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# Not Affected the Same Way: Gendered Outcomes for Commons and Resilience Grabbing by Large-Scale Forest Investors in Tanzania

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**Abstract:** The topic of large-scale land acquisition (LSLA) has attracted wide interest in the literature and the media. However, there is little work on the gendered institutional changes and gendered impacts on common pool resources (CPR) due to LSLA. The aim of this paper is to address these impacts. This is done by discussing data from participatory research (using the methods of participatory observation, semi-structured and narrative interviews, biographies, focus group discussions, value chain analysis, and household questionnaires) on a forestry plantation operated by the British investor, the New Forests Company (NFC) in the Kilolo district, in the Iringa region. The institutional arrangements regarding different land-related common pool resources from pre-colonial times until the arrival of this investment will be shown. Furthermore, how these arrangements have changed over time and since the LSLA is presented. Then, the effects on men's and women's access to CPR and, thus, the impacts on their capacities to perform their reproductive work and resilience will be addressed. Furthermore, the paper focuses on how different stakeholders in the land deal (the investor, the government, different local people) make use of these different institutions to push through their own interests regarding the land. Finally, the paper looks at collective compensation payments (such as monetary compensation and jobs) and forms of corporate social responsibility (CSR) schemes, and how they are perceived emically. It is argued that the LSLA in this case clearly grabs land and land-related common pool resources that were previously held in common. Women, such as daughters, sisters, and wives, had specific access and property rights to these. Thus, the paper concludes that this grabbing lowers women's resilience and deprives them of important resources for their livelihoods, and for food and cash production at critical times. CSR programmes and compensation rarely reach women and are, for them, an anti-politics machine, hiding the grabbing processes, and impacting the poorest of the poor, while the company uses a development discourse to legitimise its activities. In fact, the people perceive the investment as trapping them in underdevelopment.

**Keywords:** large scale land acquisitions; gender; institutions; common pool resources; common property; land tenure transformations; corporate social responsibility; resilience; social anthropology

## 1. Introduction

Much has been written on the impacts of large-scale land acquisitions (LSLA) in Tanzania [1,2] and Africa in general [3,4]. However, the impact on the commons, especially the commons to which women mainly have access, and issues of resilience<sup>1</sup>[5]. have rarely been addressed and, when they

<sup>1</sup> I define resilience as the ability of a person and/or a household to restore basic livelihood capacities after a shock. Such capacities need to be available over time and remain high for the unit (household, community) to be resilient.

have, not from a long-term social anthropological perspective [6]. Scant literature in academia and mainstream literature focuses on identifying the scope and scale for action in already historically transformed gender relationships that are now, in addition, being challenged under the context of large-scale land acquisitions. Doss et al. [6] for example, point at a gap in the literature on LSLAs regarding the impacts on local livelihoods and gendered land tenure systems, as well as how women react to and/or cope with changes due to LSLAs. The literature on LSLA in Tanzania also misses out in addressing especially the disaggregated gendered impacts on the household-level (intra-household level) and the larger clan level (inter-household level) from a broader new institutionalist perspective. In this paper, I discuss data from my research on large-scale land acquisitions of a forest plantation made by the British-based investor, the New Forests Company (NFC), in the two villages Makungu and Ukwega, in the Kilolo district of the Iringa region. The paper shows how large-scale land acquisitions consolidate commonly owned land (i.e., create common land enclosures) and impede access to this land and to land-related common pool resources (e.g., fruit trees, grasses), to which women previously had specific access and/or property rights, due to their own family clan affiliation and/or their husbands' family clan.

Furthermore, I will outline how this affects women's resilience and ability to perform reproductive work, which means looking after their children and relatives in need, such as the elderly, disabled, or sick persons. This paper also looks at the land deal processes and shows how the investor and the government, as well as different local people mainly within family clans, select from a plurality of institutions (institution shopping; for rules activation see [7]) to legitimate the deals or to make them profitable.

Finally, the paper focuses on collective compensation payments (such as monetary compensation and jobs) and forms of corporate social responsibility (CSR) schemes, which are supposed to compensate for the loss of the old common pool resources. However, I will show that CSR programmes are an asset for investors to increase acceptance and their international reputations, while these projects often fail to distribute the gains to former commoners, especially to women and less powerful local actors.

Thus, this paper looks at the gender aspects that play a role in CSR programmes and how these impact outcomes of LSLA—such as commons and resilience grabbing—differently for men and women. I argue that the LSLA provokes different types of land and commons grabbing on different social scales, specifically: (a) pure commons grabbing by the company of community and clan land; (b) internal grabbing within clans common land, meaning between households and lineages; and (c) grabbing processes within the households between husband and wife or brother and sisters. These forms of grabs lead to different degrees of competition regarding landed resources and the promise of access to CSR projects and other forms of compensations: on a macro-level, this is between investors and local communities; on a meso-level, this is between the clans/village communities; and on a micro-level/inter-household level, this is within families, competition about cash flows on an intra-household level, and within families and clans. This multi-scale process has negative impacts on women, involving increased workload, increased dependency of wives on their husbands, less access to cash, as well as lower security and reduced bargaining power of daughters and sisters when they get married. Because LSLA processes are directed towards men, land and related resources—such as fruit trees, which provided women with a source of cash controlled independently by them—have decreased or are no longer available, and land is mostly controlled by men. This negatively affects their resilience in terms of food security,<sup>2</sup>[8] with an imbalance between gender and generation based on these power relations. Furthermore, compensation in the form of money and CSR projects that could balance the loss of access to the old commons is regarded by women as being insufficient, because there is a lack of transparency related to payout schemes, the distribution of scarce jobs available for

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<sup>2</sup> I adopt the following definition of food security from the FAO: 'Food security exists when all people, at all times, have physical and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.'

local people is generally extremely low for women, and the development and infrastructure projects are badly adapted to local needs.

