the work quite challenging.

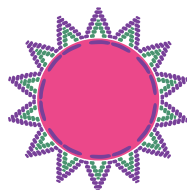
We need to rethink NGOs. As long as people are going to work through NGOs, then let's at least ensure we do the political training. Training for people who are joining and refresher trainings for those already in NGOs. Not just on women's rights or land but in the different areas of civil society and women's rights. Something that keeps people sharp and rooted in some ideological understanding of the work we do. I do not see any other way at this point but maybe there are ideas I have not thought of. The tension with other women's organisations during the women's land case indicate that ideologically there was already a challenge. The





focus should be the change we are trying to build in the world and supporting each other in that work but sometimes we forget. I understand some aspects of it too because the work is mostly tied to the issue of money and resources. NGOs are now just fighting for their survival and most energy is expended on trying to survive on whatever is left for organising. Instead of being allies we treat each other as competitors and enemies.

Our organisations have become too weak. They want to call themselves feminist yet they want to be liked. Feminism is not the way to win a popularity contest. If you find yourselves being extremely liked and popular, it is often necessary to check the work that you are doing because real feminist work attracts anger and resentment from those whose power, you threaten with your work. Sadly, we have been watered down and have become 'acceptable women' in ways that are not helpful to the causes of women.



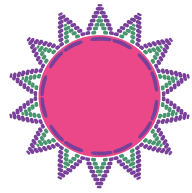
The stars lighting my path

The path illuminators have been many. While I want to believe that I have a lot of inner strength I also believe that I have been guided by God and everyone around me particularly family. I am grateful for the teachers that saw my passion and allowed me to be myself even as a child in school. I was greatly inspired by my schoolmates in St Theresa, Catholic High school. Being in an all-girls school, we had to do whatever had to be done; if a bus broke down and it needed pushing we pushed it. This showed me the unlimited potential of women which was often curbed in the rest of the world around me. Academically the girls thrived in that space, I became a keen debater in High school.

Later in my life whilst in University I had incredible professors that embraced my feminism. There was professor Nhlapo who is at the University of Cape Town, then there was Alice Armstrong, she was in Swaziland and later Zimbabwe. When I was in law school, I was called justice Shriner. Justice Shriner was a Judge that was well known for dissenting. A discussion would start during my law classes then they would turn to me and say 'let us hear from Shriner the dissenting judge'. So those students too fuelled me because I would take the opportunity to argue a dissenting position. They realised that more than half the time the dissenting judge, Just like Shriner the dissenter, turned out to be correct. I recall Alice taught me criminal law. She wanted us to moot on the issue of abortion and being an American she was accustomed to more open conversation about abortion. When she introduced the subject, I was not in class because my father had passed away. Some of the students told her not to bother because they were only going to hear one opinion. When I got back to school, I was unaware of this so, when she drew a line on the board and said write your name on the side you support, I wrote mine in bold and my classmates began to laugh saying, we told you about Shriner the dissenting judge.

The women of Swaziland, in their diversities, have inspired me. It is when I see the injustices that some of them face that I am compelled to keep working. Last but not least are some of the young and fiery feminists that remind me that there is hope for the future. These are the Hlelis and the Nonhlalas. On the whole the journey has not been an easy one but these people have really been a huge part of my being and my becoming.

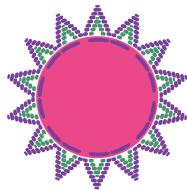




Wishes for Swazi women

Women who can see the bigger picture, look at what is before them at the present moment and what is likely to come up in future. Foreseeing the future and how it can have an impact on the woman is important. In Swaziland, there is the Finance Bill which most women think does not affect their livelihood. Some of the issues that have been brought by the bill include paying a tax of an equivalent of \$8 for slaughtering a cow and marrying a foreign woman which is an equivalent of \$2400. These issues seem like they are far from the issues that women are facing but in actual fact they affect the women one way or the other. One of the things that affects us as women and makes us not see the bigger picture is the socio economic status of most women. They are faced with issues of providing immediate solutions to immediate problems. If there was a way of removing the burden on women within our communities, then there would be more self-care and the time and focus to think beyond immediate survival.

Women are exposed to so much hurt within their communities. Hurt within their families where they carry the burden of taking care of their brothers, husband, children, grandchildren and their parents. Care work is a burden that is affecting most women within the African community. There is nowhere for women to go and get nurtured, we live in a society that just takes and takes from women without giving back.



Looking ahead

Going forward it's important for women to understand that land is part of our being and that as women we must hold on to it and use it wisely. More and more women need to understand that it is not just about access to land but the ability to control it and knowing where ones strengths lies. With land, women are able to feed families, communities and the nation. All possibilities should be available and exist for us as women.

In conclusion I would like to use the story of Job. In most Christian teachings, emphasis is placed on Job's suffering and how he lost everything, but right at the end, Job leaves an equal inheritance for his eldest daughter Jemima and his sons. Is this what the men of God are teaching their flock? This story leaves a clear message about inheritance. These are the stories that need to be told within our religious and cultural circles the uncensored narratives and lives filled with love, joy and dignity for women.




My name is Malter Musesi Vilakati, I was born on the 13th of July 1955 in Mutambanyati where my father was a farm worker. I am the second born in my family. I was told the first one passed away, and then automatically I became the first born. There were four of us; my parents, myself and my half-sister from my father. My father was a farm worker and even though our family was small, he did not have enough resources to support us. As a result, I went to school later than the year I was supposed to start school.

My mother started vending, she sold fruits, sweets, and other small things just to boost the family income and look after us. When I was eight my mother had my younger brother. My father then decided to go to the mines in South Africa and my mother remained with us but then she couldn't make ends meet. She then moved us to Manzini where she began working as a domestic worker. We were renting a small flat as we waited for my father to come back from South Africa, maybe with money, I don't know. I was still young. I didn't know what was happening, but I could see that there was something wrong.

I started school when I was nine. My mother had three children to take care of alone and it was a real struggle. She then decided to get a home of her own so that she could stop paying rent. She got a place in Maliyaduma and built a house there. When my father returned from the mines, my mother had already established a home. All he had to do was come home and be the head of the house. I was still going to school in Manzini even though we had moved to Maliyaduma which was a bit far, so every day my mother would take me halfway, and then she would go to her work. On top of her work as a domestic worker, she continued with street vending, selling small things to boost the income. My mother's boss hired me to water her garden, so that I could get fifty cents, which was a big sum of money for me at the time. I would go to my mother's workplace and water the garden and at the end of the month get my fifty cents which enabled me to buy my first pair of shoes.

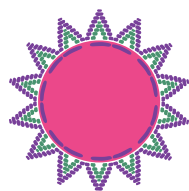
My mother had more children but they all kept dying. She had four of them and eventually she decided she needed to move away from Maliyaduma because of the pain she had experienced there.





My father came from the mines and he was wounded. He had a major operation because of some disease he acquired in the mines. The company sent him home and promised they would contact him about his pension, but no money ever came. He then moved to Bulembu as a miner and we all moved with him. My mother continued with her street vending and by now she was also sewing dresses and petticoats. Life was a little bit better even though we did not have a home of our own having relocated. By the time I started High School at Lubamba National High School my mother was still struggling to pay my fees, but it was not as bad as used to be the case since she had expanded her vending business.

I lived with one of my mother's friends while I went to school. In the meantime, learnt from my mother and I started selling vetkoeks, sweets and chocolates at school. This meant I could make a little money and I could also cheat and buy some treats. I dropped out of school when I finished form Four, because there weren't enough resources at this time to look after me. Instead of going to Form five, I went to Swaziland College of Technology where I did book-keeping. My father was working for Habbos Asbestos Mines. During those days, it was easy if you were an employee of that company to ask for your child to be employed in the same company, so he did the same and I was employed. I got an office job and suddenly I became aware of myself as an individual and not just as the daughter of my parents. I could make choices and decisions because I had an income that allowed me to. After working for only a few years, I chose to get married and this is when my troubles started.



My activist birth

I didn't expect what I met in my marriage, I was told that my husband was free to have as many wives as he pleased. I said no ways! But I couldn't tell anyone. I was suffering silently, until I decided to move from Habbos Asbestos Mines. I applied and got a job in a sugar belt, which was called Inyoni Yami Swaziland Irrigation Scheme. It was a good job. While, I was working there, I discovered they had a trade union that was discussing issues that were close to my heart and my reality. I really wanted to join it but as a member of the management team in the organisation, I did not know how to join. I kept talking to other members and eventually I managed to join the trade union. I got demoted from management because of this move but I enjoyed being a trade unionist. The issues that the trade union was discussing are the same issues I grew up being concerned about in the family and community, but I had no space to talk about them. Now, I had found a place where people were talking about the importance of human rights and meeting the needs of every person.

It made me think about my mother and the way she was ill-treated from the time she got married. I decided that I was going to fight for women's rights, but I did not tell anyone. I was reserved; however, I knew I had to fight for women, starting with my mother who suffered at the hands of her in-laws. They were always complaining about her even when she did good things for them. So, I said wow! This is the opportunity to right some wrongs committed against women. I attended a meeting in Botswana, sent by my trade union, during which time I was elected to be on the board of a trade union federation in Swaziland called the Swaziland Federation of Trade Unions (SFTU). In 1986, during a meeting for the women of SFTU, two guest speakers, Alice Seyama from Malawi and Doo Aphane from Swaziland, talked about land ownership and that if a woman had land, she must make sure that it is registered and if it is in her husband's name, it is important to agree that it belongs to both. I got the speakers contact details and gave them mine. Whenever they were hosting workshops on women's land rights they invited me. During this period, in our country, land was just for males.

In the meantime, I was still in my difficult marriage and each time I spent time around other powerful women hearing their stories, I felt empowered and decided I needed to get rid of the disempowering marriage situation I was living in. I was tired of being called 'Dlamini's wife' whenever I spoke instead of just being me. I decided that though I was ready to separate from my husband, I needed to secure some land first so that I would have a place to go with my children. This was in the nineties and I had four children. Since women could not own land on their own I begged my husband so that we could get land in a place called Bula. I acted



like a good wife and we got the land which we registered in both our names. I cheated when I said we were married, as if I wanted to stay in the marriage, yet I knew fully that I wanted to separate from this man and stand on my own feet. Once the land was acquired, I felt strong. By this time, talking about women's land rights was no longer a whisper, the voices were loud, and women were clear and demanding. I took advantage of the political moment and told my husband the place in Bula was mine. I went to the Mupakati which is where community meetings are held in my area. I told them I no longer wanted my husband but that the land was mine.

In the struggle to register the land as mine alone, I was energised by Doo Aphane, who was a chairperson of the Swaziland Gender Consortium and a previous National Coordinator of Women in Law in Southern Africa – Swaziland. She was engaged in a battle for gender equality. She took our government to court contesting legislation that prohibited her from registering property in her maiden name jointly with her husband. She won the court case. This victory gave Swazi women, married in community of property, equal rights to their husbands in the administration of property.

I remember the day the High court decision was passed in favour of Doo Aphane, we were out in the streets, singing and dancing. We called each other land sisters. A lot of young women were there too. A young woman called Hleli Luhlanga was mobilising young women and it was very inspiring for me.

So, I was testing the waters with the rural leaders while Doo, an urban dweller, was testing the law.

When I approached the elders, they said that what I wanted to do was un-Swazi, but I kept insisting that my marriage was over, and I had a claim to the land since I was the one who was remaining with the children. I fought and fought. Then other women who were in the same meeting where I was demanding my rights were saying, wow, I'm also in the same situation, so they were making noise, demanding to have land registered in their names. The pressure was mounting, and I could feel the power of what I was doing. During the next meeting of the village elders, I invited even more women. The fight was a difficult one and the chiefs were vindictive. When there was a drought they refused to give me food, saying my household could not be recognised without a man. As Malter Vilakati, I had no identity, they did not want to recognise me but because I recognised myself, I continued fighting.

The Doo case motivated us to continue talking about the issue of my land in Bula and eventually after two years the community said yes. I like to own a thing and say, it's mine, fully, not to say this child is mine but not his leg. The land was registered in my name without my husband. It was mine and mine alone.

My husband's door tag was removed and now there is a tag with my name that says it's my home. Even if I was to die today, it would remain mine. I am part of a group called Women for Women where we are conscientising more women to fight for land because some of them are widows whose in-laws will never give them the land. They accuse these women of having killed their husbands and



The Doo case motivated us to continue talking about the issue of my land in Bula and eventually after two years the community said yes. I like to own a thing and say, it's mine, fully, not to say this child is mine but not his leg.





chase them off the land. I cannot stop fighting for the rights of such women because, as you know, the law alone is not enough especially in the rural areas where I live.

I am driven by what I saw my mother go through and by a sense of knowing myself and my worth as a human being and hence the worth of every other woman. A woman is supposed to be given land by the product of her womb. How can my son whom I birthed be considered senior to me in terms of land ownership? To be told that in the absence of a husband, it is only through a son that I can own land is humiliating. In those days, whether you were a squatter seeking land, a widow or divorcee, they would ask you where your son was. Then the son would be senior in that homestead, and you would remain a minor for the rest of your life. The son could grow up, marry and chase you off that land as it was registered in his name. It was as ridiculous as the demand that you must have a son.

Fighting for rights has been a journey for me. Initially, in my employment I did not know that I had rights, I thought my employer could tell me what to do and I would just say thank you Sir, even if I was not happy about it but would go and do it anyway. In the early days, I was in charge of stores; doing inventory and managing many files. The work was tricky, people were stealing, and I had to balance the stock. If the boss said we were missing a spare part, I would find ways of replacing it. Yet I was a book keeper, I did not know what was happening on the other floors, it was not my job, but I was always left chasing people to resolve different discrepancies. With trade unions, I began to understand my rights and I stopped taking the blame. I would say to my boss, 'go to the person who has done wrong, then I can make a follow up'.

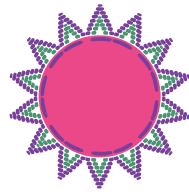
When my children were in High school and I was struggling to cope financially, I asked myself why I was suffering yet my mum had taught me about street vending. I started street vending and would go to Johannesburg and Durban, and really became good at it.

Back in 1996, while in the trade union, we put forward 27 demands to the country. One of the demands was to recognise the street vendors. I was given that responsibility because I had passion for it from the time I was a child. I organised the street vendors. We managed to get space for them to work from. This achievement motivated us.

Then came 2005, when I was retrenched. I remember that there was a constituency of women vendors whom I had fought for so that they would have a decent place to sell from. I approached the women about forming an association, brought them together to better understand and work collectively to solve our common, deeply-felt problems. In 2008, six of us came together to form 'Swaziland Cross-border Traders Association,' which is now very popular in the country, even in SADC, I am now the vice president of the Southern Cross-border Traders in the region. I felt the same kind of fire in my belly that I had and still have when I was fighting for women's land rights. The process taught me that movement building process may start with small, seemingly minor problems, but the collective experience inspires more people to join and tackle bigger agendas. So, the work with the vendors association has changed over the years, we are now talking about major issues that affect women such as HIV and land. A woman who earns a living by vending is often a wife or daughter with family members that depend on her for care. The requirement, to provide care, means that her ability to earn income is compromised but there is no recognition for this. Instead women suffer silently with these and other challenges. We have created a space where women can talk about their experiences and even share ideas on how to cope or support each other. If a woman cannot sit at her vending station because she must care for her sick mother-in-law, then another woman will watch the stall for her and sell her wares on her behalf.

I have witnessed the vendors' movement really growing, expanding and being present in the world. I will never forget when a group of women from the association travelled by bus to Zimbabwe for a meeting. They had never been to school and could not speak English but they were not intimidated by this trip, they were assertive and brave.



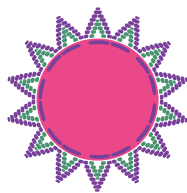


The land journey

Before talking about the journey of land in Swaziland I must salute all the women who fought for access to land for themselves and for other women, long before I was involved with that struggle along with those that joined the struggle later. After years of fighting for our land rights, the government finally recognised women's right to land and this right is in our constitution. I am not sure about this but in the urban areas, you were not allowed to get a loan to buy land without a man being your collateral even though the money was yours. You needed a man to come and say, "she is my woman; you can give her the loan". But now things are changing slowly because there are some people such as Doo who are representing us. We neither take them lightly nor for granted. Age too does not matter, for example, I am older than Doo, but she has groomed me especially in understanding my land rights and women issues.

The process of my land ownership journey was based on the realisation that my husband had many wives and if he were to die, which one of his wives would inherit the land? What would happen to me if they took the land? Where would my children and I stay? I needed security that was not based on a man, especially one with whom I had such a difficult relationship. So that is the reason why when we were having the meetings with the community elders to discuss my land ownership they would send me to go and tell my husband that they wanted to talk to him. I told them that he was ignoring me and that they should send somebody to talk to him and find out if he was still interested in me as his wife. I was fortunate. When a representative was sent, he told them that he was not coming, and he said they should give the land to me as he did not care. That is how I was granted ownership of the land but the fighting with my husband or should I say ex-husband continued. He would still come to my home and victimise me saying the land was his, he would threaten to kill me, but I stood up to him and even my children declared that they would never let him touch me. It was not a joke because it took about two years of him still trying to come to terms with the fact that this land was no longer his but mine. Finally, he gave up.


I have four sons and one daughter, but they know that it's mum's home. My owning land has also been good for my daughter who has two children that stay with us. There were times when my sons would tell my daughter's children that the home was not theirs and that they belonged to their father's home. I dealt harshly with my sons, they don't do that anymore. I also took them to various workshops, so they could understand women's rights issues better. Their attitude has changed, they are helping me to take care of their nephews and they understand that those boys are as much a part of our family as they themselves are.



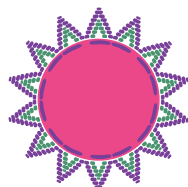
Politics of Land

In Swaziland, as in many parts of Africa, women's rights to land and property are systematically denied. Even where liberal constitutions and laws give women rights, discriminatory attitudes and practices undermine such formal rights. This leaves many women almost entirely dependent on the men in their lives for basic economic survival and vulnerable to violence, poverty, and food insecurity, particularly if widowed, divorced, single, or in marriages not formally recognised. Yet, it took me a long time to make peace with the fact that land is political and that there was no way of talking about it that did not involve talking about the power that determines who gets land and who doesn't. When I started talking about women having land; in the village, I was accused of trying to pollute the minds of women so that they turn against our culture. They tried to silence me by ignoring me especially in meetings. If I put up my hand, no one allowed me to speak. I started speaking anyway, without seeking permission. They wanted me to be more like the other women who were shy, kept their faces down and their mouths shut but they failed.





I could not be silenced about an issue that for me is about life and death. I value land the way I value myself, because in my country, if you've got land you have a livelihood and some degree of security. You may not have food but if you have land you can build your house and share or sell the other part to someone else and get money for survival. Initially, I did not think like that. I thought land was for ploughing only, but later I realised it can be used for other things such as getting collateral for bank loans. Even in the rural areas, our government is promising to have a law that enables people to use land as collateral. Much more attention is being paid to the communal lands. The value of owning land is being appreciated more, and people are grabbing land where ever they can find it. For example, somebody was saying to me that she has a piece of land that she would like me to see so that if I am agreeable, we share it and build rental houses. I am being exposed to different ways of understanding land and now I realise why for so long, men did not want women to have the kind of power, security and freedom that comes with owning land.



Successes and challenges

One of the challenges related to work on women's land rights has been that of sustaining energy, commitment and enthusiasm. Sometimes you agree on the responsibilities each person in the group has but that does not always get done and it affects relationships and more importantly the work itself. Part of why that happens is that the people on the frontlines are often activists in offices who have full time jobs. I think that they do not have the same kind of urgency as the women who are directly affected by the land and related issues daily. While there is need for the expertise of activists in the city, we still need to be able to organise as rural women and fight for our rights without waiting for other people to lead our struggles. I see a big challenge where those with the information are willing to assist, but they do not have the time. Then there are those at the grassroots who have the time but do not have information. There must be a way of finding balance in this situation. In terms of support for land rights organising, it is mostly CBO's that have been sensitised about land rights that have always supported the movement. Other women's organisations hardly get involved.

Collaborating without our male partners remains a challenge and yet it's possible. I saw partnership working when I was in the trade unions and we were advocating for what we called the twenty-seven demands. Swaziland never thought of maternity leave, but when we were sitting at the round table, telling the men exactly what was going on in the sugar belt, they were touched, they started negotiating with us especially when we explained that in the sugar belt, a woman can give birth today and be expected to go back to work the following day or else risk losing her job.

The greatest success is that we are organised, our organisation is called Swaziland Rural Women's Assembly (ZWABTA). It keeps growing and we are using the power of our numbers to raise awareness but also to ensure that change is happening.

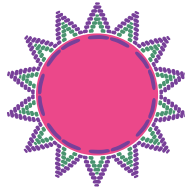
We are rooted in ten countries in Southern Africa confronting strong systems of patriarchy, sexism, misogyny, violence against women and so-called cultural practices aimed at keeping women oppressed as a collective. We are part of the People's Summit that coincides with the annual SADC Heads of State Summit. Every time SADC heads of State meet, we also ensure that we meet to raise their awareness to our plight and to lobby for change.

Effective women's organising requires varieties of activist leadership - including the capacity to facilitate, mediate and mobilise - embodied in multiple leaders throughout the movement. One way of acquiring these skills is through training and political consciousness. We have had four Feminist Schools for the Rural Women's Assembly (RWA), not just for Swaziland but for SADC. The annual feminist school has become an important space for the RWA. One of its major aims is to build on the strong tradition of rural women's activism and fight back against the way in which the commons have been grabbed, privatised and commercialised by cultivating a rural movement of women that can both defend their common interests and pose concrete alternatives and solidarity. In our view, this is a process with a longer perspective for developing a strong layer of feminist leaders in RWA and in society.



The other success is that we are not quiet, whether we are in a big or small group. We are not sitting helplessly, waiting for donors to come and fund us. We are talking all the time. Whenever we get an opportunity as ZWABTA, whose goal is to raise the voices of rural women and to progress in gender equality, to present our issues, to share information or to raise awareness, we use it well. We have ensured that young women are part of the organisation and we don't speak for them, they speak for themselves.


We developed the Swaziland Progressive Women's Charter. The Charter seeks to call for relevant structures to address such ills that women face in society.




Those that lit my path

From childhood, nobody was teaching me, but I could see that something was wrong. I think I was born with a political mind. I was able to see that there was something wrong in my family and society. No one was influencing me because our parents, even if they had a misunderstanding, would hide it from us, they wanted us to believe there was harmony even if there wasn't. When I was old enough, in my thirties, I realised that I like the language of women's rights. I understood it and was able to relate to the people promoting rights. I decided that I needed to take myself seriously and join these people, though it took me some time, because I was scared that they would evict me from the group. I said I was going to be a sub marine and follow them from behind. Then there was this young woman talking about women's issues and she belonged to 'Women and the Law' group. She kept talking until her voice went through the right veins and I said, now I must join and stay with this group.

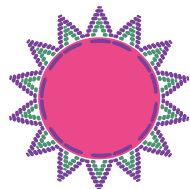
I kept asking 'what is this land thing that you are talking about?' I wondered if she would understand me since she was very urban, while I was very rural. I kept procrastinating, waiting for the right time to 'belong'. However, the right time was not coming until I was invited to another meeting, where the land issue was raised. We were told that even if we were workers in factories, we needed to know about the land issues. But I asked, 'am a worker, which land issues?'. The response came quickly, 'Your home! You need a home and it's built on land. If you don't have land, you have no home'. So, this is what the woman was talking about? My eyes were beginning to open, I was internalising slowly.



I want to see our government engaging traditional leaders and our male counterparts on issues of women and land rights. They know what is supposed to happen, but the laws are kept on papers without informing the chiefs at grassroots level that woman have a right to land.



The day we went to court to support Doo's land case against patriarchal land ownership, as I have already mentioned, I realised that women have power. I also realised that activist leadership is about shifts in psychology, ideology and practice; it is built through an individual and collective dynamics. In the past, women would not have gone to support other women but this time they organised, they went in their numbers to support the case in high court. Shifts were happening. I joined the group of supporters, and we were ululating at the top of our voices. Doo's victory was individual as well as collective, it was hers an

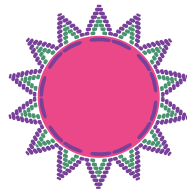


Looking forward

I want to see women accessing land and being able to support their families. At the family and community levels, I want to see families teaching their sons and daughters to respect land and know that everyone has a right to it so that they do not grow up to be adults that take it (land) for granted.

I want to see our government engaging traditional leaders and our male counterparts on issues of women and land rights. They know what is supposed to happen, but the laws are kept on papers without informing the chiefs at grassroots level that woman have a right to land.

I think there is hope for the future, but a lot of work needs to be done. We need to catalyse and deepen our organising and strengthen political relationships of trust in our movement. We need to widen our reach and build on our current success. This is possible considering that 'The Swaziland Rural Women's Assembly' (SRWA), has grown by over four thousand members since 2012. It has also mobilised over 20,000 women to more actively fight for change. We must build on our successes and continue resisting and ultimately transforming power; in all its relations, structures, forms, spaces, and places.



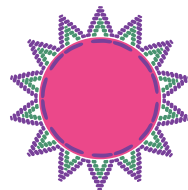
Early years

My name is Edah Gondwe Chimya, born in Lusaka, Zambia on 15th February, 1977. My Mother gave birth to 10 Children (6 females and 4 males) of which I was the fifth child. My young brother who was the 7th died at age of 18 months when I was too young to remember the relationship I had with him. I lost my immediate elder brother in the year 2008 and this was one of the worst memories of my life, we had a great relationship and his death made me wish I had loved him more.

My mother was born in South Africa to a Malawian father and a South African mother, her story is not a very good one but she is my hero and I love her very much. My dad too made many sacrifices for us even though he behaved badly towards my mother before I was born.

The special thing about my birth is that I was born after my parents had been separated for three years, a period during which my mother was sent packing when she was pregnant with my late brother. My dad then brought in another wife and they had a daughter but later returned to his senses, sent away the other woman with her one daughter, and went for my mother. I was born after my parent reunited.


Growing up, I was very quiet, clean and a little unfriendly, I enjoyed reading and was very intelligent. My siblings say that I never wanted to share, for example, rather than sharing whatever food was left over, I preferred throwing it in the bin. My closest friend was my younger sister whom I shared everything with including clothes.



Motherhood

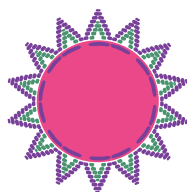
The peculiar thing about me is that I got pregnant during my first sexual experience on 13th July, 1997, and this was the beginning of my motherhood, which I will have forever cherished. This situation however, made me lose friends and other people that considered me a role model. They lost confidence and trust in me while others still considered me as a victim of a mistake that could happen to anyone. My parents were disappointed in me, my dad had great plans in my career advancement, my elder brothers and sisters





thought I had blundered in my journey as an intelligent girl whom they thought had a great future. I proved many of them wrong when I decided to stand up and defend myself. My leadership was invoked as I stood against a Church Pastor who came to tell me that everyone was looking down upon me as a sinner who was in no position to give advice or sing in church, which I fondly did before the pregnancy. I told him, in the presence of my mother, that I cared less about what people thought of me because of that one visible mistake I had made. Others committed many hidden and invisible deliberate wrongs but continued with church activities. I reminded him that there is a difference between committing a sin and living in sin. I asked him what he knew about the relationship between God and me. As far as I was concerned, I had made things right with God. After saying everything I needed to say, I decided to be a leader. The once quiet Girl had become brave and courageous.

I chose to enjoy my pregnancy regardless of my age. Suffice to say that 6 years later I married the father of my child, after ensuring we were grown up and both economically and mentally ready to love and cherish each other for life.



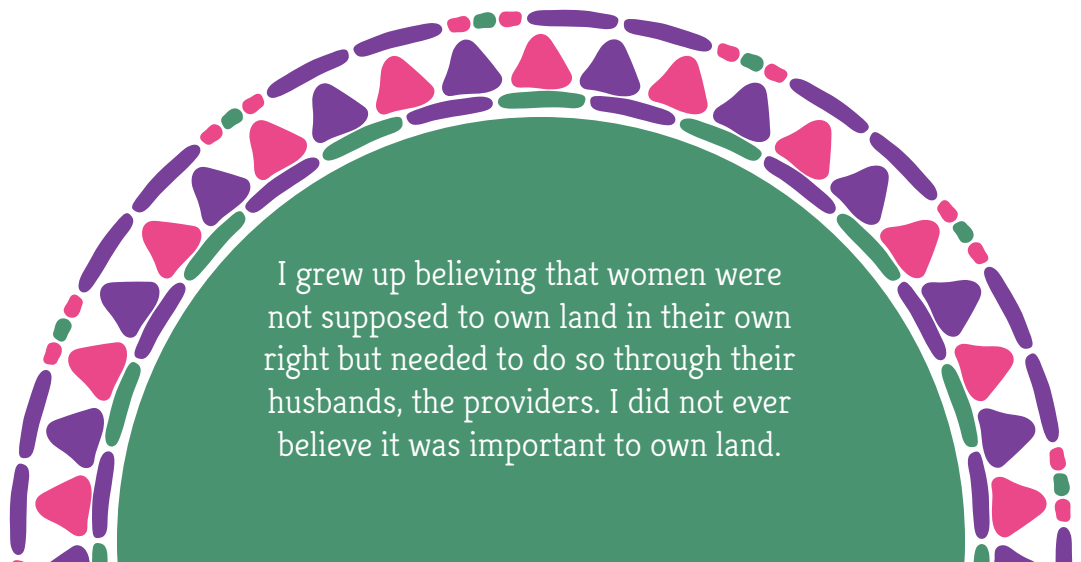
My relationship to land

I grew up believing that women were not supposed to own land in their own right but needed to do so through their husbands, the providers. I did not ever believe it was important to own land.

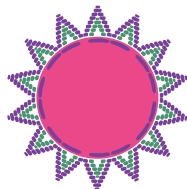
My first interaction with land ownership was in the year 2000, when a lady at a bank that I frequented as a result of my work as an Accountant, approached and asked me to buy land. I was very naïve then and I did not see the need to own land. I was quick to decline the offer. At this stage I was focused on looking good and being associated with good things such as being able to drive a great car at a young age and just getting life going well for me and my daughter, who was born in April, 1998.

My turning point on land was in 2008 when my former boss' driver came across a small holding that was being sold by a couple that was not Zambian but had owned property in Zambia and were planning to leave the country. He quickly asked them to hold it for me because he was aware I had received my gratuity which I really did not have serious plans for. This news excited me and I was ready to take up the challenge except the money I had was not enough to meet the cost. I then decided to inform my husband, we went to see the property, and both of us were interested and asked for the time to put money together. We were ready to buy within 1 month and decided we were going to own land jointly, we ensured the paper work was comprehensive. It was after acquiring this piece of land that I got interested in farming. We quickly developed a poultry project and began to keep broiler chickens, we kept acquiring more chicks and today we have a big farm.

I have ensured that we always invest and do business, a trait I learnt from my mother who taught me to sell from a very tender age. She has and is always been hard working and focused ensuring sufficient food for the family.



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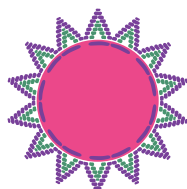
Women and the land

I have gone through a lot in order to discover my potential and redirect myself on the right track. I decided to study and succeed; a move that proved my critics wrong and brought a lot of pride to my parents as I fulfilled the dreams they had for me. During my first job, I worked and studied. I was an Assistant Accountant, within 2 years, I moved to a new company where I was employed as Head of Administrator, soon after I was promoted to Marketing Manager and rose to the level of General Manager at a Private firm where I worked for 10 years. I built trust and became one of the Directors, a position I still hold. Even after I moved to join Zambia Alliance of Women as its Executive Director, working with Women Small holder farmers, promoting sustainable agriculture, sustainable energy and women's rights to land and extractives, I remained a Director.

Zambia faces serious contradictions, which brought about by the existence of a dual legal system. On the one hand the patriarchal system is well entrenched as part of traditional belief, mind-set and practice. Some of the deep oppressive behaviours and structural violence that manifest in the country are hidden in this system. Most of the cultural practices are biased towards men on the basis of masculinity and conservative patriarchal forces which drive discrimination of women in every aspect of life including land ownership. This is supported by customary law which favours men.

On the other hand, the Zambian government has signed international conventions and agreements on various aspects of human rights. In that regard, Zambia has enacted laws that conform to these international conventions and the higher courts are mostly rights based. Zambia has a gender Equity and Equality Act signed in 2015, based on the domestication of the 1979 UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the 2008 Southern African Development Community (SADC) Protocol on Gender and Development and the 2003 Protocol of the African Charter on Human and Peoples' Rights and on the Rights of Women in Africa. The Act provides a framework for protecting women's rights and any form of discrimination such as in land allocation, which is prohibited by the law. The failure of the state to fully implement this Law is of major concern and calls for action by civil society organizations. They need to mobilize and empower women to engage and interrogate patriarchy in implementation of law and on dismantling it (patriarchy). It should also be noted that while the creation of women-friendly laws can be counted as important victories for the women's movement and women's rights, change and transformation must take place in the home, in the family, the church—these are realms of hidden and invisible power.

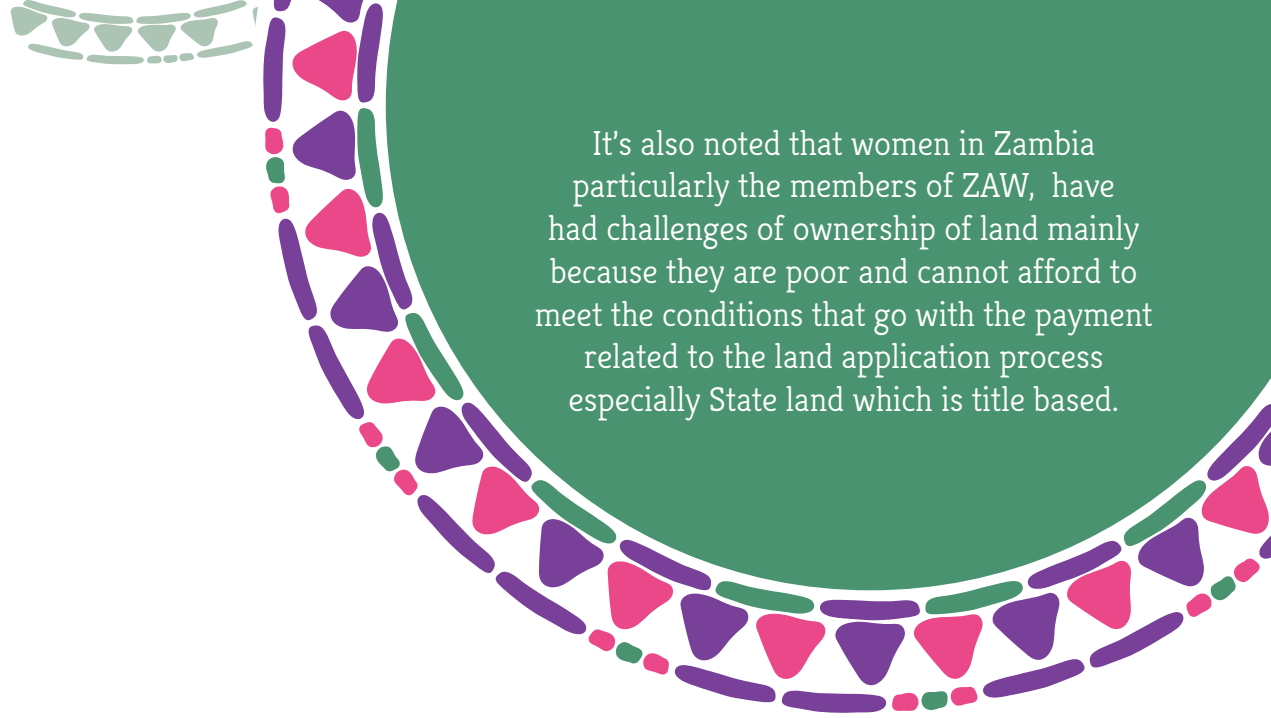
Experience in Zambia has shown that customs and practices that govern customary tenure systems are not static, and that the rules that govern women's access to land could change with the acquisition of new knowledge and perspectives, especially when backed by a strong legal framework and an a well organised active network of Civil Society Organisations. Raising awareness of women, the traditional, religious and political leaders on the contents of the Gender Equity and Equality Act has the potential to change the negative reality that is currently faced by women in Zambia.



Zambia Alliance of Women (ZAW)

ZAWs strongest contribution is its commitment to building women's collective power through popular education and consciousness-raising alongside deep and strategic partnerships and alliances that range from women working at community level to regional organisations and other actors. Political consciousness-raising is the solid foundation of ZAW's work and the organisation looks forward to a time when it will facilitate a mass of politically-conscious communities that challenge power and give rise to critically-conscious and strategic women's rights movements across the country.





It's also noted that women in Zambia particularly the members of ZAW, have had challenges of ownership of land mainly because they are poor and cannot afford to meet the conditions that go with the payment related to the land application process especially State land which is title based.

In the past 10 years, ZAW has been instrumental in advocating for Women's participation in Agricultural decision making, Environmental Sustainability and Women Land rights. For example, in partnership with Zambia Land Alliance, Non-Governmental Organization Coordinating Council (NGOCC) and Action Aid, ZAW implemented a project which aimed at advocating for women's empowerment by increasing productive resources including land as well as building women's capacities in Conservation farming and sustainable land management.

Political will exists for Gender Equality in Land Administration in Zambia especially after the President of the Republic of Zambia, His Excellency, Edgar Chaka Lunge, made a directive on International Women's day to all line ministries responsible for land administration to ensure land is allocated equally between men and women. Exactly 21 days later, the announcement was followed by an instruction to the relevant Ministries to implement the directive.

It's also noted that women in Zambia particularly the members of ZAW, have had challenges of ownership of land mainly because they are poor and cannot afford to meet the conditions that go with the payment related to the land application process especially State land which is title based. It is worth noting that Title deeds are also used as security to access financial services from banks and other financial institutions; the services which most women need to boost their production, especially women small holder farmers. Sadly, they don't have security and hence it's difficult to borrow. The Country's productivity is not maximised because it does not harness the full capacity of all citizens especially women. Yet, it has been noted that women are likely to increase cross sector productivity by 20 to 30 per cent if given equal access with men to productive resources. Women's leadership and confidence as citizens and political actors is also shaky and need to be strengthened so that they can educate, organize and empower other women and communities to address problems together and demand credit facilities to enable them purchase land.

Some progress has been made and some women have acquired land. However on the whole, there is need for women to leverage collective political power at all levels of decision-making (e.g., village, district, and national,) to positively influence and hold accountable the institutions and structures (e.g., decisions, laws, policies, budgets) responsible for the enforcement of laws that shape access to and control of resources.

For the future, the task is to work towards transforming power relations at all levels, to work for development that is transformed by its inclusion of the work and relations of the personal and private sphere, which is most of the work; to contest the interacting hierarchies of class, rural, urban and gender.

Given the size of the task, ZAWs successes should be seen in perspective. But they are not insignificant at the individual level and groups levels; personal growth, gaining a sense of legitimate entitlement, finding out how to organise, and developing solidarity across differences. At both the individual and group levels, surviving and learning in the face of huge obstacles, fighting for land ownership and realising minor successes has been achieved



My name is Thabile Mokoena Dhlamini. I was born on the 14th of July in 1973 in the rural highveld's of Bulembu.¹ My grandfather had one wife, but had children from two other women outside the matrimonial home. My father had two wives and my mother is the first one. Before marrying my mother, my father had a daughter who was then raised by my mother. My mother had ten children and my stepmother also had ten children. In total there are twenty-one of us, ten boys and eleven girls. When I was seven years old, my father got some land for my mother to construct a house. My stepmother moved there too. And so did my father's nine brothers. We were a huge family living on that land. As for my childhood, growing up in a family with so many children was not easy. My father tried his best but we were too many and he just wasn't earning enough money to support us all. He tried hard to treat his wives and children equally but even that was not always easy.