The process of LSLA in Tanzania is not new and goes back to colonial times; however, the intensity and range have increased since the mid-1980s, following the political and economic shift to neoliberalism. It was increased even more by the so-called Triple F crisis (food, finance, and fuel) in September 2008 with the biofuel industry as the prime driving force behind the more recent LSLAs in Tanzania [9,10]. LSLAs have long been portrayed as win–win situations and green scenarios by global powers such as the World Bank, which are based on a neoliberal discourse to attract investment and development to the country [9,10]. Nevertheless, the Tanzanian government has also been actively attracting foreign investors under the current neoliberal order. Various laws, policies, and initiatives have been enacted or adapted, and a National Land Bank was established to accommodate private land investments, leading to an estimated area of around 200,000 to 1,000,000 ha of leased land [11] (p. 250). Very recent investments have focused on food and forestry production after many biofuel projects did not materialise or failed.

These LSLAs have impacted the local use of former common-pool resources on the land, especially agricultural land, water, pasture, and forests for subsistence and cash. This happens in the context of village common land formally protected by the Village Land Act of 1999, which respects customary land rights and, thus, should legally protect common property. The land transfer is a lengthy procedure involving several institutions from the local to the national level, including consultation and compensation of affected villagers [11]. The village assembly needs to agree, documented by village meeting minutes [12,13]. This has to be approved by the Land Commissioner on behalf of the President (*ibid.*). The village council needs to make recommendations about the planned investment to the Village Assembly, which can either reject or approve the land transfer in the case of land sizes below 250 ha. In cases of land areas above 250 ha, the Village Assembly cannot reject or approve the land transfer, but only make recommendations, while the President makes the decision. He can decide to expropriate landholders [13]. However, many authors criticize the implementation of the land laws and the procedures for land acquisitions therein - state officials on different levels are said to ignore regulations and laws [14], and community consent to the land deals is only considered to a limited extent [3] (p. 909). Thus, as is also shown by this paper shows, formal legal institutions do not provide security for local people and, under current commercialisation and privatisation pressures, they do this even less for women. On the contrary, different actors, from local men to central government, district government, and the investors, activate different rules of the game to grab women's rights to common pool resources and thus reduce their resilience.

## 2. Theoretical and Methodological Background

This paper follows a similar theoretical logic to other papers I have published (see [15]) and is based on a research project on LSLA and gender in Africa [16]. Thus, a new institutionalism perspective in social anthropology [17,18] is the basis of the background of this paper. The paper focuses on actors and looks at how external effects shape the internal bargaining power of actors and gender ideologies, and then shapes the institutional choice of—and distributional effects for—different actors. In the context of LSLA and gender, this means discussing the context of external changes (LSLA), which raise the value of land and, consequently, influence bargaining power in gender relations, the ideologies that justify these relations, and the choice of gender-specific institutions related to resource governance. This paper examines institutional transformations driven by change in the relative price of land due to the LSLA (changes in the value of land, rise of the relative price of land), which lead powerful actors to select from a plurality of institutions. These institutions can include rules and laws such as land acts, property rights, and regulations (see [17,18]), such as the 1999 Land Act [13], the 1999 Village Land Act [12], and the 2009 Water Resources Management Act [19], as well as local customary land rights, among others. The institutions employ ideologies through discourses and narratives that seek to legitimise land acquisitions in specific contexts. A new institutionalism perspective, combined with

theoretical insights on the governance of common-pool resources (CPRs) (see also [18]), also looks at the impacts that the institution shopping process [4,7,16] has on people with less power in negotiation, who are often women. Additionally, it shows how new norms and institutions emerge and are selected by powerful actors. This process has implications for women's and men's previous access to common-pool resources (CPRs). Thus, it shows how institutions change, but also how these CPRs were used and governed before investment and are now being replaced by new forms of governance at the expense of women's access to vital resources. Furthermore, neo-Marxist approaches that focus on the household mode of production, the reproduction of the workforce, and gender relations of exploitation (see [20]) indicate that the exploitation of women is increasing under the conditions of commons, and especially commons grabbing from females. However, many companies also claim that they bring betterment via investment based on the neoliberal order, especially for women who will profit from payments, jobs, corporate social responsibility (CSR) programmes, etc. This paper will show if these are truly projects that compensate for the loss of commons (land and land-related common pool resources) in a way that facilitates development, especially for women, or if women are facing an anti-politics machine in a gendered form, hiding commons and resilience grabbing from women.

The data for this paper were collected during several months of fieldwork from March 2015 to December 2015, April 2016 to December 2016, and February 2017 to October 2017, as well as a short period in August and September 2019. The scientific approach taken by this project is based on cooperation between social anthropology, human geography, and gender studies. I mainly used the following mixed research methods, and the data were cross-verified using data triangulation [21]: empirical data collection from participant observation, followed by open and semi-structured interviews that were conducted with members of different interest groups, as well as experts from the government and NGOs. Furthermore, biographies, narrative interviews, and focus group discussions focusing on the life histories of local actors provided a basis for obtaining emic views on land use, the land investment process, and its consequences for gender relations and institutional change (also regarding gender relations). Furthermore, value chain analysis and household questionnaires were used to obtain economic (household budgets, income, expenses) and demographic data. In total, 40 semi-structured in-depth interviews, 38 household questionnaires, 8 focus group discussions, and 15 narrative/biographic interviews, complemented by numerous informal conversations and structured and unstructured participant observations, were conducted. Between March 2015 and December 2015, I started with more unstructured informal conversations and participant observations, and then proceeded with more structured interviews and questionnaires from April 2016. The value chain analysis I conducted in February and March 2017.

### **3. National Historical, Socio-Economic, and Political–Legal Background and Institutional Changes from Pre-Colonial to Current Times**

In order to understand today's investments and their impact on resilience for women, I will outline the historical institutional changes regarding land and CPRs from a gender perspective, because the actual investment is based on past institutional changes, and its outcomes cannot be understood without this background (see also [15] for a longer version of this section). In pre-colonial times, Tanzania was politically structured and organised into different chiefdoms comprised of diverse ethnic groups. Thus, resource rights and responsibilities regarding land and related common pool resources (CPR), such as wildlife, water, forests, pastures, and fisheries were in the hands of different local groups—based on kinship, clan membership, or other forms of belonging—who held/owned and managed these resources under complex systems of rules and norms (institutions) within their territories, usually under a common property regime, which was based on the connectedness of different resources [18]. Women had access and usually secondary or indirect rights to these CPRs through kinship ties, marital status, and personal relations, and based on gendered roles and responsibilities in reproduction and production, which defined women primarily as mothers and carers; thus, their rights were connected to food production [15,22–24].