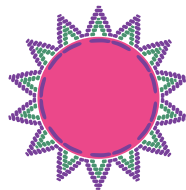
As a child from the older mother, you would suffer more than the children of the younger mother. It is usually like that. In 1998 my father constructed a house for my stepmother and so we began to live apart. My mother's children and I stayed at the original home going to school from there. It was not that bad but the brutality, the beatings were really bad. At that time, my father and my mothers were drinking alcohol excessively so they used to fight a lot. That was not good for us. Luckily my father stopped and my mother also stopped drinking and became Christians. My father died in 2015 as a good Christian. The fights emanated from the drinking because after the drinks is when they would fight and so we were exposed to the violence and heard words that we were not supposed to hear. As a young adult I got married and my own marriage was bad before I encountered the Rural Women's Organisation. I even tell my husband that he is husband number two. Husband number one is Rural Women's Assembly.

A few years ago, I was invited by a friend to take part in a rural women's meeting. I joined as an ordinary member but was so actively involved that I soon became a conduit between the organisation and the other women in our community, conveying the information to them. The assembly is mostly about women based in the rural areas including younger girls. We also have some women based in urban areas that are members. The focus of the rural women's assembly is to encourage women to be self-sufficient so as not to depend on men all the time.

¹ Bulembu is a small town located in North-western Hhohho, Swaziland, 10 km west of the town of Piggs Peak. Located above the Komati Valley in Swaziland's Highveld, Bulembu is named after the siSwati word for a spider's web.



From time to time the organisation visits Bulembu and on such occasions the women from my community meet at my home and we have trainings. Mostly the trainings are about land, so I like to think of my home as a space for women's growth and fellowship.



Not without a husband or a son

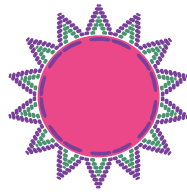
Here in Swaziland, most people know that for a woman to have a piece of land, she has to have a husband or a son. A woman would not have land in our community if they did not have these. The Rural Women organisation opened our eyes. Most women were not aware of a section in our constitution of 2005 that talks about women's access to land. When I got that constitution in 2005 I just threw it in the cupboard and did not read it. It was only when I joined the Rural Women's assembly that we started reading it. That is where we found our treasure.

It was like a completely new discovery. I was finding out for the first time that as women, we have rights; my own rights as a woman in Swaziland not the rights I get because I am someone's wife or mother. Discovering that I, Thabile have a right to own land. I was so happy to learn this that I sang and danced all the way home. I organised a meeting of women in my community and I took my constitution with me. I asked the Rural Women's Assembly to provide more copies and I handed them out to the women. We read the section containing our rights and every woman present was very happy.² We then selected an executive committee that would go into the inner councils in the communities just to share the beautiful news in the constitution. The head of the inner council was amazed when he saw the section. He asked where it had come from. I replied that it was from our constitution! They read it and then expressed how over the years they had suppressed their girl children and wives. They were not angry as one might expect. They too were tired of watching their daughters suffer. These were all men, the Rural Council. They said they would now like to have female representatives in these Councils so they went to our chiefs and chose some amongst us. I was the chosen one. I became a member of our rural council.

From there we went home and immediately called for another meeting with our fellow women in the community to share with them the good news, that now even those that did not have husbands or male children could own land. The women were amazed. The meeting was on a Tuesday in December of 2015. We then organised for the first woman in our community to try and access land using the provision from the 2005 Constitution. At the next Rural Council meeting a woman came with her two-year-old daughter and requested a piece of land. The men there began to ask where her husband was and saying that they wouldn't want a situation whereby she would cause scenes with the husband. They asked if she had a male child and she told them that she did not have one. They asked if she had a husband and she told them that she did not. They then wanted to know what she needed land for and she told them that she just wanted to construct a house for herself and her daughter. There was some grumbling amongst the men. We just kept quiet. There were three of us members of the Rural Women Assembly in this Council but only two of us were present that day.

After a little while I just raised my hand and said, "My elders, do you remember the constitution? ..." I gave them a copy and instructed the secretary to read section 211 (2). Immediately, the men all laughed and told the secretary not to bother reading. They then asked the woman which area she wanted. She told them and they asked her to pay the normal fees to the chiefs. During our next council meeting which was a week later they pegged the land for her and we were just celebrating that we are now truly free in our community. I can now have land and use it for whatever I want. I can construct a house or use the land for farming. I can rear goats or cattle if I want to. I realised that it is not enough that the Constitution says something, if people don't know about it or are not forced to do it you will not get land.

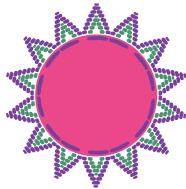
² Section 211 (2) of the Swaziland Constitution of 2015 reads that, Save as may be required by the exigencies of any particular situation, a citizen of Swaziland, without regard to gender, shall have equal access to land for normal domestic purposes.



Then came marriage

I got married in 1998 to a man of my choice. We were lucky in our family. We do not have even one sister who was coerced into marrying someone that they did not like or chose for themselves. So, I got a man of my choice, a good husband. He is the first born in his family, although there was one before him who died. My mother-in-law had three sons and no girls. My husband became the head of the family at a young age. I do not know my father-in-law because he passed on early when my husband was younger. He had to take care of his mother, emotionally, physically and otherwise. This was kind of hard for him. Even now for me, sometimes I am left alone as he goes to take care of some family issues. My mother-in-law is still there but has grown quite old now and she is a diabetic. I used to cry and be sad because of it but now I am a feminist and I understand. I tell my husband if I do not like something and he understands.

When I was a child we used to play as boys and girls. I loved that because there was no segregation. We would make balls out of plastic to play catch and to even kick. Both boys and girls would participate in those games. My stepmother's first two children were boys and my mother's first two were girls, so when our friends came around we had to play together. It was wonderful. We used to swim together, both boys and girls in the same space and there was no problem. It was good. I am not sure why these relationships change as kids get older and become adults.



Holding up a sister when it matters most

Apart from the learning about rights I also realised the power of coming together as women. I have a friend in our community. Her husband left her, and she was so devastated that she decided she wanted to just pack up her things and leave the community. She did not tell me any of this, it was one of the women in the assembly who passed by her house and noticed she was in a bad state that came and told me so we went to her home and started singing, dancing the Swazi dances. We were performing for her. I thought she would enjoy the music because she is a community leader responsible for the maidens and music and dance are a big part of her life. She was very happy.

Once she was smiling and laughing I told her we had come as sisters, members of the Rural Women's Assembly and we wanted her to know that she was not alone in the community. When she started washing her clothes, we all joined her. We helped her with many of her chores. We took the livestock to the pastures.

The 12 of us had gone wearing our T Shirts for our organisation and the pangas/mahiyas (traditional Swazi national dress). We talked about how being hurt could make us doubt who we are and how much strength we have and that sometimes in those moments we need others to remind us. I told her that she was strong, beautiful and a feminist. She asked what a feminist is, and I told her that a feminist is a woman who knows herself, that she is strong and beautiful and that she loves herself. I reminded her that her husband did a good thing by leaving her with a treasure in the form of land and livestock. I emphasised that we need the farm, goats, and the cattle. There was a herd of nine cattle and 16 goats. At first, she was jittery, saying that she was not interested in all this without her husband, but I kept on talking and my sisters began to support me. They told her that she was strong and that she had to learn to live on her own without a husband and she just had to let him go. We told her that we were prepared to help her to make sure that she had enough to eat for herself and her little boy. We promised to help her if she fell sick, but we told her that this would just be for a few weeks, after which she would need to take charge of her life and recognise that she can survive on her own.



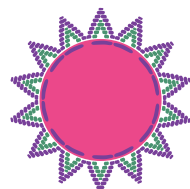


It has been a few years now. She is now very happy, and her happiness is not because of a man! She just realised her strength when we talked to her not just on that day but also in the days and weeks that followed. Life should not stop because a man has walked out of our lives. We must show our little girls what a real woman is like. They should know that we are beautiful, that we are strong and brave. Her son is in Grade 2 now and yet she was pregnant when the husband left. It is when he started sneaking to see the boy that our sister felt really hurt and wanted to pack up and leave. Now she is such an inspiration to other women in the community who think a woman cannot live without a husband. It is not always easy, but we need to remember to hold a sister up when she needs it the most. Sometimes rights are just not enough, and we need solidarity and sisterhood to get us through the difficult moments.

When my organisation came back, they established a Rural Women Charter in my community. The inner Council headmen were very happy, they even joined in the singing and dancing the day the celebration gathering took place. Even though there are men who are boastful and who grumble, they still have daughters who are suffering at their homes because of unfair policies and ignorance. My headman said that he was going to make sure that his sisters know about these rights enshrined in our constitution that protect the women. Our organisation and other organisations give us knowledge about the girl child and equality among the sexes. The boys should know that if a girl can cook, so can they. The girls should also know that if the boys can herd cattle, they too are able to do that. There should not be jobs set aside for girls or for boys. They are equal. My own boys can cook, clean, and even take care of their little brother who is now seven years old! Even when I am away for workshops, I do not stress because I know that my husband will be well taken care of. I do not even worry about my little boy because his brothers will do everything. I have four boys and one girl. They are all happy that I am part of the Rural Women's Assembly.

Even my husband has expressed joy because of what my organisation has done for me. He notices that I am very happy about it and he does not at all feel threatened by me. My husband understands that if I am happy, then he too is happy. When I come back from workshops and meetings I sometimes sing and dance because of joy and my husband joins me in the celebration. It is not all men that are animals.

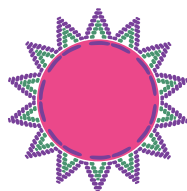
I think I will continue to work with young girls in my community so that they get knowledge on their rights. I am actually planning to work with the young girls in the area where I was raised. Although there is a Rural Women Group here, it is very far from my home area. I have just had little time there but when I visited, I gathered the women and told them some of these things. They understood but they need more time and more explanation. In my home area many ladies are still ignorant about this important section of the constitution such that they still think that for a woman to possess land, she requires to have a husband or a son. It is unfortunate that my father is now late and has not witnessed my achievement. He died in 2015.



Walking the feminist talk

A big part of my feminism was learning to understand and appreciate myself. Knowing my value and the value each woman has, helps in fighting for the happiness of women. In Swaziland patriarchy is very much alive. Men often step on women and I cannot keep quiet about it. When I see injustice, I point it out. Even in my family they know this about me. I rebuke my brothers if they are not respecting women or abusing their wives. There was this brother of mine who used to play a lot with girls. I called his wife, my sister-in-law and said to her, you know, your husband is my brother. I know you love him and I love him too. You see what he is doing and she said yes. I told her to take care of herself. And to plan for something else to do and not to depend on my brother. Now she is a businesswoman, taking care and educating my brother's kids. He is now just there looking and begging my sister-in-law. He used to call me asking for money. He would ask me to call his wife and ask on his behalf. This happened before I got on to the Rural Women Assembly. This shows that this thing of educating women has always been with me although I did not know as much as I know now being a member of that organisation. My sister-in-law's first-born is now in Form four and her second is in Form two. The others are still in primary school. She has done very well in educating and taking care of them. When I tell her what an amazing and beautiful woman she is, she says it was all because of me and the motivation I gave her to build her life. I still share her story in order to motivate other women.

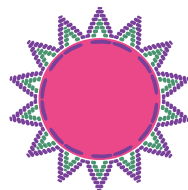




My career is just an extension of my activism

I am a community developer. We look at issues like road development, water and electricity supplies. So sometimes people in the community will come and say my child is not going to school because I do not have school fees. Just that can ruin your day especially if it is a girl child. You look at the mother, she has no means of paying school fees. Worse still, some of the girls do not have parents. But sometimes I see happy women and girls and that makes me happy.

My days are not always good because at work when I see a woman or a little girl, I get concerned about their situation. I also get concerned about men and boys, but I am more concerned about women and girls and so when I see that there is something not right with them, I feel a lot of pain or a heavy load on my shoulders. I will then try to see what is wrong and find ways to help that girl or woman.

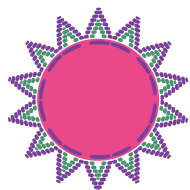


Passionate about the land

I am interested in land because we do a lot of things on the land. There is a direct relationship between women's right to land and economic empowerment, food security, and poverty reduction. You do not have a place called home if you do not have land. You do not have something to eat if you do not have land. I live in a community and I've got land, just to plough maize and plant sweet potatoes and pumpkins to eat. I used the garden to grow spinach, tomatoes, or other vegetables. No land no life. I cannot be a farmer if I do not have land. I used to grow maize and when I had surplus, I would share with the less fortunate so that they have pap which is our staple food in Swaziland. I sell some of the maize so that I can buy the things that I do not have. To me land is life. Where there is land there is life.

When we were little we would be happy when the time came to plant and plough the lands. We had big fields at my home area. We would do it happily and at the end we would just eat and laugh. Our parents would wake us up very early, like at four in the morning to go to the fields. They would say we had to work before the sun got very hot. We would go and work and when we came back we would go to the river to bath. I am just happy that I was raised in the village and not in the urban areas where there are no fields. In the afternoons we would take my father's goats to the grazing lands. Where there is no land, there is no grass for the livestock. I just love the land. I loved land from a long time ago when I was still little. We did not have a lot of money, so we just had to grow the food.

When I got married I moved to live with my husband's family. After a while watching other women suffer about land I asked my mother-in-law for a piece of land of my own where I could build what I want like a chicken coup or grow food and she agreed. I had to follow the process and consult the council who allowed me to get land from my mother in law so that is how I got land that belongs to me and not my husband. I built my home on that land as well as a chicken coup. My children used to say this is mama's place and so I realised that they were noticing something. They knew. I used to tell them that even if I were to die, they should not release the house to anybody because it is mine. It is ours as a family. Do not sell it because it is precious to me. I've got chickens and I was planning on planting fruit trees to make an orchard.



Successes and challenges

When I see young women and girls now I imagine that they don't like land. But I think if we talked to them and educated them about land, like what I said that land is life, I think they will understand, that all that food comes from the land. I see it with my eldest daughter. I think she is like her mother. She loves to go to the fields and to the grazing lands. Like I said, she is 21 now, maybe if we could include other girls, say from ten to twenty-two years into feminist activities then they could grow up with a wealth of knowledge and understanding about land, their rights and also their responsibilities in the community.

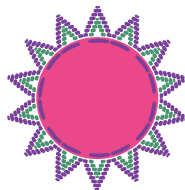


It was in 2016 that I began to understand the power of land. Land and women as we used to say at Rural Women Assembly. If I have land, I will not get eviction threats from anybody.

In the story of land in Swaziland there have been some victories and some challenges. The victories include the Doo Aphane case in which she challenged the deeds registry for refusing to register land to her in her maiden name. There have also been advancements in the recognition of women in the constitution as citizens who could access and own land equally.³ What however remains a problem is the acceptance of this by leaders in different communities, it is in this sense that I feel we are continuing to fail as a country. Having a law or policy is not enough if it is not implemented.

The shoulders on which I stand

I learnt a lot about land from my mother. From the time that I was very little, she used to carry me on her back and go to the fields. When I started crawling, I was on the land. My organisation then built on what had already been instilled in me by her. I was afraid of snakes on the land though. There are big snakes that live in the tall grass in my home area. When I think about snakes that is the only time I cannot get excited about land. Growing up and even as an adult I have encountered snakes a lot although they did not harm me.

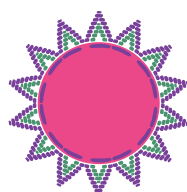


Looking ahead

As I look ahead I feel both hope and fear. I recognise where we have come from and the many victories women have won on land rights issues. This tells us that there are shifts taking place in the world. On the other hand though, the fact that there is very little in terms of practice that matches the Constitution reminds me that there is a real struggle ahead still. What has been most apparent and needs to continue is the power that there is in coming and working together. Whether it is for resistance or for supporting each other, there is power in women's collective energy. If a small group of women in Bulembu have done it then many others in their small communities can do the same. We will never know unless we try, and I am not prepared to give up.

As I look ahead I feel both hope and fear. I recognise where we have come from and the many victories women have won on land rights issues. This tells us that there are shifts taking place in the world.

³ Aphane v Registrar of Deeds and Others ((383/09)) [2010] SZHC 29 (23 February 2010)



Early years

My name is Tiwonge Gondwe, born on 14th August 1972 in Blantyre, Malawi. I was born in a polygamous patriarchal family, my father had four wives and my mother was the second. We were thirteen children in total, seven girls, six boys and I am the second born to my mum and the fifth born to my father.

My childhood memories are many, the one that stands out and the most painful was the time my mother left my father and we suffered at home, living a miserable life while dad was enjoying himself. We had no food, no fees, no clothes or even shelter, we even forgot the taste of tea. But my mother was strong and worked hard. After a year, she started a restaurant and then she joined business groups, she was one of the women sent to Belgium by the National Association of business women (NABIW). Our life was back to normal.

I got pregnant when I was 17. My mother told me that since I had chosen to get pregnant, I should find ways of looking after myself and my unborn baby. That was when my search for economic independence started. I worked hard, did odd jobs to take care of my baby and I survived.

I got married and had three children with my husband, three boys and one girl. He passed away in 1998 while my last born was four months old. After a while, I remarried in 2006 but divorced in 2010; as of now am single.

A typical day in my life is waking up early morning, working in my garden, coming home, cooking for my family, making sure that everyone has all the necessities while attending to women and girls who face violence. Most of these are women, who are isolated and silenced—by their families, communities, and relatives - they come to me because they know they can speak out without being judged, build solidarity with each other, and work together to demand respect for their rights. Sometimes they come for simple advice or to simply talk. It's always hard for them though to demand freedom or to break away from abusive marriages because of lack of resources. In rural setting the main resource is land which many do not own.

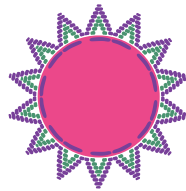




About land rights

In Malawi, rural women's land rights are mostly governed by customary laws, which are unwritten. Even if a woman has a piece of land today, it can be taken away any time by either relatives or husbands. We have matrilineal and patrilineal societies. Under patrilineal traditions, prevalent in the north, in most cases, women cannot own or inherit land, although they might access it through male family members. Matrilineal customs, which are found in the central and Southern regions, are supposed to be more egalitarian and often give women land rights but that does not mean that land is always controlled by them (women). Unfortunately, often those rights are taken over by their male relatives but there are exceptional cases, where women own and control land in their own right.

In my community, people own land through inheritance and those who can afford, buy it. The land which is secure is that which one buys because ownership and control are guaranteed. With customary law, most men have access and control and women don't. Thus when a man dies, the property he leaves behind may be grabbed and/or even its use rights may be disputed by the wider family, leaving his widow and children property-less, and having to move away from the marital village or residence. This is exacerbated by the impacts of AIDS, which often induce a downward spiral in well-being of widows and their families. So, I try as much as possible to build bridges between activists living with HIV and those working on issues of land acquisition. This is part of my deliberate strategy to overcome issue of silos and fragmentation of our movements.



My connection to land

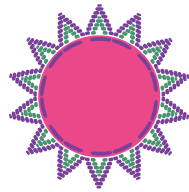
I am leading women in their efforts to stand up and lobby for equal rights to land ownership. I work day and night to ensure that all women own some land however small. Without any land at all, it's impossible for them to feed their families, let alone have access to water, space to graze animals, and other vital resources.

My drive and passion come from my own struggle to have land that is rightfully mine. I have a piece of land, 2 hectares, given by my grandfather, it changed hands; it was first given to my brother without negotiating with me. With resilience and determination, after his death, I inherited it. I was helped by the fact that he was the only boy from my mother and his wife remarried. I then begged my grandfather to give it to me. I bought another piece using my own money.

I have a full bundle of rights over the piece I bought and which I have papers for. I am free to sell or use it as collateral. I have built a house on the inherited land, three bedroom where I get 20 000mk (about US\$ 30) per month as house rent. There's a small place where I can also build a cottage, and this is what I intend to do. I carry out farming activities on the land I bought for which I have documented rights. Much as I would like my land to devolve upon my children, it is unregistered and without formal ownership documents, it's possible that they might not inherit it. I have been encouraging them to go back to their grandparents and demand their own land.

My struggle to get land has not been without its barriers. As a woman living with HIV, in the eyes of many, especially chiefs, I am already dead, and I don't deserve anything. As a divorced woman am not entitled to land. Had I not inherited from my brother, I would probably have remained in a violent marriage for the sake of keeping the piece of land I had.

In spite of all these barriers, I believe that we women have a right to land, but land is power, and it won't be given away easily by those who have it. To access it, we must strengthen our inner power and power with each other; build a strong movement so that collectively we take actions to challenge the barriers. Men should not be allowed to hold on to power for ever, it must be challenged and our voices from the ghetto must be heard. We need land; its capital and its life. Our motto; my land, my right!



My life as an activist

My connection to women and rights in general was strengthened by the multiple challenges I faced and tried to overcome. I started breaking patriarchal rules one by one a long time ago.

- As I indicated, I was one of the first people to openly declare my HIV status. As a result, I faced harassment, threats and abandonment. My own brother abandoned me, he said I had shamed the family.
- When my husband died, I was supposed to stay either at his or my father's home, according to my culture, but I went to stay at my mother's home to take care of my younger siblings with whom we share the same mother but not a father.
- My mother was sick on and off for almost a year, she was bedridden so had not worked for a long time. I had nothing to sustain me as my husband's relatives had grabbed all our properties and left me a destitute. I abandoned the church rules. I brew and sold local beer, this was the only business I could afford to do with the little money I had, so my fellow church members labelled me a big sinner. I told them to their face that I was doing what I could to survive.

I continued in the beer business until 2006 when I was privileged to be chosen by chiefs as one of the people to carry out a 'Participatory Vulnerability Analysis (PVA) on Violence against HIV positive women'. I was chosen because I had openly disclosed my HIV status mostly to people who were my beer customers and others that I found in other gatherings. I disclosed because my mother and my husband died from Aids. I wanted others to avoid going through the pain I experienced. To support ourselves and others already infected, my two friends and I started a support group called *chigomezgo*, which in our language means having faith. The three of us who started the first support group have not stopped working as organisers and mobilisers in other areas mostly HIV and women's acquisition of land. By the time we started, one of us was 10 years old but now he is working under the Ministry of Health as a patient attendant and is happily married with one child.


The PVA report revealed that the high prevalence of violence against women in our society is due to several factors such as cultural and social norms, stigma and taboos related to sex and sexuality. The analysis exposed painful stories, most of them related to poverty caused by land disinheritance. Using the report, we started mobilising and organising women living with HIV to advocate for the elimination of bad cultural practices including disinheritance.

In 2007, I was chosen to go to South Africa to attend a meeting of an organisation called Just Associates (Jass). During the meeting, I was motivated and inspired by the question which Lisa VeneKlasen, the Director of Jass asked us; 'who makes decisions for us who are living with HIV? How are we involved in decision making? A lot of donors are supporting HIV programmes, where is the money? Is the money reaching the affected and infected?'

As I reflected on the questions raised by Lisa, I resolved to work hard and ensure that never again will anything be for us without us. At least not in my community.

During the workshop, my presentation was about *Women living with HIV in Malawi*; it was so compelling that Jass, in collaboration with Action Aid, started doing work in the country. Through working with Jass and Action Aid, I understood that what I had been doing all along is called activism. Finally, I had a title, activist Tiwonge. They enhanced what I was already doing by giving me the tools to do it better and systematically. Jass exposed me and gave me platforms that enabled me to speak out and share my own experiences with women from different parts of the world.



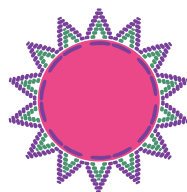


Working with other women and supported by Jass we created and launched a campaign called, 'Our Bodies, Our Lives' for access to ARVs for women living with AIDS. We also campaigned against patriarchal negative attitudes of men who claim that women cannot lead by advocating for women to be chiefs in my community.

I am a member of the Coalition of Women Farmers in Malawi (COWFA). In 2017, I was chosen to attend a meeting in Tanzania Arusha, known as The Kilimanjaro Initiative. This is an idea that was conceived by rural women supported by civil society organisations in 2012 to claim African women's rights to access and control land and natural resources. The common adhesive for the Kilimanjaro Initiative is the desire to end the pervasive and continued violation of women's rights to land.

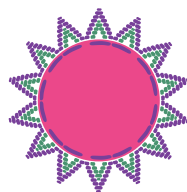
During the meeting, we agreed to have a structure which will champion the initiative, composed of small holder women farmers from different countries. I was chosen to be the vice chairperson of the Pan African Rural Women Council. One of the responsibilities of the Council is to organise women from different regions in different caravans and annual, converge at the foot of Kilimanjaro, and continue to make demands for land ownership. We created a [charter of principles and demands](#) specifically on women's access to control, own, inherit and dispose their land and natural resources. It was presented to the chairperson of the African Union Commission (AUC), and endorsed by the AU Heads of States. In our own countries we are engaging Ministries of Land, Agriculture and Gender. In Malawi, the charter, contributed to the demand for the review of land policies and this was done.

This work of land acquisition relates to HIV because without food, treatment cannot work so as a local woman I need land to have my food on the table and my food will lead me to treatment adherence because without food medicines cannot work in my body. My body my right



Shifts over the years

Due to lobbying and advocacy initiated by the women's movement and other progressive organisations such as Oxfam and Action Aid, ownership of land in Malawi has shifted over time by putting policies and laws in place to enable everyone to access it. Today, we have a Land Act passed in June 2016 by Parliament. The new Land Law recognises and safeguards the right to land by all, including disadvantaged groups, such as widows, divorced women, unmarried women and orphaned children, who were previously deprived of land, under oppressive customary land governance system. The new land laws will help to improve land governance by decentralising decision-making roles and by providing public participation in the administration and management of land related matters, creating customary estates and land dispute settlement mechanisms while establishing land committees at various levels. It is being piloted in three districts.



My successes as an activist

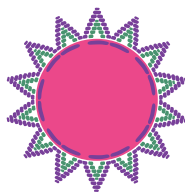
In my struggle for land, I have recorded some successes: As I have already indicated, I have a piece of land; one inherited and another bought. These two pieces of land enabled me to leave a violent marriage because I knew that on my own I could feed my children and build my house. I am an inspiration to women who fear to fight for land, I have done it, and they can do it too. The second success is that am one of the champions who lobbied and continue to lobby at community level; traditional chiefs, husbands, brothers and religious leaders to give women land so that they can access, control and own it. Slowly we are achieving our objectives; some people understand and have started giving women land. The third success is that I am part of the women's movement and I fight for rights including those of women living with HIV and AIDS.



Regarding land, our role as a broader movement is monitoring the implementation of land laws, ensuring that there's increased number of women and girls owning land and making sure that bad and retrogressive cultural practises that infringe women's access, control and ownership of land are abolished. At community level, we educate chiefs so that when they settle land disputes they are informed by the land act.

Challenges

- Changing people's mind-sets takes long, Government can have good policies and laws but implementation is a big challenge and holding duty bearers accountable is also difficult.
- There is lack of collaboration amongst stakeholders most especially CSO who work on land and other related issues. I don't know if we have data on who works on what and if we have mechanisms for building solidarity especially on sensitive and difficult issues which need strong and collective voices. What I know for sure is that we are scattering our energies instead of forming a strong force to fight 'the master's house'.
- Officers working in the various formal institutions and traditional leaders do not have adequate information on new land laws to administer and adjudicate fairly. Women themselves have low levels of literacy or education that constrain their ability to get and decipher information. Since the new land services will most require form filling and processing and payment of fess – men who are more literate and have more cash incomes may cleverly expropriate land from sisters and wives. This means that officers in land administration should be trained to understand inheritance and property law and also to recognise gender issues. Additionally the law should have penalties for officers who will facilitate gender irresponsible procedures and outcomes.
- Some of the ignorance or silence concerning property inheritance and administration procedures can be ascribed to a culture of superstition about death. There is a social reluctance to know or deal with matters of inheritance before death. People do not seek information until they need to.



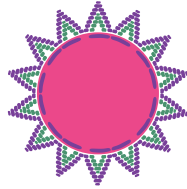
Tribute to my teachers

Teachers who have influenced and mentored me are many. They include my mother, women land rights activists, Oxfam and Action aid staff and the rural women small holder farmers within and outside Malawi, and Mama Nkosazana Dlamini-Zuma's commitment on the African charter developed during Kilimanjaro Initiative by Panasonic African Rural women council.

No organisation has mentored me more than Just Associates (Jass). It exposed and trained me about the importance of understanding power and patriarchy, gave me activist tools and helped me to build a community of women living with HIV; Jass made me the fearless activist that I am. It created room for me to find my voice and use it effectively to serve other women.

For the generations to come I would like to leave a legacy of the importance of social justice, learning to treat each other equally and fighting for those who tend to be invisible in the world. Discrimination based on whatever differences should be done away with.

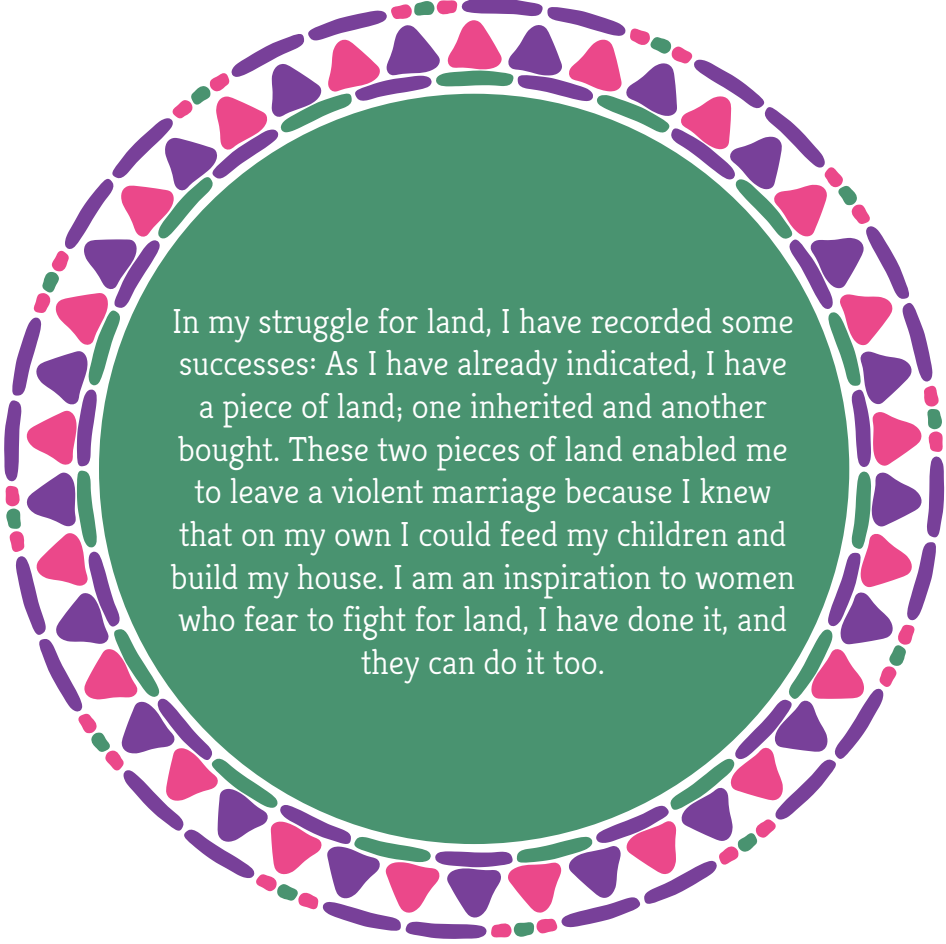




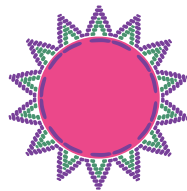
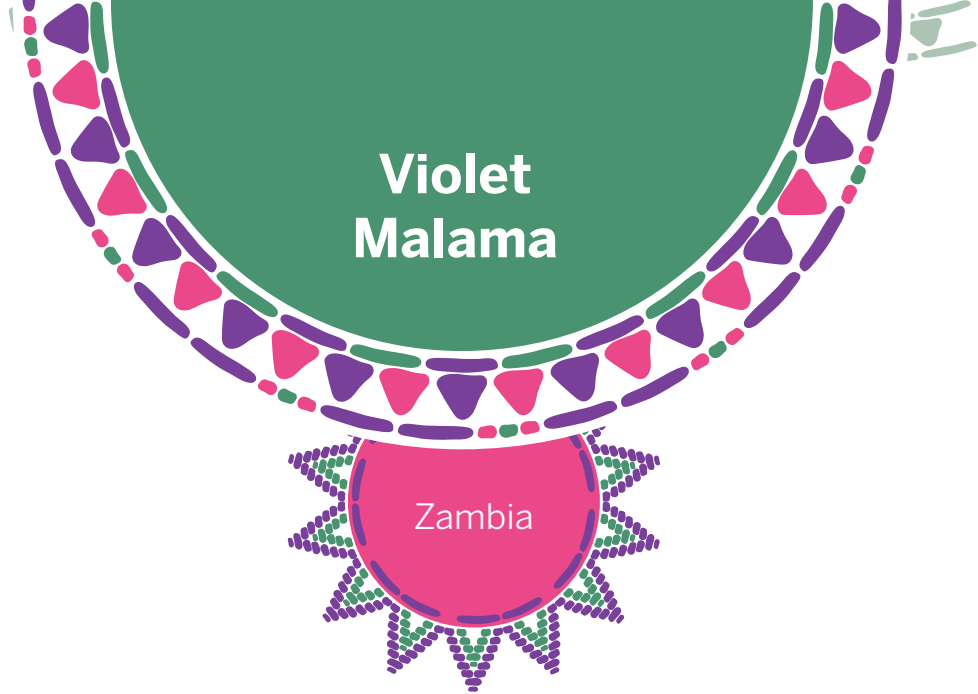
Final words

Over the years, we are seeing change in land ownership. This means that when we work together, as a collective, we can achieve what one organisation cant. The institution responsible for assigning and securing women's and disadvantaged people's land ownership and inheritance entitlements are being reformed and transformed. This includes some changes in customs, perceptions, laws and structures for administering and adjudicating ownership and inheritance matters, as well as policies and programs related to livelihoods derived from land. However, we still have mountains to climb to ensure that those responsible for implementing the new Land Act continually look out for discrimination based on gender in these institutions that if ignored would continue to lead to extensive dispossession of land from women, orphans and the poor with negative consequences for their future and well-being.

I'll continue the struggle for women's rights till there is no breath in my body.



In my struggle for land, I have recorded some successes: As I have already indicated, I have a piece of land; one inherited and another bought. These two pieces of land enabled me to leave a violent marriage because I knew that on my own I could feed my children and build my house. I am an inspiration to women who fear to fight for land, I have done it, and they can do it too.



Early years

My name is Violet Malama, born in 1965, fifth born child in a family of five girls and one boy. Ours was a medium income family, my father was a medical assistant and my mother was a cleaner in a hospital. We lived in an affluent part of town and with sacrifices from our parents, went to good schools.

One of the things my dad always told me was that I should have been a boy because I had a strong character. After primary school, I qualified to go to secondary school with flying colours, as my father was taking me to school, he told me to concentrate, never to be confused by handsome boys, and one day, become a very important woman. Sadly, in 1982, just after I qualified to go to form four and having been selected as a prefect, my dad passed on, a day after I shared the good news.

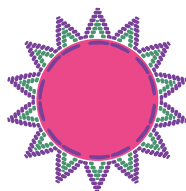
After my father's death, life changed drastically, we moved from Mayadi (an affluent part of town) to a small house in a hospital compound with no electricity and with communal water. My dad had acquired some land just before he died, but my mother lost it to some rich man. She always told us that she lost it because there was no man to stand for her to claim the land but I am sure mum couldn't fight for it because she was semi-literate. The matter died a natural death.

After completing my schooling, I was unable to attend college. My mother, a sole bread winner, was struggling to pay for my sibling's college tuition. I asked if I could live with my Uncle, who had a good job in Lusaka. In order to get money for my bus fare, my mother sold some furniture. As soon as I got to Lusaka, my uncle got me a clerical job at the National Agricultural Marketing Board.

It was here that I soon met the man who I married. My husband was abusive and the marriage lasted only six years. At the time of leaving my marriage, my three children were under five; I had been working for Barclays bank of Zambia LTD for 17 years. I joined them in September 1989 and resigned in December 2006. While working at the bank, I was the chairlady of our trade union for two years; this involved a lot of travelling and was demanding.



While in the bank, I worked in the Legal and Credit departments. It was while working in these two departments that I noticed that 90% of the married women who got mortgages registered the properties jointly with their husbands. At first I thought it was by law, only to discover that women considered co-ownership prestigious. I was greatly disturbed when an ex-husband to one of my workmates resurfaced to claim her property and death benefits after she passed on. She had not formally divorced him and he claimed all these benefits as the surviving spouse.

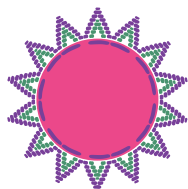


Risk taking

At the age of 39, after reading 'Rich Dad, Poor Dad' by Robert Kiyosaki, I resigned from the bank with nothing but a mortgage. I wanted to be my own boss. I was convinced that I could make it on my own. Those days, banks allowed ex members of staff to repay loans in their own time and at the same interest rate as staff. As soon as I left the Bank, the Central Bank of Zambia, passed a new policy that required putting mortgages of ex-members of staff at commercial rates. That jolted my plans; as mortgages blew up and I ended up selling my house and repaying the Bank.

After selling, the change that I was left with enabled me to start from scratch. At that point, I desperately wanted to own land to build a shelter of my own and I managed to buy 3 hectares of land where I erected a 2 roomed structure with neither water nor electricity.

The move from owning a house to owning almost nothing reminded me of the time my father died and we moved from Myadi, a middle class area, to owning almost nothing. It was happening for the second time in my life. Most of my friends thought I would sink into depression but my first experience helped me to cope. While this was happening, my first born was at university, two were in boarding school and my youngest from another relationship was a baby. From this experience I have come to realise that land plays a very important role in our lives. With the land that I had, I started engaging in activities that only people with land were allowed to participate in.



Finding my feet

I joined a cooperative and was elected as a Vice Secretary. In 2012, through the cooperative, I attended the Zambia National Farmers Union (ZNFU) Congress, this is where I heard about the Zambia Alliance of Women¹, which I joined and now sit on their board as a Treasurer. After the congress, I also became the contact farmer for ZNFU for my area.

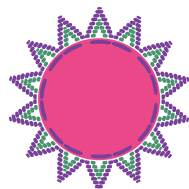
In 2012 a USAID project called "Profit Plus" that enables its clients to sharpen their business focus, was introduced to our district and only people with land were recruited. I was appointed a lead farmer for my area with 40 farmers in my group. This project trained us in production, finance and improved technology. I concentrated on the simple green house technology because it fitted into my situation very well. By this time, I did not qualify for the grant for building materials to construct a greenhouse using a shed net as I couldn't do any irrigation. I only had a water well. However, when I saw the shed net they were using, I began to collect used potato and onion bags to make my own. With a few bamboo poles treated by ash to keep ants away and the bags I had collected, I was able to make my own. With seeds provided by 'Profit Plus' and a few trays, I started growing seedlings. My place became a farmer field school. With the assistance of Zambia Alliance of Women, I managed to show case the simple green house technology at the United Nations Women Share fare in Nairobi. Many learnt from me.