The Germans colonised Tanzania in 1895 and, later, after World War I, the British moved in [25–27]. They introduced an export-oriented, commercialised agricultural economy. During this time, the management of land and related CPRs became increasingly controlled by the colonial state, with land vested in the State and Tanzanians having only the use rights for the land they occupied. Women's access to and control over CPRs and negotiation power was affected, because customary law was weakened, and colonial and indirect rule fostered men's authority over women [23]. Men were made responsible for tax payment and, thus, the notion of the male as the 'breadwinner' and the female as dependent housewife was reinforced [ibid.]. The cash men earned largely lowered women's bargaining power in the household, as well as men's respect for women's work for the household, because women did not have the same possibilities as men to earn cash [ibid.].

The United Republic of Tanzania was established in 1964 [26,27]. At that time, a kind of African Socialism (Ujamaa) was installed [28]. Two-thirds of the rural population from different 'ethnic' and local origins were mixed up and (re)settled in uniformly structured villages [14], where communal farms were cultivated by groups of village families [29]. Traditional leadership was abolished and, instead, new village governments were introduced (ibid.). Common property institutional regimes to manage CPRs were 'legislated out of existence', and CPRs were controlled and managed as state property by centralised state management agencies [18,28–30]. All the resources of Tanzania, including land, were declared as belonging to all Tanzanians; land was redistributed, and pre-independence land rights were abolished [18,28,30]. Women did not have equal access to land, because normally the head of a family, which was usually a man, was allocated one piece of land for the family [31].

In the mid-1980s, the Tanzanian government signed economic stabilisation agreements and reform programmes with the IMF and the World Bank, with the aim of reducing the role of the state in the economy, and opening up more space for the private sector after an economic crisis in the 1970s [14]. Private investment and property rights, including the promotion of foreign investment, were encouraged in the era of President Mwinyi (1985–1995). From the latter half of the 1990s, the Tanzanian state began the adaptation of the institutional and legal frameworks and, in 1997, the Tanzanian Investment Act was ratified. It established the Tanzania Investment Centre (TIC), which has a mandate to grant derivative land rights to foreign investors, to provide a certificate of incentive (which is a basic document for land processing and land allocation), and to establish a land bank [32]. A new land policy was presented to and accepted by the Parliament in 1995, based on two new land laws, which were enacted in 1999: the Land Act and the Village Land Act [12,13], which provide for the formal procedures for land application.

These land laws, which actually present a new legal pluralistic setting, divide land into three categories: reserved, village, and general land [13,14] (p. 42)<sup>3</sup>. The Village Land Act respects customary land rights and legally empowers village governments (i.e., village councils) to manage village land under customary law on behalf of the village assemblies [12]; however, the land still ultimately rests in state ownership [13] (p. 36).

Under Jakaya Kikwete, who entered presidential office in 2005, foreign investment was further emphasised, and land became more valuable locally as its relative price increased. The Kilimo Kwanza (Agriculture First, Transforming Agriculture) Initiative, launched in 2009, promotes, for example, large-scale commercialisation, bringing legal and institutional change, in order to prepare the ground for foreign investment in large-scale agricultural ventures, emphasising, for example, the need to amend the Village Land Act of 1999 [14,33].

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<sup>3</sup> Village land can be further sub-divided into three categories: *communal village land* is to be used for public purposes, such as schools and public markets or grazing areas. *Individual land* is occupied or used by an individual or family or group of persons under customary law. The third category is *spare land* for future communal or individual use, and is sometimes referred to as reserve land.



Women's traditional rights to common pool resources and, thus, tenure and food security, have been increasingly undercut since then and, at the same time, heavy demands on their labour force continued, leading to coping strategies such as relying more and more on non-timber forest products (NTFPs) and other sources for earning cash, providing options for resilience. In current legal pluralistic contexts, such as in Tanzania, men and women use both different versions of customary and statutory systems to support their claims to land [34]. This can limit women's access to land and land-related resources. In the context of changing relative prices of land, this legal pluralistic setting provides a huge challenge because men, as well as government actors, are trying to sell land, because investors are becoming interested; thus, these men try to use and manipulate the different institutional provisions to their advantage. This is the context which, for women, means a weakened but still, somehow, working position in the power fabric; investment is introduced into this context, and makes these power relations starker, or changes them as cash flows in, as I will show in the following sections.

#### 4. The Case Study Area: Local Ethnographic, Economic, and Ecological Background before Investment

The forestry plantation of the New Forests Company (NFC) is located in the Kilolo district, in the Iringa region in the Southern Highlands of Tanzania (see Figure 1). It was installed on land that the NFC acquired in the nine villages of Kidabaga, Idete, Isele, Kising'a, Ukwega, Ipalamwa, Magome, Kiwalamo, and Makungu, which are located within the three wards of Dabaga, Idete, and Ukwega. These villages lie in the highland zone (with an altitude that ranges between 1600–2700 m above sea level), with a moderate climate and mean temperature of 15°C [35,36]. Rainfall ranges from between 1000–1600 mm per year [36]. However, long-term climate records for the Southern Highlands of Tanzania show that the climate of the region has been changing with a steady increase of temperatures over the last 40 to 50 years, with a higher frequency of droughts during the last few decades, as well as a large inter-annual variability in rainfall [37,38]. However, the people in the area, as I will show later, have adapted to these conditions, and have developed measures such as CPR institutional management in order to be more resilient.

Most of the people in the area belong to the Wahehe, who perceive themselves as indigenous to the region, and to the immigrant Wabena ethnic groups, who originate from the Njombe region [11,36,39]. Both groups are patrilineally and patrilocally organised, and mostly Christian (*ibid.*), but polygamy is common in the area [40]. However, due to high immigration rates, the population in the Iringa region is now generally ethnically very mixed [39]; the area is home to some minorities of other ethnic origins, such as the Wakinga, Waudzungwa, and Wasagara.

Small-scale agriculture is the most important activity in the area, although there is also some livestock-keeping—mainly chicken and some pigs, goats, sheep, very few cows—and some people keep fish in small fish ponds in the rivers down in the valleys ([39], own research between March and July 2015, 2016, 2017). In 2011, the Kilolo district was home to 54,400 agricultural households, each with an average of 4.5 people [41]. Farm sizes are, on average, 1.6 ha per household [36]. Kilolo is a very hilly district; cultivation is practised on valley bottom farms known as '*vinyungu*' (a Kihehe word for valley and/or garden) in the dry season and on uphill slope farms in the rainy season, which falls in a single season from November through May ([40]; own research between March and July 2015). The *vinyungu* are the more productive areas, because they are permeated by different sizes of streams and the fertile soils are not flushed out like those on the hills; these are therefore preferred for agriculture (*ibid.*, author's fieldnotes June 2015). These are red/yellow, well-drained, and highly weathered and leached clay soils (*ibid.*). Farmers practice crop rotation and shifting cultivation. They first slash, then burn, and thus fertilise, and then till the plots. Agricultural work is done by household labour, normally involving both men and women. In between or on the agricultural plots, there are often small areas with communal and private natural and planted forests, with trees producing timber and non-timber forest products (NTFPs), such as fruits or leaves used as food or medicine; people also plant different kinds of fruit trees there. Some trees are left for water conservation purposes. In the context of climate change, people are increasingly relying on NTFPs, such as wild mushrooms, wild fruits, and wild

vegetables for food, health, and income security [38,40], but the planted fruit trees also produce NTPFs. Many households are also involved in the planting of timber as savings. There is also temporary out-migration, especially involving young men looking for employment in forestry plantations in other regions.

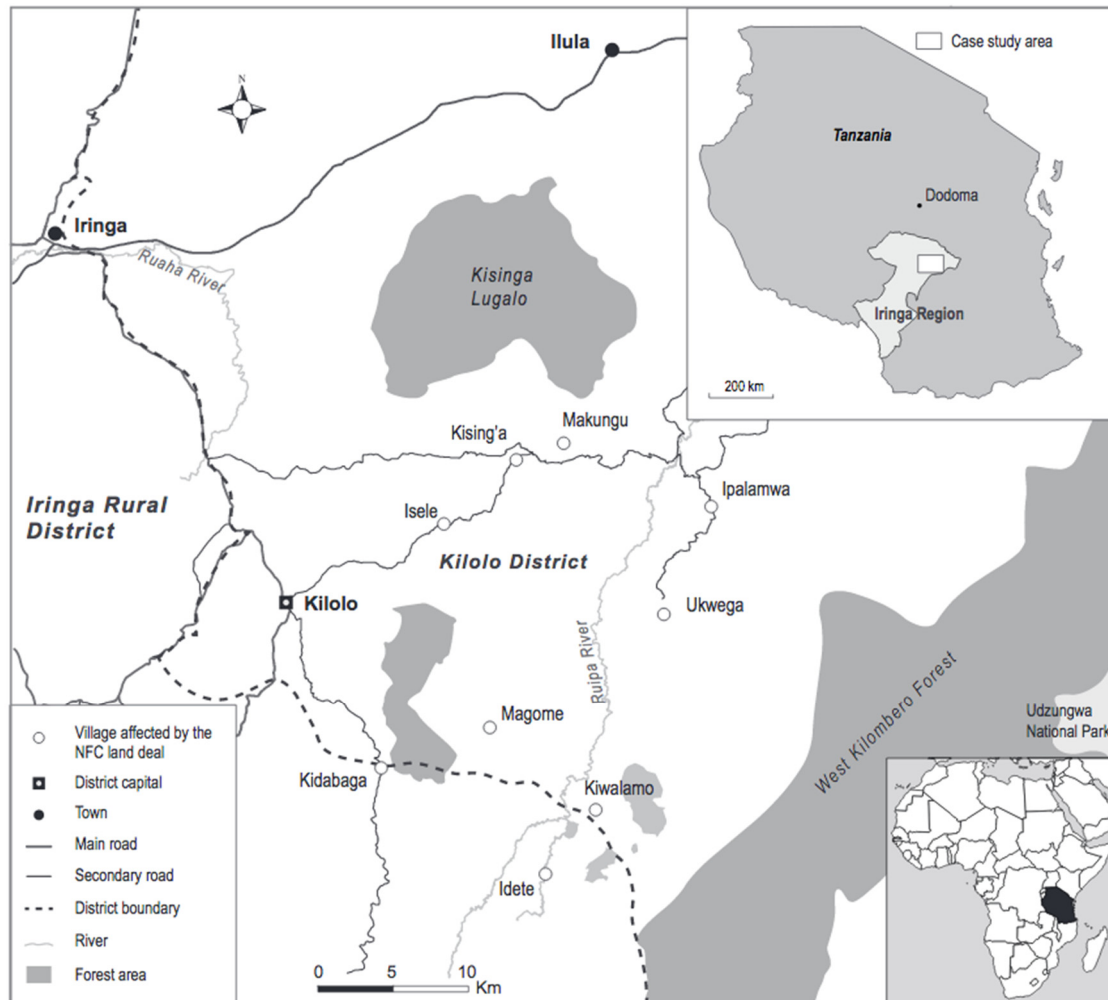


Figure 1. Map of the study area [15].

Institutions for the management of land and other CPRs, including tenure practices, are highly complex and very specific in the area. However, the following general land tenure tendencies exist: legally, most of the land falls in the category of *village land*, which is held in common by the community. This is under village management, and the village councils are empowered to manage village land under customary law on behalf of the village assemblies (the Village Land Act of 1999 respects customary land rights). Within the community, land is mostly a communal property of the clan, with clan heads and elders being empowered to allocate land and distribute land use rights, among which there are more communal (within the clan) and more individual rights (land for agriculture). This means people's rights to land are quite individualised rights, but still embedded in clan and lineage common property institutions, or, in other words, they are still the collective assets of the family, nuclear or extended (clan), i.e., they are family common property (FCP) or family lands, but with group members having specific individualised rights within them. Among the Wahehe and the Wabena, women are entitled to inherit land from their fathers. When a girl marries, she usually moves to the area of her husbands' clan, where she is given a piece of land for food production and leaves her land in her home area. Very often, the brothers then take care of the sister's land.