¹ The Zambia Alliance of Women (ZAW) was founded in 1978 to promote the themes of equality, development and peace, in recognition that without true gender equality peace would remain an illusion in a state of poverty and war. ZAW is a membership non-governmental, non-profit making, non-partisan service organisation. It was registered under the Societies Act in March 1982. In March 1993 ZAW was subsequently registered as a corporate body under the name of Zambia Alliance of Women Registered Trustees in terms of Land



In my interaction with the farmers, through the farmer field school, I realised that in order to be productive, they needed inputs. Using my title deed, I got a small loan from Microfin Africa Zambia Limited, and started supplying seeds, fertilisers and chemicals to the farmers in my area. The response was so good that I soon registered as a national agro dealer on the Farmer Input Support Program, which aims at improving small scale farmers' access to improved resources and enhancing the participation of the private sector in supply and distribution of agro inputs².

In the last four years, I have opened agro shops in three districts where I have a total of five employees; four female school leavers and one male agronomist.



Women and land rights

Statutory land is subject to the constitutional provision of gender equity, at least theoretically. Most statutory land is held by men, although since the passing of the current Lands Act, women are gaining control of more statutory land. Even then, implementation of this provision has been weak. Challenges include biased land institutions, tedious land transaction procedures and complex application forms.

In urban areas, some educated single and married women own plots in their own names. Most land, however, is held by men and a small percentage of land is owned jointly by married couples.

In settlement and resettlement areas, women and men have rights to land, but applications and offers are usually in a man's name. Under most customary arrangements, the chief or headman allocates land and regulates communal areas. In many groups, women access land through their natal families and husbands. A chief may allocate land to a single woman for farming, especially if she has children, but rarely to a married woman in her own right. Female chiefs or headwomen do not act differently from their male counterparts in administering land, and most rural women do not challenge their unequal positions under customary law.

In Zambia, customary land was historically kept in the lineage or clan. Customary tenure was dependent on the societal systems (matrilineal, patrilineal) and more specifically on the custom of settling after marriages (uxorilocal, virilocal). In matrilineal societies, descent and inheritance followed the mother's line; in uxorilocal marriages, a man and woman moved to the woman's home to live after marriage. In patrilineal societies, descent followed the father's line; in virilocal marriages, the couple moved to the husband's home to live.

In my view, there are two types of women, the married and unmarried. I have come to realise that married women, whether educated or not, have the same tendencies, they will go by what the husband says. Many believe land should belong to the husband because he is the head of the household.

In the Zambia of today, when a woman gets married, she goes to live in the husband's village where she does not have rights as she is considered a foreigner.

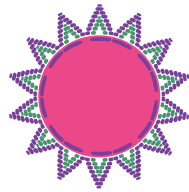
The growing practice of "property grabbing" in which relatives—including female relatives—take possession of the land and other property of a deceased man makes widows' situation precarious.

In affluent communities, mostly women lose their rights to land to their spouses. I have seen women in very high positions who have acquired land but have no right to it because they surrender the ownership to their spouses. I have also seen affluent women failing to utilise their own land because they have to seek permission from their husbands. In villages, women cultivate and husbands sell and control money.

I strongly feel women need more capacity building in understanding the importance of owning and utilising land in order for them to be more productive.

² <http://www.zambiainvest.com/agriculture/zambia-launches-zmw-2-billion-farmer-input-support-program-fsip-2015-2016>



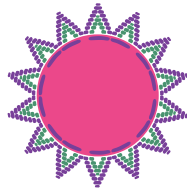


My relationship to land

As already indicated above, in Zambia, we have state land controlled by the government and traditional land controlled by the traditional chiefs. To acquire land directly from the Ministry of Lands is almost impossible as it has been over politicised to the extent that party cadres apply for all the land on offer for resale later. Whenever land is advertised, the cadres from the ruling party are given first preference. For example, there is an area in the Luangwa district that is meant to empower women, but has been taken over by political parties. In the late 90s, I responded to an advert in the press about land, I went for interviews and never got any response. When I investigated, I discovered that the people who succeeded were connected to politicians, that's when it dawned on me that the whole process was political. In the last decade, the situation has worsened as political cadres have even gone to the extent of grabbing land that doesn't belong to them.

Traditional land is way cheaper and less complicated than state land but it has its own disadvantages. It is administered by the chiefs through headmen and you don't get a title, your name is just added to the village register and it can be removed any time, it is given at owner's risk.

In my work, as I interact with a lot of women especially in the savings groups that I have formed, we discuss these issues but maybe we should start engaging with government if we are to engage with women more effectively especially in rural areas.



Advice to young women

Land is yours. Fight for it. A small piece of land can save your life and enable you to build a little house of your own.



My name is Carol Kayira Kulemeka. I was born in Blantyre Malawi. I have been in Malawi for most of my life. I have three kids and they are grown; 26, 21, and 13. One of my daughters is a gender activist and I feel for her because it can be a tough life. I've worked a little bit in South Africa, Kenya, and the DRC but for most of my life I've been in Malawi. I was born in a family of five. My mum came from Zomba, which is a matrilineal society.¹ My father came from Chitipa, which is patrilineal.² From my understanding and from my experiences; in a patrilineal society, the men dominate, they are the most powerful. They make decisions on land and on a lot of cultural things; marriage, funerals, what to plant, what to sell and what to keep. Inheritance follows the male line. For example, I have two younger brothers. I am the second born and my sister is the first born but when it comes to making decisions, we all look to my younger brother to make the decisions because he is a man, which I don't understand, but that is how the patrilineal system works.

On my matrilineal side, women are more vocal and freer because it's not their husbands or fathers who make the decision, it's their maternal uncles. Even though it's still men that dictate how resources should be allocated, and have power to make decisions in terms of what a woman does with the land or what she does with the crops, the physical distance from them often means, on a daily basis, a woman is freer. This is why people think that women in the matrilineal society are more powerful because on a day to day basis, there is less proximity between them and the patriarchs in their lives.

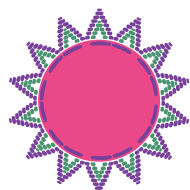
My parents were some of the few people that went to college in those days. My maternal grandmother was a teacher and my maternal grandfather was a medical assistant. They were quite educated, and they believed that paying dowry was equal to buying, so they did not like the idea of dowry being paid for their daughter. Fortunately, from my father's side they accepted this and that is how my parents married without dowry exchanging hands. As a result, my cultural upbringing was based, largely, on my mother's cultural practices. I think the relevance of it for me is that when I decided to get married I was told that because my grandparents had refused the dowry from my father I was not going to get married using the traditional Tumbuka system of my father. Instead I was married according to the culture and traditions of my mother's side of the family.

¹ Only daughters are the heirs of their matrilineage's land, while sons use their wives' land or, in special circumstances, have temporary use of fields belonging to their female matrikin.

² In a patrilineal society land is inherited by sons through the father's family line.



My maternal grandmother passed on some years ago but I remember she was a very strong woman. The women from my mother's family are very strong and matrilineal. My grandmother had ten children and she was a teacher herself. She made sure that all her children got educated. As you can imagine in those days, ten children were not a joke to raise but she was strong. So that is how I remember her. I think indirectly the seeds of internal strength were sown in me from an early childhood.



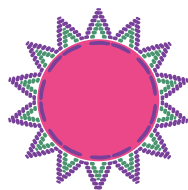
My activist birth

My journey into activism started when I was at university, a period that Malawi was transitioning from a one party to a multiparty system and unfortunately for me I was caught up in the demonstrations that were common during the period.³ Students wanted change from one party dictatorship to multiparty system of government. The struggle came naturally to me, whenever there was something wrong, I found it important to speak out against it. It's no wonder that I was part of the student's protests.

I think at the time there were also some issues that were raised which were not popular. For example access to education was going to depend on which district you came from. I think many people who came from the North did better in school and got better opportunities to pursue higher education. The government, in an attempt to even out opportunities for Malawians from different regions, wanted to introduce a quota system where there would be a quota for each district and that resulted in quite a number of people from Northern Malawi that were qualified to go to university but could not get a chance because their quota was filled up and it just didn't sound right for me. I felt that it was just not fair. There were other issues but these were two things that actually brought me to the students' movement.

There were corridor talks, where people would just sit and talk about how things were not going right. We used to call it Café C, so there were two cafes where students would get their food and then go to an open space, sit and discuss generally. And so, through those conversations, the corridor talks, and one on one discussions the issues of injustice made visible and people said we must do something. But I do not think at that time students were organised, they came together and started marching in the streets from the university to selected government offices. And a lot of other students just joined; as you know in universities when there is a strike, people just join sometimes without understanding the cause, so it was like that.

As we marched, initially we were excited but there was also fear because we were in a one-party rule, but then we got courage from the huge numbers that were on the streets and it was like, ok, they can't just arrest me so you just went with the flow. We were dancing and singing. All the issues were coming out through our songs and that was incredible. I was lucky that I didn't get arrested at that time but there were some of my friends who were arrested. We marched and presented our petition and came back to the university and as a result, the university was shut down. This was just one of the many student protests that I participated in.



A new awakening

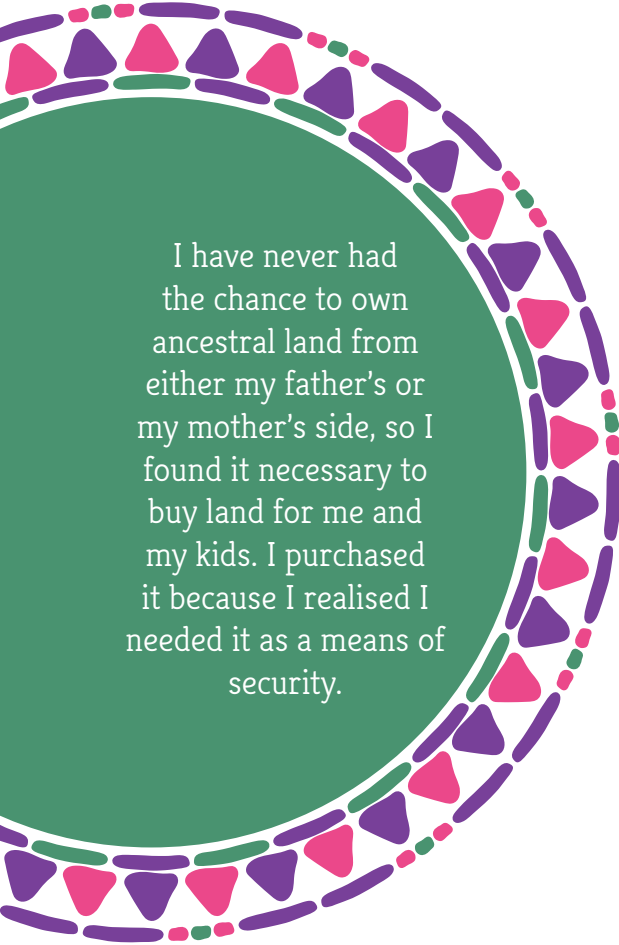
When I finished university, I got a chance to work with my lecturer on issues of nutrition. I started at a hospital in what was called a nutritional rehabilitation unit where the severely mal-nourished children are treated. It was just an amazing experience for me to see someone who was severely ill, go through rehabilitation based mostly on food and medicine and come back to life. Something just said to me, it's easy to end hunger. I was naive maybe, but that is the belief and message that I had in my heart. And so, I started looking at why this mother allowed the child to get this sick and is it just food deprivation or are there other factors? So that

³ A one-party state is a form of government where the country is ruled by a single political party, meaning only one political party exists and the forming of other political parties is forbidden



question really drove my passion. I started understanding what was happening in families at community level.

Luckily, I started working at a district level and that is where I understood and knew that it was also about issues around power and resources. I got lucky because I entered into the arena of national level advocacy for more funding of nutrition programmes. But somehow along that journey I still had questions, why wasn't the woman powerful enough to stop malnutrition of her child? No woman wants her child to die. And that is when I began to understand the cultural dynamics, what a woman can and cannot do. And one question that kept coming back to me is "where is the power that is driving and sustaining this injustice coming from?" And a lot of the stories from the women were that, "ah, we are just wives and can't make decisions and stuff like that". Digging deeper, it was all about the ownership of resources and where you are situated within the family. I kept looking for the fundamental issues that needed to be addressed to challenge the injustices like the hunger that was happening at that time. During this process it became clearer to me that land was a central piece of the puzzle. Yes, we needed to put issues of land at the centre. At that time conversations on women's land rights were beginning to happen. So that is how I joined the land rights movement.




I have never had the chance to own ancestral land from either my father's or my mother's side, so I found it necessary to buy land for me and my kids. I purchased it because I realised I needed it as a means of security.

Lots of issues related to land resulted in insecurities for the women. If you were married, regardless of whether in matrilineal or patrilineal culture, there was always that male figurehead whom you had to respect in order for you to be "safe". It could be your uncle; it could be your husband; you had to tread cautiously on matters related to land. A woman who knew what foods she could grow in order to feed her children would not have the freedom to do just that because the land was not hers. It was impossible to live in a place, freely, knowing fully well that you had to tread carefully to preserve relations through whom you accessed land.

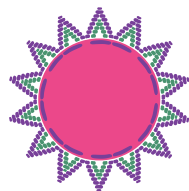
For me those were some of the critical things that I felt had to be dealt with so that every woman can be secure in their own space. By gaining that security, a woman can then have some power to decide what she wants to do with herself, what food to grow and when and thus ensure the nutritional needs of her children are met. So, statements from women like, we just married here, any day they can chase us" or I am really worried what will happen if my husband dies?" ; t drove me to understand how insecure women's land situation was and how to fight alongside them for land rights.

While women knew what they needed to do for themselves and their children, they were often afraid to do what would be seen as stepping outside of the social boundaries. In hospitals and communities, women consistently described being limited by the rules of their homes. Even something as basic as taking simple decisions on when to seek healthcare assistance for a child was sometimes dependent on other family members.





Women wanted to fight malnutrition and even knew how but they often lacked the security to do what they knew they needed to do for their children but also to interrogate the extent to which government was willing and able to support them to do what they needed to do. That is when I began to understand that there are laws and policies in place that support the eradication of hunger. I began to interrogate why the policies were not working so I realised that failure to implement was partly either due to the content of the policies and laws or to structural and cultural systems that were not particularly working for women. An example of this is the lack of government funding to implement its policies. At the level of the household, the primary responsibility for food provision usually falls on the women and for a woman to provide, she needs to own land for agricultural activities.

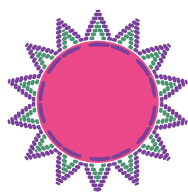


My relationship to land

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From a practical perspective, because my mum refused her bride price, we were considered to have come from my mother's side, and hence have no legacy from my father's side to enable me to have land. My brother might access land from our father's side but I don't know. From my mother's side; my grandmother had ten children; they had access to her land. It was communal land so in quotes, "Everybody had access to it" but I could not and cannot claim that land, so effectively I was landless in terms of ancestral land. However, because of the opportunity of engaging in this land ownership journey, I learnt I could also buy land in my own right.


Access is a loaded word in the sense that if I was desperate and asked for a piece of land to farm, they would somehow find a way to give it to me. These would be my uncles from my mother's side. But because it is communal land, I would not control it and hence if I wanted to sell, it would not. If I wanted to do something on that land, I would not because it is communal and therefore, community property controlled by men of course. So, from my father's side; if I was not married, my father's people would commit some land for me while waiting for a suitable man to marry me. I would have access to land but not control. So that's how complex it is and it all comes down to control that is not there for a woman. In the majority of cases, she will depend on others in order to have access to land. Through marriage I can also access my husband's land, but not control it.



The land journey

Malawi, a former colony, has many complications related to land. Land system and related laws were based on serving the colonial 'enterprise'. The painful truth is that large scale commercial land was reserved for the white settlers. So fertile pieces of land were converted into estates owned by the white settlers, and of course a law had to be crafted to allow that to happen. Malawian small holder farmers were left with marginal pieces of land that were given after the white settlers had taken all they needed. That is why we come to a point where the average land holding size for Malawians is, maybe less than 0.5ha, but if you look at the estates owned by the whites, they are quite huge. So that was the number one problem with the original land law.

Change happened when we were developing our new land policy, which was approved in 2002. At that time, a lot of us were expecting that time had come to correct the mistakes that were made in the colonial land law. Unfortunately, there were pressures from other influential institutions such as the World Bank that were interested in how land should be managed in Malawi, so land titles and investments were incorporated



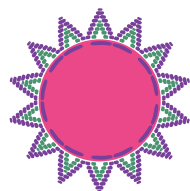
For women, there were opportunities created on the governance of land in the land policy. According to the policy, land committees had fifty percent women representatives. This provision came out partly as a result of lobbying processes. The process created opportunities that we, as activists, grabbed. We made gains but at the same time, there were some issues that we compromised on.

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I have my own misgivings about the land bill and the role of former President Joyce Banda in the process, so I'll share my story. At the time, there was a women's movement that stopped the bill and they stopped it because there were some things that needed to be addressed. In my opinion, the challenge with the women's movement, at that time was that we lost momentum regarding where we wanted to go. The civil society organisations that were engaged in the drafting of the land policy as well as the bill were from movements like Land Net, Civil Society Agriculture Network, and not necessarily the women's rights movement. So, when the women's movements came on board, I felt that they jumped to the conclusion that this was not the right framing for the suggested law before analysing the journey of getting to where we were. For example, the fifty percent allocation to women was done way before the women's movement jumped in. I was a bit disheartened when I heard that the process had stopped because I thought that was a stepping-stone which we could have later used to clarify the law as we moved forward instead of just stopping, considering that we had already started in 2002 and it was already ten years at that point.

I re-engaged in the process in 2012 with the women's movement, then we started examining the issues which the women's movement was claiming were not right. 'Why don't we sit down and look at the law; the draft bill; what is provided, what is not provided, what does it mean, what things do we need to take out, what things do we need to maintain?', I asked. And through that process we realized that some of the things that had been rejected as not being progressive were actually progressive for women and some were just misinterpretations, while indeed there were valid reasons for stopping the law from being passed at that point. One example is that of idle land which was being earmarked for investment and yet the definition of idle land itself is problematic. Who defines idle land and what criteria is used to do so? Even though there were some good and bad points in the bill, I felt that if all the civil society movements had worked together right from the start, then we could have moved ahead more quickly than was the case but yah, it is a struggle. Everybody has their own position informed by where they are situated in society and issues that matter to them.

When, finally, the president assented to the bill we were then dragged into another battle; to get the effective date for the newly developed Malawi National land law. That was a journey that also took quite a bit of time, over six months actually, just to negotiate with the president and the relevant ministries to give the effective date. We had meetings and meetings and counter meetings, and eventually we got an effective date for implementation of the new land policy.



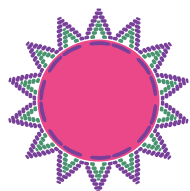
Fighting even in the face of fear

There are many times when I was overwhelmed by fear. During high level meetings, there was usually only one or two women and I was one of them. Soon I became branded as “Carol and her women” because I kept on talking about rural women. But there were times I sensed that, maybe I should step back, there is just too much push back. And for me what was also critical was that the push back was not for me individually but for the organizations I worked with, for the women groups I represented, so it was very scary. But I think the good thing, which I have always spoken about, was the rural women’s movements; the power that they had is what drove me. We were able to mobilize them to speak out in different forums, wherever we went, we always made sure there was space for a rural woman to tell her story. In fact, there was a woman who shared her story at a meet the President forum and he said, “I want this woman’s issue dealt with”.

The story was of a widow that had returned to her matrilineal home in her village following the death of her husband. When she got to her village she was told there was no land for her, and that she should find land in her husband’s home area because ‘that is our culture’. Since her husband had died, she had been disowned by the matrimonial family, so she had nowhere to go. She was being kept at one of the civil society organizations for a little while, because she was that desperate. And then from support with the civil society, she was referred to a lawyer but she kept going around, and round but there was no solution. At some point she just started cultivating a piece of land and of course the chief came and chased her.

I think by sharing her story and because of many other women who shared their stories, the land challenges were given a woman’s face.