## 5. The New Forests Company's Investment in the Kilolo District

The Lukosi plantation, planted with pine and eucalyptus, is in the Kilolo district. In 2013, the NFC had already acquired land from seven villages. However, the NFC still wants more: mainly, more connected pieces of land. Thus, the NFC is still approaching new landholders to acquire more land [11,35], own research. To date, the NFC has planted a total of 2,125,671 ha of eucalyptus and pine trees (Kilolo District Council Strategic Plan), and has acquired more than 8000 ha of land [11], own research. In Makungu, the NFC has acquired around 2000 ha of land, and in Ukwega around 350 ha.

The following section demonstrates how the land was acquired and how the deals are perceived emically. This is important to know in order to see how the resilience capacities and the positions of local women and men within communities and clans are affected. It also shows which different institutions are used by the investor (institution shopping), the government, and local people alike to support their land interests, and which ideologies, discourses, and narratives<sup>4</sup>[42]. (i.e., modernity, development, poverty) are used to legitimise these investments. In the final part, the CSR projects and monetary and job compensation are presented, and the local perspective is discussed.

## 6. Gendered Emic Perceptions of Land Deal Processes

### 6.1. Local land and CPR constellations in the context of the NFC Investment

The Tanzanian land laws stipulate that foreign investors can only acquire land which belongs in the category of general land. This is under the jurisdiction of the Ministry of Lands and Human Settlements Development. Seeing as most land in Tanzania belongs to the category of village land, it is necessary to transform its status to general land before becoming accessible for investors. The village assembly needs to agree, documented by meeting minutes. This has to be approved by the Land Commissioner on behalf of the President. Furthermore, the involved parties have to agree on the compensation, which should be based on market value, estimated by a government expert, and pay should include both the price of the land and unexhausted improvements, such as crops and/or trees). The investor then obtains rights of occupancy or derivative rights, and leases ranging from periods of 5 to 99 years [11–13].

The New Forests Company have owned land in Makungu and Ukwega since 2013 on uphill areas, as well as in valley bottom areas. After a first acquisition round, when the NFC tried to obtain village reserve land from villages, it moved to mainly approaching individual landholders. This land belongs to a category of land I call 'individual'. However, it is land that an individual or a group of individuals occupy as a member of a family or clan, and is managed under customary law; it is mostly inherited land, but it is embedded in common property institutions. Thus, it also includes land that individuals purchased or rented from other villagers, or that was allocated to them by the village council. The NFC has acquired granted land rights of occupancy for 99 years from villagers with a customary right of occupancy.

As the investor entered the game, the value of the land rose, due to the investor's interest. This created land scarcity and more powerful actors—especially men as fathers, husbands, and brothers, and the company itself—benefit from their higher power to sell and buy land. The less powerful members of families or larger groups, especially women, who have customary entitlement to the commons, lose out. Thus, depending on the perspective, position, and interest of the involved actors in the land deal, the narrative of the land acquisition can roughly be divided into 'voluntary' and 'involuntary' sale—in other words, loss of, or forced eviction from the land. This has resulted in

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<sup>4</sup> 'Ideologies are considered here as worldviews that give major orientation and explain how the world is perceived. From a Marxist perspective, the term is of importance in analysing the legitimacy of actions taken in both global and local contexts. Ideologies also embody discourses, referring to how meaning and orientation are produced in a coherent way in spoken or written language, as well as narratives, referring to how a specific situation is logically described and explained.'



different types of land grabbing and levels of competition, creating a series of conflicts with different actors employing different discourses and institutions to legitimise the transfer of land to the company. The narratives of the villagers clearly show the support of the investors' undertakings of acquiring land in the villages in Kilolo by the district, as in most narratives, people mentioned that the investor came with the district that was motivating the villagers to sell their land to the investor. Narratives from different villagers indicate that different people within the village reacted differently to the investors' request for land from the villagers when he came in 2012. Reactions roughly can be divided into, on one side, more suspicious people who did not sell, because they did not trust the investor—more educated people or more politically active villagers are among these people. Then there were people who did not have any land or not enough land to sell, and people who did not want to sell because they valued their land more than money. On the other hand there were people who had larger areas, some of them claiming it was “unused” land, which is, however, contested by some of their family and clan members as will be shown below.

### 6.2. *Internal Grabbing:*

In several cases—which I term ‘internal grabbing’, and can be categorised as voluntary or involuntary, depending on the position of the actors involved—there were complaints from members of different clans about the clan or family head who sold the land without the involvement of the rest of the clan. Sometimes, the clan head sold in cooperation with his sons, omitting the female members from the negotiation process and sale decisions. Sometimes, sons sold in cooperation with, or on behalf of, elderly fathers who were, according to them, too old to make decisions. Because the land rights and land practices in the area are still very much influenced by Ujamaa, this context was used in legitimisation discourses and created tensions: on one side, some people use a ‘wasteland’ discourse, saying that land lost during Ujamaa is not used anymore, because it is far away from their settlement area, and became reserve land within the context of the family/clan, because prices were low. However, on the other side, many people still say that they want to keep the land for their own or future generations’ use. Many people—oftentimes women—still claim to use it. Thus, with the arrival of the investor land rights to land held in common from before Ujamaa was contested, an internal competition about the land started. Exclusion of the sisters, wives, daughters, and mothers was often based on arguments pointing towards inheritance rules, such as it being the clan land of the husbands’ clan—thus, the wives or sisters have no say in family land matters, because they live with the families of their husbands, and the land now belongs to the clan of the husband. Also, the rights of daughters to land left in the paternal home area upon marriage began to be contested, especially by brothers who sold their sisters’ land and legitimised the sale by challenging—i.e., denying—the customary rule of Wahehe and Wabena daughters as having the right to inherit land from their fathers. Thus, this undermines women’s security, resilience, and bargaining power in their marriage. Women often claimed that they only got to know about the sale of the land after the land had been sold. Or they were informed before, but had no decision-making power, and some women just also agreed because they feared the men would sell anyway, so at least if they agree they would get some of the compensation, otherwise they would be overpowered by the men anyway. In the narratives of some younger women, it was the elderly people—men and women—who sat together, first among themselves, and then later together with the investor, to make all the arrangements for selling the land, omitting younger members of the clan—men and women—suspecting the investor bribed the old people. Regarding these deals with NFC, most female respondents within the families and the clan said that the NFC had first dealt with the fathers and the sons, mostly the oldest sons and then younger sons. Many women as sisters and daughters were totally left out, however, at the very bottom of the hierarchy in the decision making were the wives of sons whose clan, mostly the head of the clan, had sold the larger clan land, especially in pre-Ujamaa areas. Women as daughters and sisters, or as wives in cases where their own husband sold the land, had, in some cases, a little bit more say. There are also cases where women lost land on both sides—in their own clan and on the side of their husband’s clan. In the narrative of