Another effective strategy was the massive mobilization of women around what came to be known as the Kilimanjaro campaign. I think the campaign also put some pressure because when we met, we actually engaged the relevant Minister and lobbied him for quick implementation of the law which necessitated setting up a date for the implementation of the new law. He made a policy commitment that it would be done very soon, it took long but was done. Women’s participation and the sharing of stories contributed to the signing of the land act.



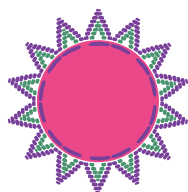
Climbing Kilimanjaro

There was an important campaign in which it was decided that as an act of hope and as a statement of their determination about women’s land rights, women were going to climb Mount Kilimanjaro. I was laughed at when I raised this idea as a suggestion during a staff meeting, colleagues said that I must be crazy and asked if I had nothing important to do. I still remember the looks on people’s faces that day. But I said we as women we will do it. And they were like, “find something better to do with your life”. But the rural women really said “yah we will go for it”. And when we had our mini Kilimanjaro, when we mobilized women across all the districts to climb the Mulanje Mountain that is when people said maybe we can actually do it. But I can tell you I was in the coordinating team and it wasn’t easy. I think we made a statement in both Mulanje and Kilimanjaro. I wished things would have changed soon after the climb but that was not the case. Change takes a long time.



The idea of climbing the mountain is based on our culture. In the past, when there was a tragedy, people would go to the mountain and pray. Pray for rain, pray for whatever disaster there was and usually, things worked out. So that was the symbolic gesture, "if we gather around and take our prayers to the mountain, things might change". But it was also iconic, because climbing displayed women's collective power. Climbing Mulanje meant covering over two thousand meters; it was a huge feat and for women to dare to climb, it was an amazing experience. People didn't believe it could be done but it was. You should have seen how the women came together, oh my gosh, I was amazed. We had buses from every district. It was a powerful moment.

Later, two women from Malawi joined other women from Africa and actually went to the top of Kilimanjaro, they were among the first to reach the summit, so it was like, yes! We can do it. So that is what drives me, when I sit in those policy spaces, I know there are people behind. When I speak, I do so for many.



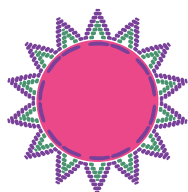
Success and challenges

One missed opportunity is I think that we could have built on to that mobilization and energy a lot quicker, reached out to more women and put more pressure to make it happen at local level.

The president was listening, the minister was listening, processes were taking a bit long; but the law was passed. However, the law did not translate into immediate victory for women. There was a time when women from Mzimba district wanted to go up to Hora Mountain because, even though the law had been passed, their traditional leaders were saying they were not part of it. They also wanted to mobilize but I think the logistics made it difficult for them.

The second challenge is about the women's movement; it is unpleasant when we start fighting amongst ourselves. Some people seek personal glory and start running around with agendas instead of being part of the collective. This happens in any movement but is still a challenge that must be addressed. When you are in that negotiating space you have the fire because you know there is a movement behind. If I was going there as Carol and meeting some of the challenges we met, I would have given up as would have been some of the women we worked with. If you are confident that you are with the movement and you are reporting back to the movement, I think you can move be resilient and continue the pressure no matter how long it takes.

I performed land rights activities in different capacities, some just as a woman, some as a member of land committee, some as a member of a women's movement, some as a member of Oxfam, some as a member of Action Aid because those are the organizations where I worked when I was doing this work. But eventually without or without organisations, I got to be known as Carol, land and her women.

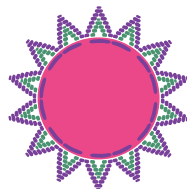


Those that have lit my path

My number one driver, unfortunately is that woman I mentioned earlier, the one in the hospital. When I get frustrated, disappointed, or threatened, I ask myself a question, "have I done enough to prevent another woman from being violated?" It sounds crazy, but you know sometimes it's lonely also, so when I'm in that lonely place when I feel like I'm fighting a lost battle, I always remember the look on that child's eyes and, have question if I have done enough? Maybe not, I need to go back.



My drive comes from the strength that rural women farmers always show. They are vulnerable, but they have a certain strength, a certain resilience that shows, that enable them to survive. They inspire me. There are many other well-known people that challenge injustices that I read about, but I feel the real stories are with the rural women. They hold me accountable because, sometimes when I see them, I recommit to the work of women's land rights. You think okay, now we have the law, I can rest. When they start asking, 'where are we now, we still don't have the papers', you know they are holding you accountable.

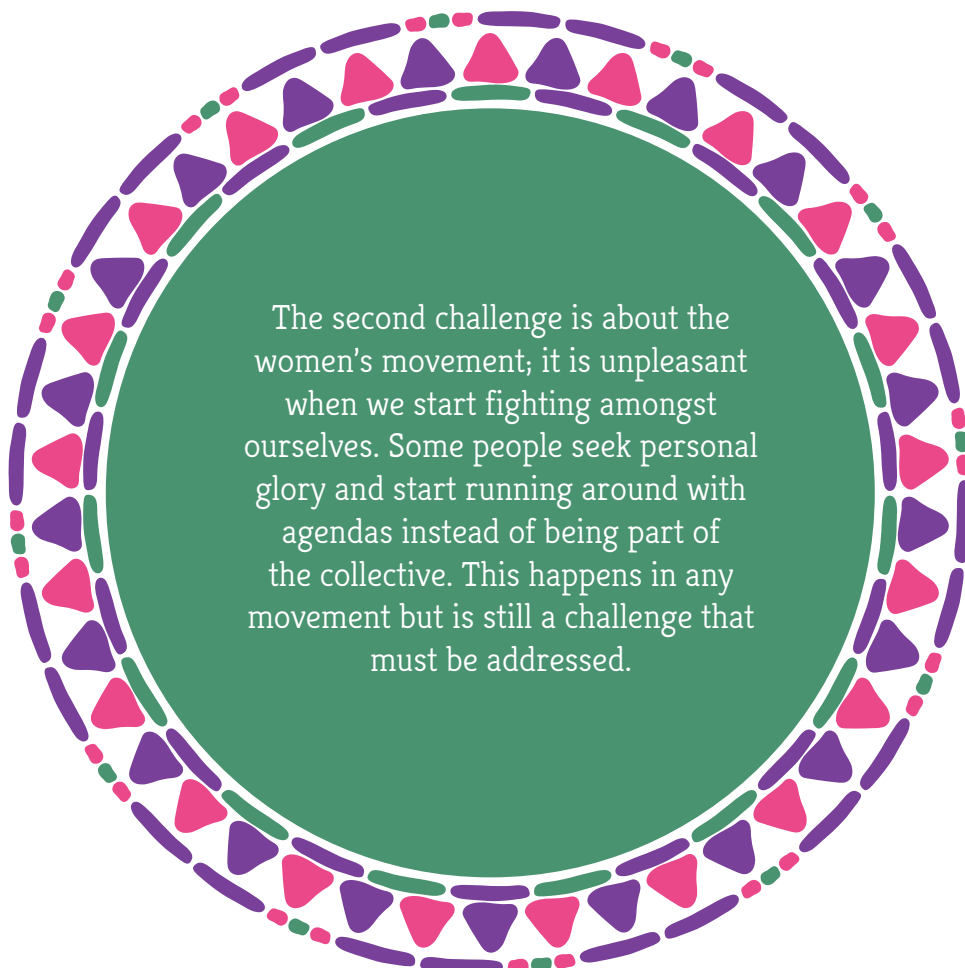


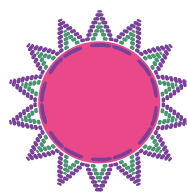
Way forward

As women, we are not exploiting our potential because of the societal barriers imposed on us. If the barriers were to be removed, even a third of them, our potential would be unleashed, and I am sure we would achieve a lot and would shake up the world positively.

So, let society unleash the women. Let them climb those mountains, let them challenge the men, let them state and claim their rights. Women's emancipation would liberate them and society as a whole. So let us shift power in favour of women.

We need to dig deeper and to keep asking why things are the way they are. Underneath women's subordination are strong power issues and anti-women messages are packaged by those who don't want women to progress. Patriarchy dictates that women just accept things, don't question, accept their narrative, and not your own narrative. So, I think the message that I would want people to take is that women should not accept mediocrity based on the lies that they are told. They should do their own analysis, and challenge the narratives.





Early childhood

My name is Grace Mayato Zililo Tepula. I was born in a 'compound' called Old Kabwata in Lusaka, the capital city of Zambia. I am the first born in a family of nine; five half-brothers and three half-sisters. My parents divorced when I was four years old and I was raised by my grandmother. That was the beginning of my emotional roller coaster.


According to my grandmother, my father was abusive and that led to their divorce. Their case was tried in a local court, and my father responded by demanding back his dowry and refusing legal and physical custody of me, his daughter. I only learnt of this story when I was 15 years and already in secondary school, the same year that I got to know him through my grandmother. He only surfaced when I was at secondary school, I was introduced to him by my grandmother, that he was my biological father.

During my childhood, I experienced both sad and happy moments. Happy to have had good educational support; friends played a major role by sharing their clothes, food and shoes with me. Sad moments because there was a time I had to go to school barefoot because my shoes were worn out. The following day, one of my friends brought me *tropical* (cheap brand) shoes which I used until I got my own pair of *maliposa*, a plastic shoe, from my aunt. I was also sad because I wanted to live with both my biological parents as I missed a lot of love and support from them.

My step father, who is originally from Malawi, wanted nothing to do with me, yet by the time he married my mother, he knew that she had a six year old daughter. He neither looked after me nor did he pay my schools fees. I was educated by my mum`s elder sister who wanted someone from the family to have a good education. She had seen the excellent results from my primary school and was encouraged to support me up to secondary school level.

At the age of 16, my step-father and my mother arranged a man from Malawi to marry me. With strong support from my grandmother and auntie, I refused. I was threatened by my mother that should I, in future, encounter problems I should not seek help from them. Nevertheless, my aunt, grandmother and my teachers encouraged, motivated and supported me throughout my school days.

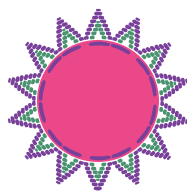




My grandmother was my Counsellor; she reminded me that just because I was from a broken home, I should never, ever allow anybody to look down upon me. She emphasised that I should be a strong girl with an independent mind. She wanted me to be an important woman one day, like some women politicians who were never afraid of the whites during the national liberation struggle.

My aunt and her husband took care of most of my school needs and requirements, they treated me as their own. My grandmother's and my aunt's wisdom made me the woman I am today, believing in myself and being courageous in a world dominated by men. It was difficult and tough sometimes, especially whenever I heard my friends talking about their parents and how they bought them delicious food, new clothes and shoes for Christmas, things I only dreamt of. I recall that one day a fellow pupil in my primary school bought some fritters and when I asked her to give me some, she snapped at me and asked if my father's wages were stones instead of money, and why didn't he give me money to buy fritters. I went home that day and narrated the story to grandmother who promised to give me two pennies every day. It was difficult for her to get the pennies though as she was a widow. My grandfather had passed on when I was only eight years. With all the challenges of getting money, she tried as much as she could to ensure that I did not have to beg food from fellow kids.

I remember harbouring intentions of becoming a catholic nun during my days at secondary school as I was educated at catholic schools both primary and secondary but my aunt and grandmother would not allow that. I had assumed that going into a convent would protect me.



My first job

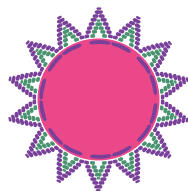
When I completed my secondary school education, I got a job as a Programme Producer on radio, in the Ministry of Rural Development, transmitting programmes for farmers in English and Nyanja, one of the local languages in our country. This was the beginning of a new chapter in my life. I was trained on the job and became good at it. I was coached and given a lot of support from the senior producers I found in the Ministry and my head of department. I learnt about farming as we disseminated information nationwide. The work involved a lot of travelling to different parts of the country, in order to interview farmers and collect farming news. I was exposed to broadcasting and my photograph was also used on adverts of different farming products. I loved my work and was able to assist my grandmother, aunt and even my mother and my step father financially and materially. I never looked back but kept my focus on moving forward, which I did with ease. After five years in broadcasting, I changed careers and did a personal secretary and administration course. The change was due to overwhelming work and travel, I needed a job which was going to give me more time for my family because by this time, I was married.

I have five children (two girls and three boys), all have since left home and are staying with their families. I am proud to say that because of the way I struggled to be educated, and having learnt the importance of education, I managed to educate four of my children to university level. One of my daughters is a gender activist who is doing advocacy in ending early girl child marriages, gender based violence and supporting girls' access to education.

I have had a happy marriage, even though there have been some ups and downs but they have been conquered.

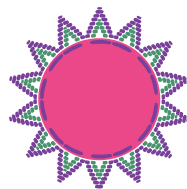
Motivation

I am motivated by Edah Chimya, an activist and the Executive Director at Zambia Alliance of Women. She is a source of inspiration to many.



Typical day in my life

A typical day in my life starts with prayers and daily devotion at 05.00 – 05.30 hrs. I then start my daily routine of milking cows and guiding the workers on conducting tasks for the day which include milk delivery, feeding the calves and the chickens (road runners). I have my morning tea and then prepare breakfast and carry out different house chores for the day. I water my vegetable garden. I also cycle my bicycle in order to keep fit.



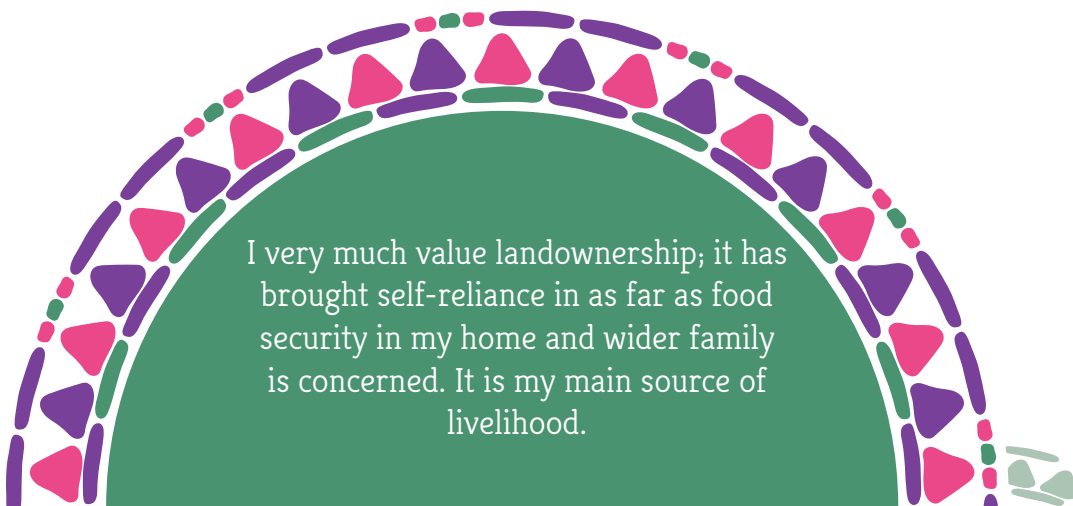
My relationship to land

My relation to land was cultivated when I was working as a farmers' programme producer. I had the privilege of visiting many farms in Zambia and vowed that one day I would acquire and own a farm, where I would grow different crops that I saw in the farms I used to visit.

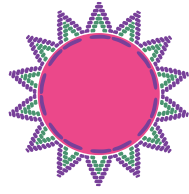
The Government made some policy that 30 % of land available would be given to women and 70% was to be competed for by both women and men. I own a 10.2 hectares of land acquired in 2003. This was when 30% of land was being given to women by Government. The Department of Land Resettlement advertised for the land and I applied, went for interviews and it was finally allocated to me. I have a 99 year lease title. I keep some dairy animals and sell milk to Parmalat Company, which processes it. I grow maize for food and sell some, I grow cash crops i.e. soya beans, ordinary beans, ground nuts, sweet potatoes and a variety of vegetables. I also rear goats and indigenous chickens.

I very much value landownership; it has brought self-reliance in as far as food security in my home and wider family is concerned. It is my main source of livelihood. My love for land has even inspired my children, three of whom have acquired their own land and the other two are still searching.

My women and land rights activism started when I saw a widow who had been abused, mistreated, and disenfranchisement because of land ownership. She was chased away from her home and the land which she acquired with her husband was grabbed by the husband's relatives. I have always felt the injustice meted to women, hence my joining the struggle to fight against land grabbing and rights. I knew I could not achieve much on my own, so I joined organisations that advocate for women land rights, poverty reduction, and rising inequality in Zambia and across the region. Two of these organisations are The Rural Women Assembly and the Zambia Alliance of Women. The Zambia Alliance of women promotes land rights, empowerment of women in different economic activities, e.g. goat keeping and village chickens rearing as well as smart agriculture. The organisation promotes advocacy related to Women and Land Rights Tenure and the women's right to own and control land no matter whether they are widows or not. This is important given the rise of land grabbing from the locals by the corporates and the devastation on the environment. The impact of land degradation has negatively impacted on our land and reduced food production.



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Changes in Land ownership

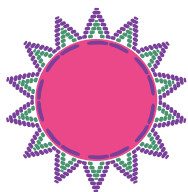
The Story of land in Zambia has changed with time due to the pressure on government by different stake holders to address land ownership issues. There are two types of land in Zambia i.e. state land controlled by the state and customary land controlled by the chiefs (traditional rulers). The majority of Zambian women live in rural areas and are affected more by how customary land is allocated. Unfortunately, currently, statutory leasehold rights have precedence over customary land rights. While the law recognises the existence of customary land rights, no attempt has been made to provide appropriate documentation for adequate recognition and protection of individual, community and communal land rights under customary land tenure. While private, individual land rights are well acknowledged within customary tenure, they are not adequately recognised in law.

Different advocacy strategies have been used by the Zambian women's organisations for women to acquire land. In 2016, the women of Zambia participated in the March to Kilimanjaro Mountain in Arusha. The March was attended by women from about 22 sub-Saharan African countries. They wanted the space to engage and seek accountability from decision makers at national and continental level, to secure fundamental, irreversible shift and commitments on women's land and property rights. The march culminated in a charter detailing what needs to be done and it was presented to the Africa Union representative.

Like their sisters in other countries, they presented the charters of demands for land to the government. Having handed over the charter, they lobbied for changes in policies, practices, attitudes, behaviours of institutions that deny Zambian women their right to land. The President responded positively by declaring that both women and men will get 50-50 of available land at any given time, with title deeds. Advocacy by the Zambia Alliance of Women and other civil society groups is beginning to bear fruit. The traditional rulers have begun granting land to women although at a slow pace.

Land in Zambia is divided into two tenure categories designated as state and customary land. The dual system of land holding reflects the country's history of the colonial settlement on present day state land and the separation of settlements for the local population in native reserves. So one can acquire land through the Ministry of Lands and Natural Resources, the Local authorities and traditional rulers.

Zambia is one of the most urbanised cities in Africa. Many people stay in settlements where **land title issues are of critical importance to residents. The majority of women in these** settlements do not own land and hence have no land titles. This makes it difficult for them to improve the settlements facilities because one can't improve a property that does not belong to her. This affects their health and that of their children.



The current state of the politics of land

The country is in the process of formulating a National land policy which primarily seeks to promote equitable access to land to all the people of Zambia on state and customary land, for both poor and the wealthy irrespective of gender. The policy seeks to strengthen land tenure security and enhance sustainable and productive management of land resources by upholding transparent and cost-effective systems of administration. The policy provides a framework for better conservation and protection of ecologically sensitive areas, within and outside protected areas and a more cost-effective and efficient settlement of land disputes.

Theoretically, all people can have access to land but it is scarce, and when it is available, it's grabbed by the politicians and their cadres. Most women in rural areas don't have land due to a variety of reasons including: low literacy levels, inadequate representation in land governance institutions and forums where discussions related to the allotment of such large parcels of land are taking place, patriarchal views and

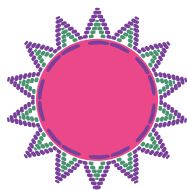




attitudes towards women and in some parts of the country, it is still common for relatives of the deceased to grab land from orphans, widows and widowers resulting in loss of land. This situation is compounded by difficulties that women face to access justice. Gender discriminatory practices often affect more women than men.