many women, the deals were closed between the men and the investor in the presence of the village government (Village Council and VEO) and the district. Thus, very often, the village assembly, of which women are part, was not involved or was bypassed. Furthermore, women complained that, because the village council mainly is composed of men, with female members having little say, the Village Council supported the claims of their fellow men. In cases where there were village assembly meetings, mostly only after the deals had already been closed, in the narrative of many women, they had little to no say in opposing the deals, before and after the deals were closed. They felt overpowered in the meetings, and often already muzzled at home before the assemblies took place, even though there were women who tried to complain, but were sidelined. Women coming from landless and land-poor families, who depended on products produced on land of other villagers that sold or lost land, were also at the very bottom of the land deal negotiation process, as they, and/or their family, did not sell land themselves, but depended on others who sold or lost land.

### 6.3. External Land Grabbing

For women, the most important cases are those of ‘fertile bottom valley land grabbing’ (*vinyungu* land), which I term ‘external land grabbing’; this is straightforward grabbing of commons and is involuntary in all cases. Because the company was interested in the land, the district government started to implement and legitimise evictions of villagers from valley bottom areas. It used the 1999 Land Act and the 1999 Village Land Act [12,13], which purportedly respect ‘customary land rights’. Specifically, the government used the institutional element of *The 1999 Land Act*, which implied that all land in Tanzania is public land, and is vested in the person who has power of making a final decision [13] (p. 36). Also, the company used existing laws, making reference to and activating Article 34 of the 2009 Water Resources Management Act [19] (p. 355). This article stipulates prohibition of human activities near water resources, which primarily includes *vinyungu* land. The district did not enforce this article until the investor became a powerful actor and a good taxpayer in the district. As soon as the NFC had acquired the upland areas, it started to prohibit villagers from using land in the *vinyungus* bordering the purchased upland areas. People were not compensated for the loss of the *vinyungus*, because, as legally stipulated by the Water Resources Act, it is illegal for people to use the *vinyungus*. This was backed by the district. Additionally, the investor used environmental discourse to support its claim, saying that the water source needs to be protected, and the villagers are cutting down water friendly trees, thus destroying the water source. However, in the context of their local environmental knowledge, and as part of the institutional setting, the villagers claimed that they know exactly which trees they can cut and which not to cut to protect the water source. This also reflects an adaptation to the increasingly unpredictable weather conditions, in which context the *vinyungus* become more and more important for production, due to the water sources there. Villagers argue that the investor is simply afraid of fires, as well as wanting to protect the water source for its own use, which is why the investor acquired the *vinyungus*.

## 7. Gendered Impacts of the Investment on Access to Commons

The land acquisition made by the NFC had several gendered impacts, especially with regard to access to common pool resources. Most importantly, people lost access to a lot of agricultural land, the produce from which they used for subsistence and cash generation. In particular, the *vinyungus* are the more productive areas where beans are usually planted, and make the people more resilient in times of unpredictable weather. Beans are the primary cash crop, which brings the most cash income for women, as the following citation illustrates:

*Income from the vinyungu is gone.... The community depended on these vinyungus to get extra income to get money to educate our children.... Most of these lands in the vinyungus have been purchased and the investor hasn't refunded us the money we used to purchase these vinyungus. ...Even the present village government didn't help ...yes, the village government didn't help us in demanding our rights (Female farmer, Ukwega, 05.10.2015).*

Many people depended on these *vinyungus*, as I experienced during my field stays and my observations living within these households. Their loss means the loss of possibilities to earn extra income to pay school fees, to buy extra food in cases of food scarcity when harvests on subsistence plots are bad, and to buy fertilisers. Due to the loss of the valley bottom land, food security is now said to be low. Even though this food shortage impacts the entire family, it mostly affects the mothers and the wives, who starve, as they give their food to their children, especially between November and December. This is because they usually harvest maize in June, which lasts until November. In November/December, they normally harvest the beans in the *vinyungus*, sell part of it, and buy maize, because the next maize harvest is not until March.

Generally, the LSLA has led to land scarcity. People do not have enough land to produce enough food for the whole seasonal cycle and now often have to rent land from others. However, the rented land often has less acreage and is less productive. Additionally, land rents have increased because of the investment. People now pay around 30,000 to 40,000 Tsh<sup>5</sup> per season per acre, whereas a few years ago it was half the price. Poorer people especially have difficulties paying the rent. Furthermore, many move to other villages far away to get land, which increases their workload, because they need to walk many hours to reach the land and then carry the produce home. This also complicates care work for women, because they have less time at home to look after the children. Some women also complain that the long-distance walks, sometimes in the dark late at night, make them more prone to harassment by men. In addition, many people also stated that since the operation of the plantation has started, i.e., the coming of the LSLA, maize production has been lowered in the villages. This raised the maize price within the villages from 7000 Tsh/18–20 kg to 10,000–13,000 Tsh./18–20 kg. As one farmer stated:

*We don't expect maize this year because, even if those people bring maize from Iringa or Ilula bring maize, we don't have the capital from the beans to buy the maize because the beans were lost through drought in those vinyungus we still have, and because the other vinyungus are gone because of the investor. (Female farmer, Makungu, 8 October 2015)*

Another effect of this loss is that women increasingly start to brew beer with the remaining maize they have because this gives them a higher income than selling pure maize or flour. This is the only way to improve their income because they no longer have beans from the *vinyungus*. Beer brewing is a very important income strategy for women; they sell a 10l bucket for 10,000 Tsh, but the number of beer brewers have increased, so there is higher competition, and more men are also entering this market. However, the number of drinkers is still the same; thus, the market is still the same. Therefore, it can be said that the LSLA creates increasing competition between men and women for this cash flow.