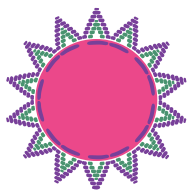
Most of the changes have been brought about by awareness raising programmes and advocacy by many civil society organisations. Our success is that women are now able to get land in their own names. The failure is that we have not done enough radical sensitisation and advocacy in the most remote areas in this country on women land rights. We need to scale up our advocacy programmes so that women are aware of their right to land.

Both the Zambia Alliance of Women and Rural Women Assembly are bridges between the women on the ground and our government on all land related issues. Individually and collectively, members have participated in land debates and land campaigns, and contributed to recommendations for the Land Policy.



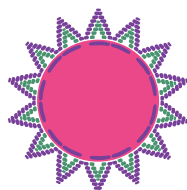
What I carry forward from my ancestors

From my ancestors I carry forward the utilisation of available land by farming and growing our own indigenous foods, preservations of our traditional seeds, my identify as an African who respects herself and others.



What I would like the next generation to know

I would love for all women to know that they have potential in them to achieve what they want in life. With self-determination, drive and hard work they can become who they want to be. They should know and understand that land is their inheritance. I would also love for the youths, especially young women, to be motivated and encouraged to rise up and utilize the land. They ought to know that land is their inheritance and that they should not lose it to foreigners. Programmes are needed for the young women in rural areas so that they understand that whether educated or not, they have the right to own land which is an asset in their lives. They should play a pivotal role in land issues.

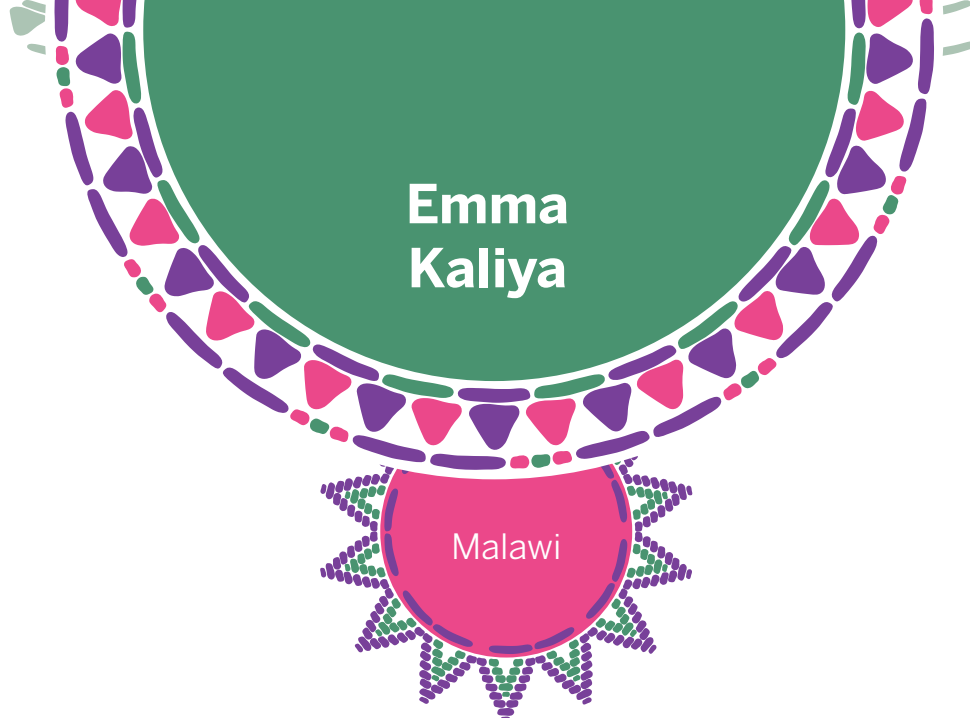


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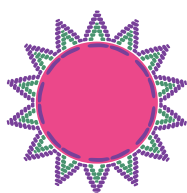
Land is the basis for the survival of all life forms, human, and all the other living processes. The way that society allocates land for human and other uses determines the character, quality and pace of human development. Therefore, women should rise up and be counted by demanding to own land and registering it in their names. They should know they can pass it on to the next generation in their families.

For me, land is life and this cannot change. It is my inheritance and my children`s children inheritance. I am in love with what Mother Nature has blessed me with. It is my dream that a time will come in Zambia when both urban and rural women will have equal opportunity to own land and be self-reliant by growing their own food without always appealing for food aid.





My name is Emma Kaliya. I am from Malawi, born in Mzimba district in the northern part of Malawi, but now I am live in Lilongwe. I am currently the Director for the Malawian Human Rights Resource Center and the chair of the NGO gender coordination network in Malawi, a network of fifty-one organisations that champion issues of gender.




Personal foundation

I am from a big family. My father was a polygamist with five wives. My mother was the third wife and she had four children but one of us has passed on. Both my parents passed on in 2015, at the age of ninety. I consider it a real gift that I had my parents for so long and that we enjoyed a relatively good life. We certainly did not grow up in extreme poverty. We were relatively well off. My father was a businessman and also a politician, so we had all the basic needs one might require. I grew up living between our rural home in Mzimba and fifty kilometres away in Mzuzu, a city also in the North where my father was running his business. After completing my High School, I did not go further with my education, instead I got married and had two children.

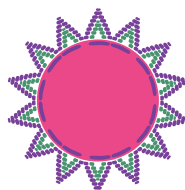
The marriage was uncomfortable and abusive, I left and I was desperate to find a way to look after myself and my children outside of that marriage and so I got my first job. That first job was with the Red Cross. While at the Red Cross I was assigned at one point to the refugee program and seeing the challenges women were dealing with was heart-breaking. It made me want to do more to help women have better lives. At the same time, I was a young, single mother and there were men who thought it meant I was now available to them. I experienced quite a lot of harassment in this job. After resisting the advances of one of the seniors I was heavily punished. I remember being transferred to three different places within the space of one week in order to frustrate me. Eventually I resigned because I could not cope.

After I left the Red Cross I joined another organization called Medicine Sans Frontiers. I had a series of other posts in different organisations before I came to work for the Danish Center for Human Rights that eventually transitioned into the Malawi Human Rights Center. One of these in-between jobs, The Finnish Refugee council, was quite significant in my transformation. The understanding of women's rights in this organization was quite advanced and so it was a much safer work environment. In the refugee program I started working with women that had been sexually exploited due to political and sexual violence in Mozambique, torture and murder. The program was about working with traumatized women and children. The

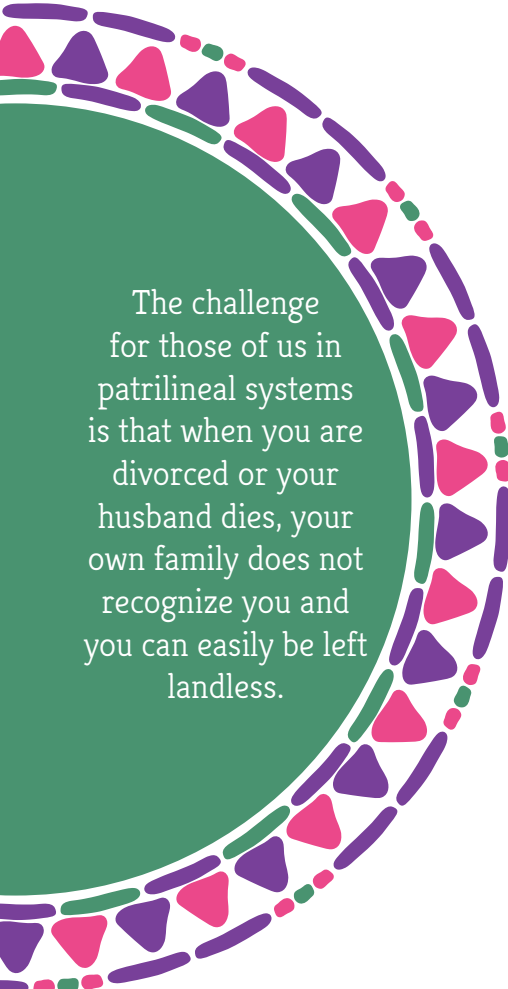




stories that they were telling me started connecting with some of the things that I had seen and experienced, at a lesser scale of course but there was a clear connection. The more that I thought about it the more that I realized that if these women are going through this, there should be more women out there going through similar experiences. I would constantly think about how to help women and I started to understand the need to help the others who could not speak. That job transformed me and constantly hearing women tell their stories and watching the healing process for some of them made me believe that it was possible for them to have better lives. The program then closed down and I moved to a different job but something in me had already shifted. While working in different jobs, I continued with my education and now I have a Masters in Project Management.



Marriage systems and land

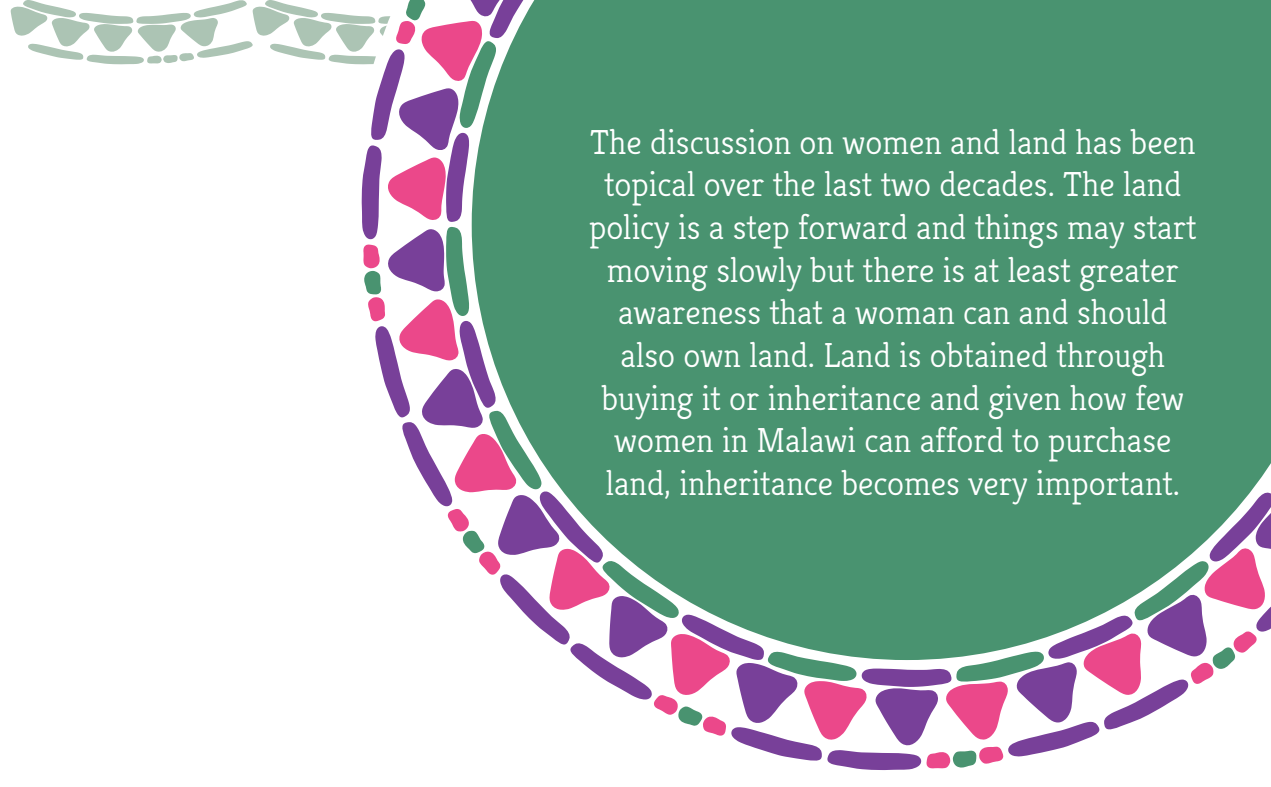


The challenge for those of us in patrilineal systems is that when you are divorced or your husband dies, your own family does not recognize you and you can easily be left landless.

As most people may already know Malawi has two traditional systems of marriage called patrilineal and matrilineal. These systems have implications on issues especially of customary land. I am originally from a patrilineal system in the north. My first husband from whom I divorced was also from the North, however my second husband whom I married later was from the South, where they practice the matrilineal system. In the patrilineal system, when a woman gets married, she is no longer considered in her birth family so there is no land that is allocated or kept for her. The land will be for the brothers who will be remaining in that village. Similarly, in the matrilineal system, the brothers are the ones that leave and the land belongs with the women who remain in the villages. However, when it comes to control, even those that are in the matrilineal system, you see that the control is at times with the maternal uncles. When land is being shared or allocated, the maternal uncles are called to oversee the process.

The challenge for those of us in patrilineal systems is that when you are divorced or your husband dies, your own family does not recognize you and you can easily be left landless. This is a big part of why the land movement means so much to women in Malawi. In legal terms there is also another layer which is about the differences between free hold, leasehold, and then the customary land and what the law in terms of access and control of these is. This was only recently resolved in the land policy which was finalized in 2017 yet it was started all the way back in 1996. In 2013 there was a completed land bill that was presented in parliament but as a collective of women's organisations, we wrote to the president not to sign the bill into policy. I feel that the fact that we had a female president in 2013 when we rejected the land bill influenced the decision to not sign the bill into policy. The president at that time had herself come from the women's movement and I think the arguments against signing were based on women's rights issues she may have felt that if she did not honor this for the women of Malawi, everybody was going to wonder what type of president and woman she was.

We had done an analysis of how women were going to benefit from such a law and given that it was silent in terms of gender we organised against it. There was no mention that women and men could own land in their own right whether they came from patrilineal or matrilineal homes and so we



The discussion on women and land has been topical over the last two decades. The land policy is a step forward and things may start moving slowly but there is at least greater awareness that a woman can and should also own land. Land is obtained through buying it or inheritance and given how few women in Malawi can afford to purchase land, inheritance becomes very important.

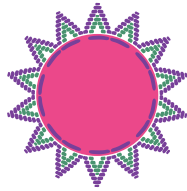
resisted it. We ran a strong campaign that sensitized people and engaged the media. We invited women from the rural areas to speak for themselves about women's concerns so as to ensure that the revised bill would not leave out women and especially a discussion on customary land. We had gotten some information that the land bill had been developed as part of an arrangement with the World Bank which would ensure the provision of good arable land to investors. This enraged us because we already knew how many women were suffering with no land to call their own and yet these huge companies would just come and take away land. I think the agreement with the World Bank had already been made so the revised bill included women to benefit from ancestral land but it did not protect land from being given to foreign investors. In one of the Northern districts in a place called Chitipa, the land policy is being implemented and women are accessing land. Some communities did not even wait for the law to be passed, our advocacy was enough to make brothers or traditional leaders understand the importance of allocating land to women from that village who needed it. The problem with that system was that it was dependent on the will of the individual traditional leader to decide whether a woman could be given land in her birth village or not. This is where the law is now useful. It creates a standard for all traditional leaders to follow, while this is still imperfect it is progress. When we talk about land we are not only thinking about access to land but about ownership and control over the land.

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Part of the campaign process included the Kilimanjaro project which was a regional movement including Zambia, Zimbabwe, many countries travelling to Kilimanjaro. Here in Malawi women we went to Mulanje Mountain. In an effort to claim land, we decided to have a mass trip of women to Kilimanjaro, and it went all the way. I couldn't go with them at that time. The following year I also failed. They were going to climb Mount Kilimanjaro to prove their commitment to the right to land for women. So it was quite a strong movement. Buses came in from Zambia and our government received them at the border and allowed them to pass through without border problems, they picked the Malawi team and travelled together. So it was like what we call 'The people's forum' that we organize for the SADC social forum.

For us in Malawi and I think for many Africans, the mountains are sacred, that is where people go to ask the ancestors or the gods for what they want and we were doing a similar thing with this campaign.

The movement is not as strong as it used to be. I don't know what happened; communication has become rare. I'm just assuming that maybe the money is not enough. It is very expensive to mobilise resources for travel of that nature.



Politics of land

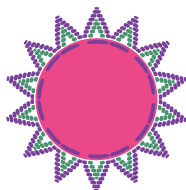
I see the immense value of land. When I was young, land was important for building a house and growing food. Over the decades, depending on where the land is located, the importance of land has shifted. Land remains valuable but in different ways. In this area where our offices are, when we moved here years ago the plots cost about 300,000 Kwacha and yet now they are worth 40 million Kwacha. Land can enable one to have shelter, grow food but it can also generate an income, because more people are realizing this, the desire and demand for land has increased.

As a result of the power one gets from owning land it has become very political. In fact, what I should say is that it has always been political but we did not see that in the old days, maybe didn't realize. Land was a symbol of belonging and remain so. You had land in the place in which you belonged and that too gave you power in that place. Land is also political in the sense of how governments and national leaders use it to negotiate with corporates as well as other countries and how the decisions they make about the people in their own country are being influenced by these outsiders. If land is power and control as we say, then if the land in a country is owned by outsiders then who is really controlling the country?

In Malawi, who gets land, where and how is all based on power. The government has land and does with it as it pleases, politicians both male and female have land. At the village level, after the powers of the chiefs comes the power of the men in the families. As a woman to have access and control over land you need the power of political office or money to allow you to just buy your own land. Ordinary women, with limited resources, come at the tail end of the discussion.

At the level of my own family, my father always made it clear that the home and land he owned belonged to his children equally so no matter which wife the child was from or whether the child was male or female, we all had access to land. This personally insulated me from the disempowering experience of not having land. I could however, see what was happening around us and realized that land was not a simple matter.


In our polygamous home, my father made sure we all grew up in the same family, and physically close to each other. If you were staying in town, you stayed in the same family home, if you were staying in the village you were eating together and sharing everything. However, polygamous marriages are polygamous marriages. You can be very close to each other but certain tensions would arise and that is where my father had so much control, constantly reminding us that whatever was there was for all of us. What he did do was to apportion land for each wife and her children so that each of us could have individual land that we could pass on to our own children if we so desired.



Land occupation

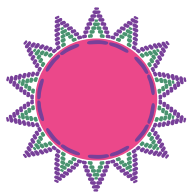
There was a story which I think might be unique. There was a community of people that lived and worked on a sugar estate. After some years the estate closed down and the workers and their families were asked to leave the estate. The workers, some of whom were the children of former workers and their own children maintained that they had lived there for a long time and had nowhere else to go to. Many had even been born and raised there so they felt they were entitled to land within the estate. They refused to leave the estate and be landless. In a sense they occupied the land. A large proportion of the people were women and children. Eventually the traditional leader in that area in agreement with the district commissioner finally allocated them some land within that district. They had to leave the estate as it was considered private property but they were given land at the edge of that estate within a district where they had no ancestral claim. I found this situation to be rather unique because instead of being strict about rules, they understood the situation of this group of people and gave them land to enable them to live and fend for themselves.





My own land situation is rather precarious. Some years after I divorced my first husband I remarried. I had two children and my husband had his own. We all lived together and I took care of his children who were still quite young when we met. At some point in the mid 90's my husband's brother told us about some land and because my husband was unemployed at the time he was not keen. With the little money I was making, I could see that it was possible to buy the land and build a home. It took a lot of convincing and my husband eventually agreed. He had no income so I paid for most things. In 1997, we started building our house and before we finished, in 1998 my husband died. I had to stop building because I had to take care of all the children, paying school fees and everything else. I then re-started building until the shell of the house was completed. At this point, the expenses were overwhelming and I had to move with the children out of the house we were renting to the house that was not quite finished. We just put in the exterior doors and the children moved in there while I stayed in a greenhouse in the back yard. The children were now quite grown. When I began to process the title deeds, I realised that my stepchildren had stolen my file with receipts and other documents for the land and house. They started claiming the house as theirs built by their father. Since 2010 till now the dispute has been in the courts and it is heart-breaking.

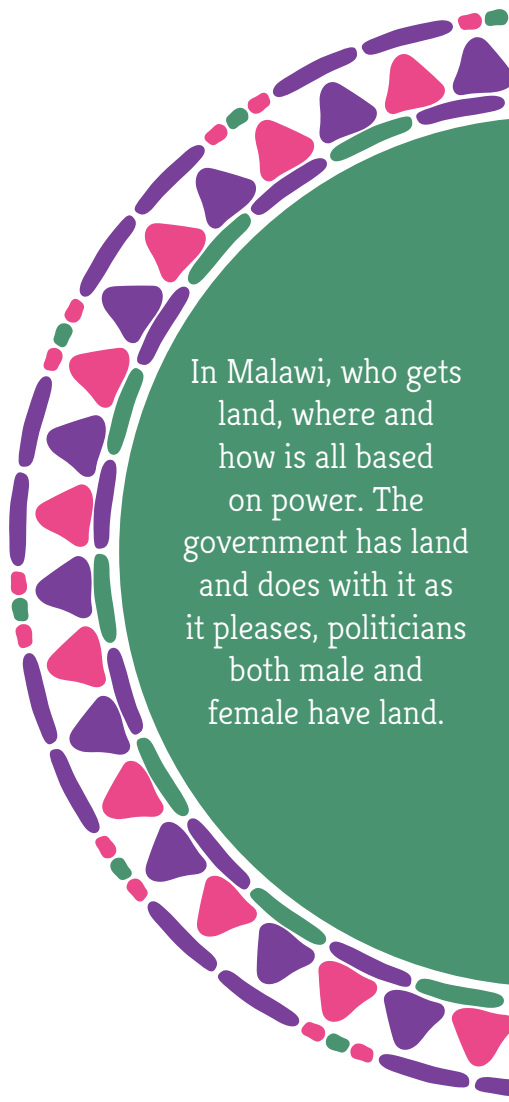
The children occupied the house and everything I earned in my whole working life including property in that house. They are staying there. They don't want to get out. I have a title deed for that property now but they are still in the house. I think about how strong and informed I am and yet I am in this situation and I wonder what it means for other women that do not have the same kind of information that I do. I realised it is hard for people to believe that it was a woman that had bought that land and built that home. It is easier for them to believe that my husband built it and I am just an evil stepmother who is now kicking her husband's children out. They have no idea what I have been through. My point here is that land is still a complicated issue and that it is tied to general patriarchal views of women in the society.



Challenges and victories in the land journey

In the case of Malawi, I feel we have had some success. The organizing around women's land rights created awareness about women's rights and opened space for conversations that many people were not having and were probably not ready for. It helped to shift the belief that land could only be owned and controlled by husbands, brothers and uncles.

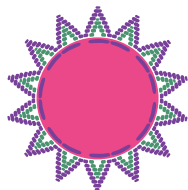
However, we need to continue with our advocacy in order to see implementation of policies, and communities and traditional leaders changing their attitudes. On one hand, all the talk about land has drawn attention to land and its value and therefore even those that had little or no interest in land are gaining interest. A lot of fraud in the area of land has also risen as people increasingly sell land that does not belong to them. Others ask to hire land and then turn around and claim the land is theirs and major disputes happen between the real land owner and those that had hired the land.



In Malawi, who gets land, where and how is all based on power. The government has land and does with it as it pleases, politicians both male and female have land.



The main challenge is bridging the gap between what the land policy says and what the attitudes and beliefs of traditional leaders are. If the traditional leader does not know the policy or resists it remains difficult for women to access land.

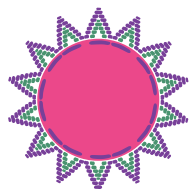


Honouring the teachers in my journey

My first teacher was really my father. At times I used to hate him. I thought he was too hard on me but then later I realized that all he used to tell me is what I see around me now. He was very angry when I got married after High School instead of going to university. He wanted more for me and he was very happy when I decided to continue my studies later. So we became good friends again, even when he died when I was asked to speak, I said he was my friend, not just my father. We would chat until very late in the night.

All my father's wives were really my mothers and all of them spoke about education the same way my father did. They were loving and supportive. Another person who influenced my life's journey was a Finnish woman who was the director of programs at the Finnish Refugee Council. She was a very strong woman who each time you were talking to her, said exactly what she wanted you to do and how she wanted you to pose. Then there was an African American woman who was also my boss in another job. She was a strong woman, strict as well but all the women who were in the team she led have become successful, except for one who passed on. She encouraged us to work hard, be disciplined but most importantly to be ambitious and never see ourselves as being limited because we are women.

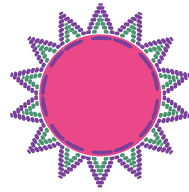
There is also a man, he is the former director at this organization that I am associated with. He was a young lawyer when he joined. He would always say, 'you have to be objective and professional and don't worry about what people say'. When I was struggling with work he was supportive and encouraging. Then the final one is called Coleen from Gender Links. Coleen works very hard. She gets things done and that is the motto I hold for myself; deliver, deliver, deliver.



Wishes for Malawian women

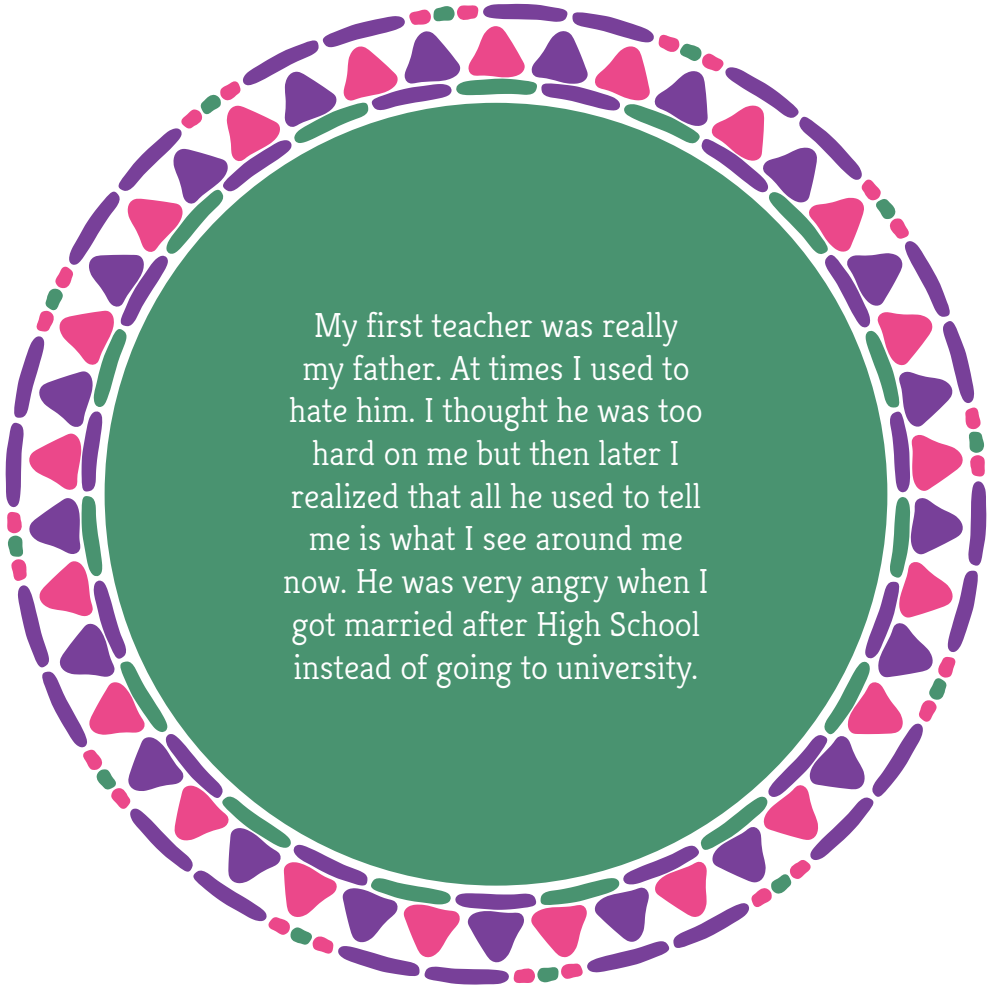
I wish I could imagine a Malawi where people are proud of who they are, taking care of their environment as the environment takes care of us all. It would be safe and we would allow diversity but at the same time maintain some control over the production resources. I find this world hard to imagine because women have also joined in exploitation of resources. The attitude has become, *if somebody is doing this why should we not do it?* You see on the roads, everywhere people are selling charcoal and these trees are cut down in their own backyards and nobody cares, not even women. I went to a district in Chitipa and we were going into a rural community, then we saw a woman with a farm cart. She was carrying heaps of charcoal, it was clear that woman was not from that place because, she was not rural. This is what happens, people like her go and hire people in the villages in the rural communities and ask, 'can you burn charcoal for me?' Then they just collect and sell somewhere else. So we met her and fortunately in our car we had a guy from the forestry department, so when we passed, he called his friends who were behind to check on that farm. On our return, they had already confiscated the charcoal. So, you see, even women are participating in this evil destruction, what is the agenda? This is why I dismiss the vision that I would like to see for Malawi because nowadays there are not so many people who feel responsible for making sure that our resources, even land and trees have are protected. For them, seeing a tree is seeing money. Until we start looking at a tree as a natural resource, until we see land as a resource for generations to come, I don't think the picture of a beautiful future will materialize. It would remain an illusion. I have to be honest that the way people have gone on destroying land, destroying natural resources in full view of everybody, in full view of governments, within this region is disheartening. There is so much destruction, a cause of despair but also a motivator for us to continue pushing for better care of our resources.



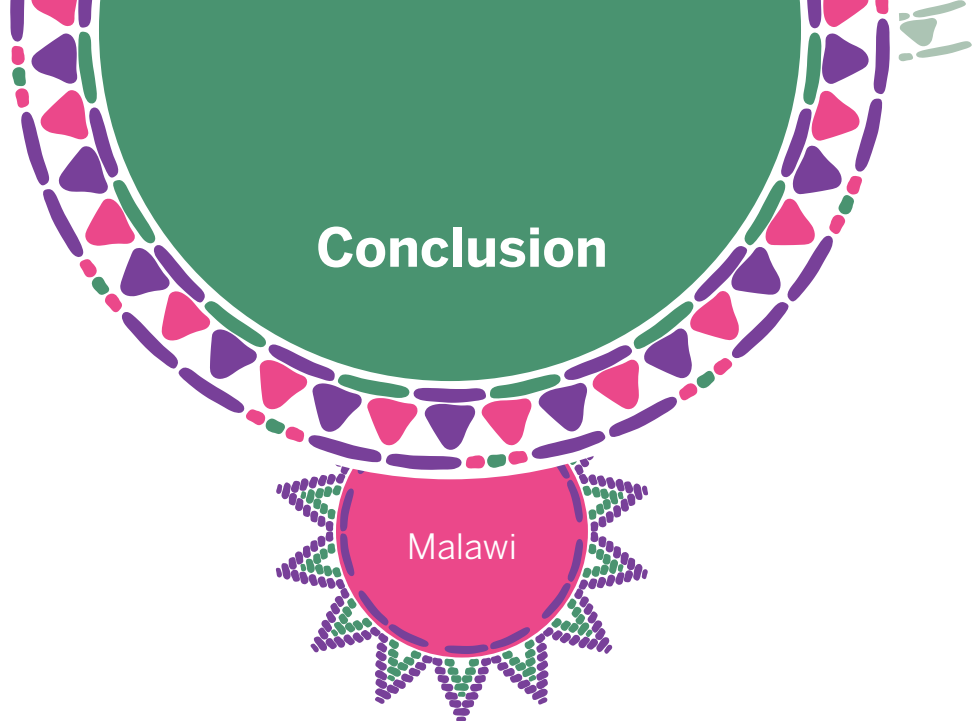


Forward looking

There is one thing that I keep repeating which is that people should stop selling land for some quick money. The land belongs to us as a families, communities and Malawians. What will our children get? If our great grandparents had sold everything, would we have found anything? People are killing each other; like in Nigeria recently eighty-six people were killed over grazing land. It's not that they did not have land in the beginning. Families have grown bigger but the resources have remained the same or reduced or destroyed. Here, in Malawi, the scramble for land is the same. That is why some of us are saying, keep land because it is precious. Not just for building a house but for many other purposes. Keep valleys because they are precious for the environment, for water, for everything. Keep our environment clean from pollution. I had a way of formulating, enforcing regulations and policies, I would but since I cannot, it is just wisdom which I would like to leave for the upcoming generations. I have made it my own policy that I will never carry charcoal in my car or buy charcoal. People laugh when I say that, but I say in my own way, I contribute to a better environment. I don't want to see a bag of charcoal at my house. I am shocked when I see people of good social standing in society using charcoal. People don't want to use gas. They just want to use trees. So I have made my own policy in my house, which I have had for a long time. I think now it is over twenty years. I said I am not going to allow this charcoal in my house. I use gas when there is no electricity and people just say that I am funny.



My first teacher was really my father. At times I used to hate him. I thought he was too hard on me but then later I realized that all he used to tell me is what I see around me now. He was very angry when I got married after High School instead of going to university.



Three Southern Africa countries; Zambia, Malawi and Swaziland, one common theme, (women and land) yet out of these commonalities emerge nine very different stories throwing up a wide range of insights, issues and lessons. Each of the stories is a case study in amplifying voices, using ones agency, enhancing leadership and activism but the composition of the voices and empowerment journey vary enormously.

Doo Aphane, an activist lawyer and political analysis, could afford to buy land together with her husband. However, when she went to have it registered, the government of Swaziland used her husband's name instead of the name on her identify card. She narrates her story.



'My husband and I bought some land, we wanted it in both our names and we ensured that on the deed of sale. The problems began when we got to the conveyancer that is the lawyer who was supposed to do the registration First they do a birth affidavit then they want your national identity document. My national identity says Doo Aphane. Then the conveyancer produced an affidavit for me to sign but it was in my husband's last name.

So I said there is a big error, I don't know this person Then I called the Conveyancer 'Mr Hlope', which is his wife's maiden name. He quickly corrected me, inserting his own last name instead. I told him I was puzzled, that he had just informed me that when we get married we start to go by the names of our spouses, 'the privilege' of being married.

He still did not change the name I decided to go to court. Eventually the matter was heard and a judgment was made on the 23 February 2010. We had won. The government appealed to the Supreme Court but I had already registered the land as Doo Aphane.

Some people call it Doo's case but for me it's the women's land case.

The Supreme Court decided that women could register jointly or on their own ... I still get excited when a woman tells me she has bought and registered land in her name.

Malter Vilakati of Swaziland, a trade unionist, bought land with her own money. She did so when she was still married. It was registered in both her husband's and her name. When she divorced, he claimed it was his. Vilakati, motivated by Aphane's case, fought till she won.





I remember the day the High court decision was passed in favour of Doo Aphane's, we were out in the streets, singing and dancing. We called each other land sisters. I remember a lot of young women were there too. We did not stop talking about the issue of my land in Bula and eventually after two years the community said yes. The land was registered in my name. My husband's door tag was removed and now there is a tag with my name that says it's my home. Even if I was to die it's going to be mine.

Ownership of land does not only reduce poverty, it can and does reduce violence against women. Tiwonge Gondwe is very clear about this; she explains why;

In my struggle for land, I have recorded some successes ... I have a piece of land; one inherited and another bought. These two pieces of land enabled me to leave a violent marriage because I knew that on my own, I could feed my children and build my house. I am an inspiration to women who fear to fight for land, I have done it, and they can do it too.

The stories reveal that whether one initiates the process of awareness, analysis, strategy development and action or one becomes convinced and joins others in fighting for rights, some degree of political consciousness, voice and conviction is inevitable. Doo Aphane remembers ‘



At an early age, I understood what it meant to live in an unfair system, recognise injustice and push boundaries within that unjust society

The narratives, no matter from which countries, reveal that individual empowerment is important but for sustainability; collective commitment, effort and often systematic changes are needed. Thabile Mokoena Dhlamini who struggled individually and collectively explains;



‘The Rural Women's organization opened our eyes. Most women were not aware of a section in our constitution of 2005 that talks about women's access to land. When I got that constitution in 2005, I just threw it in the cupboard and did not read it. It was only when I joined the Rural Women's Assembly that we started reading it. That is where we found our treasure.

Grace Tepula of Zambia reiterates the same message,



I knew I could not achieve much on my own, so I joined organisations that advocate for women land rights, poverty reduction, and rising inequality in Zambia and across the region. Two of these organisations are The Rural Women Assembly and the Zambia Alliance of Women.

At both the individual and collective levels, empowerment requires a stimulus, something which creates an awareness of the need for change. It needs a vision and action towards achieving the vision. The role played by the women's movement in awakening political consciousness and providing a little push towards fulfilling the vision should not be underestimated.



Carol Kayira Kurimika reflects;



When you are in that space you have the fire because you know there is a movement behind you. I doubt if I was going there as Carol and meeting some of the challenges we met that we would have moved, because I would have given up. The women we worked with could have given up. But if you are confident that you are with the movement and you are reporting back to the movement, I think you can move steps.

What we also learn from the stories is that empowerment cannot be handed to anyone, not even the best well intentioned leader can bestow empowerment as a gift. Accordingly, while no one liberates herself by her own effort alone, neither is she liberated by others. Once empowerment is stimulated, then using one's agency is left to the individual.

Violet Malama, used her agency or power within to liberate herself from poverty. She narrates;



In my interaction with the farmers, through the farmer field school, I realised that in order to be productive, they needed inputs. Using my title deed, I got a small loan from Microfin Africa Zambia Limited, and started supplying seeds, fertilisers and chemicals to the farmers in my area. The response was so good that I soon registered as a national agro dealer on the Farmer Input Support Program, which aims at improving small scale farmers' access to improved resources and enhancing the participation of the private sector in supply and distribution of agro inputs

Activism happens at different levels. Gondwe, a grass roots activist works mostly at the community level but because of her outstanding activism, she has been noticed and invited to attend meetings and share her views at national, regional and global levels. Nevertheless, she remains rooted in her community.

Kaliya, a women's rights leader in her own country and chair of FEMNET, a women's regional organisation, advocates for land at the national, regional and global levels and at the same time, supports networks working at the local level. She fights marginalisation, injustice, patriarchy and abuse of rights in different ways and different spaces.

She says,



In the case of Malawi, I feel we have had some success. The organizing around women's land rights created awareness about women's rights and opened spaces for conversations. It helped to shift the idea that land could only be owned and controlled by husbands, brothers and uncles. We however, need to continue with advocacy in order to see implementation of policies; as to also ensure that communities and traditional leaders change their attitudes.

Edah Chimya, Director of Zambia Alliance of Women (ZAW), elaborates; *'In the past 10 years, ZAW has been instrumental in advocating for women's participation in agricultural decision making, environmental sustainability and women land rights. For example, in partnership with Non-Governmental Organization Coordinating Council (NGOCC) and Action Aid, ZAW implemented a project which aimed at advocating for women's empowerment by increasing productive resources including land as well as building women's capacities in conservation farming and sustainable land management*



We are reminded by Grace Tepula that land is a huge resource.



Land is the basis for the survival of all life forms, human, and all the other living processes. The way that society allocates land for human and other uses determines the character, quality and pace of human development. Therefore, women should rise up and be counted by demanding to own land and registering it in their names. They should know they can pass it on to the next generation in their families.

Taken together, these stories reflect both challenges and achievements. They speak to the three countries' differences and thereby illuminate their similarities. They recognise the disempowering context against which to appreciate how startlingly hard the glimmers of achievements are. The narratives show that the walk toward collective empowerment can be difficult and tiring especially where there are few persons struggling with too few resources to achieve too many objectives in a discouraging environment. Nevertheless, the cumulative impact of many small accomplishments even the experiences gained from failed experiments can create space for moving in a new and desired direction, at some future point.

The final wise words from Malter Vilakati, summarise the significance of the narratives, 'WE must salute all the women who continue to fight for land ownership for themselves and for other women'.



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