While the valley-bottom lands are part of communal land and, thus, commons to which women have individual rights, there are other CPRs at stake with the investment which are important to women. Women especially complained about *losing fruit trees* such as lime, avocado, banana, pear, and Mikuti fruit (which is also a medicinal plant used for fever). Women often control the income from selling fruit. Fruit are also important for nutrition, because they are a source of vitamins in a food system that is very much based on starch (maize). Because the small amount of money women earned by selling fruits is gone, women have become more dependent on their husbands. Men generally have more other possibilities to earn an income from other jobs, such as carpentry or seasonal work in other areas, including other forest plantations, whereas women have more care responsibilities than men. This means that women suffer more because they do not have alternative income possibilities like men, and this can complicate care when men are away and women cannot ask them for money when it is needed. They become more and more reliant on other relatives in the family.

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<sup>5</sup> 10,000 Tsh is equivalent to around 4 Euro.

Another CPR loss is the loss of two kinds of grasses: namely, a thin reed-like grass called *Mlulu* (sg.) (*Milulu* (pl.)), used for making mats and baskets, and *Malolo* (sg.) (*Lilolo* (pl.)), which is thicker and mainly used for thatching roofs. *Milulu* especially gave women a separate income because it is mainly women who use it to make baskets and mats.

These losses created by commons grabbing are not just of land but of CPRs; as I have shown, this lowers the resilience of women for food but also for cash generation. These losses are hardly compensated for because the benefits proposed by the company (jobs, social services, schools, etc.) either do not materialise or do not cover the losses of fertile land and related common-pool resources, as I will outline in the next section.

## 8. Gendered Access to CSR Projects and Other Compensation Measures

When the investor approached the villages in 2006, its aims were presented as a long list of benefits, including to 'give better tree seedlings to villagers', 'create 10,000 jobs', 'give 300 Tsh million every year for social services', such as schools and health, 'engage in the provision of education, health, water, etc.', and to create infrastructure. On the company's website, it says that Corporate Social Responsibility (CSR) is a fundamental aspect of its business model, mainly as a strategy to reduce risks, because forest plantations are very vulnerable (e.g., fire, illegal harvesting) and long-term investments bring a return only after several years.

NFC created mainly CSR or community development projects, including income-generation projects and infrastructure investment, monetary compensation for the acquired land, jobs in the plantation, a planned outgrower scheme, and taxes and a lease, which they pay to the district. However, access to these projects consisting of infrastructure, income-generating projects, and jobs in the plantation, as well as monetary compensation and out-grower schemes, is limited, especially for women.

Regarding CSR, in terms of infrastructure in some villages, the people are somewhat disappointed, because there has been less infrastructure development than expected, and it has been slow, while the impact of the lost land has been immediate. In a few villages, building projects have included some dispensaries and houses for teachers, dormitories in secondary schools, and latrines for schools. Roads were also improved, but in Makungu and Ukwega these were mainly the roads connecting the main road to the plantation, and not to the village settlements.

There is one income-generation project in the form of the provision of beehives, from which people should be able to obtain an income from selling honey. The NFC gave 21 beehives to three groups; however, very few hives have bees—for example, one group has nine hives, but only three have bees. Thus, they have not experienced a good performance. Villagers also asked to put the hives into the NFC plantation because there are flowers there that attract bees. However, the NFC denied this request, because they are afraid that people will harvest illegally or make fires. They asked people to plant sunflowers in their own areas to attract bees, but the people are not educated about beekeeping, and they need their plots for food production, so they did not plant sunflowers.

In addition to this, many villagers were not aware of the CSR programmes. While the company highlights its social activity online, it remains unclear to the villagers if development or 'help' has come from the investor in the area, or if a certain project was from the NFC. The company seems to consider CSR to be a one-way process, even though, according to them, they used PRA methods to create projects according to needs. Most people in the villages where I lived did not associate any benefit at all with the investor. They feel rather suppressed in their development due to the lost land, and they employ an underdevelopment discourse due to the LSLA.

Another benefit the company claims are jobs in the plantation: according to the 2012 census, the investment-affected wards had a population of 19,982. The sustainability report of 2016 shows that the company created 548 jobs in 2016. This is very little compared with the population. Furthermore, very few women have been employed. Among the 78 full-time employees, 65 were men and 13 were women. Among the 486 employed seasonally, 385 were men and 83 were women (NFC 2016). Mostly

villagers work in the plantation or in the nurseries, with more women in the nurseries than in the plantation. However, of the 548 people employed, very few come from affected villages. As mentioned above, jobs for villagers are mainly seasonal jobs, officially paid on a daily basis with a salary of 6000 Tsh/day. A day has 9 hours and they work 6 days/week. They have three-month contracts, leading to job insecurity, about which employees complain a lot. People perceive the salary as being too low compared with the workload involved. Jobs are mainly available during the planting of the seedlings and the harvesting of the trees. However, there are many years in between (around 5–10 years on average) and there are only a few jobs in maintenance (such as cutting weeds around the trees, etc.) during that period.

Furthermore, the NFC claims to have paid monetary compensation for the acquired land, even though there are still some disputes. The *vinjungus*, however, were not compensated for, and probably will not be. Of those who sold voluntarily, many regret this now, saying that they were not aware of the drawbacks of selling their land and the extent to which they would no longer be able to access it after it had been sold. They also started to see that the amount they received was very little, and they used the money very quickly compared with the income they could have earned through their land. New Forests paid an average of 100,000 Tsh/acre in compensation, which is around 40 EUR. This is very little if you compare it to the income they earned, for example, through the *vinjungus*. For example, two acres of land produced three bags of beans, which are sold at 300,000 Tsh per season. One season has a duration of three months.

In addition, women perceive a high level of nontransparency in payout schemes, especially in cases where clan heads sold the land without consulting other clan members, especially the female members of the clan. In these cases, the investor approached the clan heads or elders, who are mostly men, often through some kind of land broker and the village government, and also issued the payment through them; these intermediaries would have also skimmed off some of the profit. Many clan members say that they do not know how much the elders received in total; many wives say that they do not know how much their husbands received, because it is the land of the husband's clan. Many sisters do not know the exact price of the land they sold and received nothing or much less money than their brothers for the sold clan land, which points at privatisation of the commons in the form of money. There is generally a tendency for wives not to be involved in the land deals; many women expressed that, because most of the land was inherited clan land of the husband's clan, to which they only had usufruct rights of occupancy, they had no right to interfere or to take part in the decision.

Last but not least, the company's CSR package features outgrower schemes: There are plans to combine the plantation program with the adjacent communities in the form of out-grower schemes. Recently, this has started to motivate people to grow trees on their own land in order to be able to buy seedlings and trees from them later on. In March 2017, the company started to distribute seedlings to the villagers for free, and they also checked the plots where people started to plant the seedlings. However, they have not entered into formal contracts with people to date. At the moment, people are happy about the seedlings, even though there are complaints that there were not enough seedlings distributed for all the villagers.

## 9. Discussion and Conclusions

This case shows that women in the case of the NFC LSLA are affected differently by the companies' land investment than men: women lose access to land and other important common pool resources (e.g., fruit trees, *Milolo* grass). This impacts their ability to fulfil their care work in a negative way. If compensation occurs, it is mostly only men who are compensated. This impacts food security *negatively* and creates inter-generational and gender imbalances. It is mostly the mothers who suffer because the LSLA lowers food production and production of beans, fruits, and grasses that generate cash, which is used to buy food, health, and education services.



Furthermore, the investment increases relative prices for land previously used by women. Fathers and brothers dispose of land without involving other clan or family members; women (wives, daughters and sisters), in particular, are left out. The legal pluralistic context, including pre-Ujamaa contexts, leads to institution shopping of the more powerful local actors, who are mostly men. Furthermore, payout schemes are nontransparent, and the investors trades on the legal institutional framework with the help of the district; thus, by using the Village Land Act and the Water Protection Act, the NFC grabs the land in the very narrow sense of the term, providing no compensation payments and minimal job opportunities, especially for women.

As pointed out by neo-Marxist approaches, this further *negatively impacts women*, involving *increased workload* (see [20]). This is due to the fact that women need to look for alternative plots for agriculture, which often are located in further away villages, and that they need to intensify work on the remaining plots, as well as work as labourers on other people's plots to cope with the lost access to land, due to the LSLA. The capacity to fulfil their reproductive duties is hampered because the land investment reduces access to CPR to produce food and generate cash. Thus, wives become more dependent on their husbands, as they lose the resource base that gave them a certain freedom of action.

Furthermore, as shown by the new institutional approach, the LSLA leads to land scarcity and an increase of relative prices because it triggers more internal, albeit smaller, land acquisitions by domestic investors, adding to land scarcity. Women are increasingly marginalised and it becomes harder for them to access even less fertile land.

Historical changes from pre-colonial settings, where women had rights to clan commons; to colonial times, where losses started to occur; to independence, where a legal pluralistic setting between so-called customary and state laws emerge; to changes from socialistic (Ujamaa) to neoliberal (investment laws) structures and conservation laws (Water Resources Management Act) led to institutional changes in the area where the land investment led to land scarcity and grabbing, which were legitimated by the more powerful on all levels (national and district level, company level, clan level, and household level). Women are, in most cases, at the bottom of that process, and have very little say, and not enough bargaining power to change that.

To conclude, I argue that this case clearly shows how land and land-related common pool resources previously held as common property—to which women as daughters, sisters, and wives had access—is grabbed by the investment. This furthermore leads to lowering women's resilience because they are more vulnerable to the loss of these common pool resources, which are vital to their livelihoods, and for food and cash in times of crisis and high expenditures. Their access to bottom valley land and all other land-related common pool resources needed to make a living are curtailed, while they experience an increased workload to a) perform reproductive work; b) produce subsistence foodstuff; and c) generate cash income for their children, the old, and themselves. CSR programmes and compensation do not reach women and are, for them, an anti-politics machine, hiding the grabbing processes, which hit the poorest of the poor, while the company uses a development discourse to legitimise its activities.

During my stay, there were no women trying to solve this situation, because they were too preoccupied dealing with men as fathers, brothers, and husbands performing what I call 'internal family or household grabbing'. However, they certainly claimed in a counter-discourse that the company does not bring development, but heralds the loss of their resources and livelihoods. This can be termed as one kind of a 'weapon of the weak'. However some women tried to complain but were muzzled by their family members before or after the deals took place, and when they complained to village governments they often were told that they have to deal with this within the families and clans, as it is family and clan land that was at stake, and mostly not land that belonged to the whole village. With regard to the vinyungus some women, but also men, at the beginning went stealthily to the vinyungus to cultivate them at night, until they were stopped by the district. In 2019, people had managed to get back access to some of the vinyungus they had lost, because they continuously went to complain to the village government, claiming that as they could not use the vinyungus, food security was severely endangered. It remains to be seen for how long this agreement lasts. Furthermore,

during my presence in the village, women started to be more and more curious about their rights, and started to think about possibilities to claim back their land, for example to build groups of affected and excluded women to inquire their rights at the village office. This realization came with the loss of land and related CPR and its implications, but also with my presence in the villages and my asking again and again about women's rights to land and common pool resources.

It remains to be seen if women react in a more organized way to these grabbings on several levels in the future. Development policies should consider these voices before taking action and recognise that poverty of women is being created, rather than occurring as a natural phenomenon to be addressed by development programmes.

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