

# Building a women's land rights movement in Malawi

## Policy pointers

- Raise community awareness about women's and men's equal rights to land using drama, poems, traditional dances and video documentaries.
- Promote the training of local champions (women, men and traditional leaders).
- Strengthen the national women's movement through existing initiatives such as women's land rights forums.
- Encourage CSOs to take a more coherent and coordinated approach to advocating for women's land rights nationally and to embed these issues in their programmes.
- Gather baseline data to monitor progress of the new land laws across the country. This is essential so that changes in women's access and control over land can be monitored in the future.

## Whose land rights matter?

Malawi's new land bill for improved tenure security came into force in March 2018. They establish better ways of administrating customary land and define new processes, rights and obligations of citizens and duty bearers. The new bill states that customary land can be registered and also provide equal access and control over land for both women and men.

[ *A woman who registers her land is food secure, gets income and becomes self-reliant and resilient* ]

*Key message generated at a women's land rights forum*

But if nothing is done to advocate for and raise awareness of women's land rights, it will be men who dominate the registration process. Customary systems in both matrilineal and patrilineal systems still undermine the equal treatment of women when it comes to land.

A recent action research programme Securing Women's Land Rights in Africa (WLRA) has shown how women can have a stronger voice in demanding change by combining concrete



*The Training Session in Phalombe on the 22nd March, 2018*

grassroots activities of Oxfam in Malawi, Rural Women's Assembly (RWA) and the Coalition of Women Farmers (COWFA) with action research by LANDac, the Netherlands Land Academy. The challenge now is to build on the work of the WLRA programme, to further strengthen the network and to drive forward the women's land rights agenda in Malawi.

### Piloting the new land laws in Malawi

In Malawi, implementation of the new land bill is initially being piloted in three districts with financial support from the European Union and in other six districts with funding from the World Bank. A consortium of Oxfam in Malawi, LandNet Malawi and Centre for Environmental Policy & Advocacy (CEPA) started the pilot project Strengthening Land Governance System for Smallholder Farmers in Malawi to explore possibilities to scale up improved gender-sensitive land governance and customary estates registration and titling in Mzimba, Kasungu and Phalombe.<sup>1</sup>

The new land bill is progressive in promoting women's and men's equal rights to land. They state that customary land committees shall be responsible for the day-to-day management of all customary land while customary land tribunals will deal with disputes about land matters at the traditional authority level. More importantly, the bill states that at least three out of six committee members should be women (Mpesi *et al.* 2018). However, for the new bill to work in practice, much needs to be done.

### Advancing Malawi's women's land rights movement

The WLRA project has supported several successful ongoing initiatives in Malawi. These include knowledge production, awareness raising and multi-stakeholder dialogues on the importance of women's land rights.

[ *Women in one voice appear to be more listened to, and more convincing* ]

*Chairwoman, Rural Women's Assembly (RWA) in Malawi*

By conducting a baseline study, the programme has addressed a knowledge gap in women's land rights in the country. It has mobilised and organised women's land rights forums, a national stakeholder workshop and sensitisation meeting by using drama, poem and traditional dances and video documentaries. These initiatives have created safe spaces where women leaders can come together to learn from each other and discuss the challenges that women face each day. The WLRA programme also made a video documentary

<sup>1</sup> See <http://bit.ly/2wKwSDq>



*Women performing a drama on issues of land grabs at the Community Awareness Meeting in Phalombe District*

(<https://www.youtube.com/watch?v=DRfrEGg6Evc&t=2s>) and radio programme capturing rural women's voices. These will be instrumental in continuing to raise awareness about women's land rights and livelihoods.

Through these different activities, the WLRA programme has identified several practices that are crucial to scaling up proven approaches in Malawi and to lead the way in putting women's land rights on the national agenda.

### Address knowledge gaps

Prior to the WLRA study, very little was known about women's land ownership in the three pilot districts. Further baseline studies on gendered land ownership should be conducted across Malawi to gain a deeper understanding of women's access and control over land – particularly given the huge diversity of women's land rights contexts in the country. With the collected data, changes after the new land law or other interventions can be monitored.

### National stakeholder workshops

Promote women's land rights by using a multistakeholder approach enabling various stakeholders – including members of the government, grassroots women and men, traditional leaders and the media – to come together to discuss how to collectively secure and scale women's land rights in the context of the new land legislation. Strategic implementation of the new land laws must acknowledge and enhance the key roles of:

- Traditional leaders, who are central to community land governance, conflict resolution, sharing knowledge and capacity building. As local champions, they must be mobilised to advocate for women's land rights in the country.
- Civil society organisations, which should take a more



*Traditional Dance Performance during the Community Sensitisation meeting in Kasungu on the 7th June, 2018*

coherent and coordinated approach to advocating for women's land rights and to embed these issues in their programmes.

- Government, which should speed up the implementation of the new land legislation.

### Train local champions

*[ From today, I think of a way to start my campaign [...] We need to start lobbying for our rights. ]*

*Participant at the Women's Land Rights Forum training session in Kasungu, 6 February 2018.*

Organise women's land rights forums to mobilise grassroots women leaders to act as local champions. Work with local CSOs to provide training for grassroots women's leaders to enable them to become experts on gender equality, empowerment, the new land bills and women's land rights. Local champions must then be supported to return to their communities and raise awareness in the wider community. Support is also needed to enable women to become members of customary land committees, tribunals and protectors of women's rights in the traditional authority of the village.

### Raise public awareness

Many rural grassroots women and men are not aware of women's land rights or the new land bill that provides their rights. It is crucial that they understand the laws in their own language and know how to register their land according to the bill. This can be done by organising and promoting community awareness meetings.

These meetings are also important events where women leaders from the women's land rights forums can coach community members to perform and present different key women's land rights messages using traditional dance, poems and drama. Community sensitisation meetings should also be attended by governmental officials, traditional authorities, rural women leaders, and CSO representatives.

### Build a movement using existing networks

The forums, trainings and community sensitisation meetings have resulted in a national network of over 700 women from the three districts. This extensive outreach is the result of the joint forces between grassroots movements including Rural Women's Assembly (RWA) and the Coalition of Women Farmers (COWFA) and several CSOs (see Box 1). To further advocate for the operationalisation of the new land bill, cooperations such as these on the women's land rights agenda should be continued and extended.

### Ways forward

As a combined approach, the forums, trainings and meetings have aimed to increase women's assumption of leadership roles so that women can actively participate in land governance, acquire titles and enhance their land rights. The new bill means that community-owned customary land can be titled and registered, and should offer tenure security against land grabs by local elites and foreign investors.

To ensure equal rights for women and men in Malawi, more support is needed to scale up activities like those used by the WLRA programme. Action is required to:

- Help women and men to understand the laws in their own language, and to register their land according to the laws
- Train more local champions (women, men and traditional leaders)
- Take a more coherent approach to strengthen the national women's movement and to embed women's land rights issues in CSO and grassroots organisations' ongoing activities and existing networks
- Advocate for women's land rights at the national level through multistakeholder workshops
- Raise awareness within and across communities about women's land rights through the use of community sensitisation meetings
- Malawi includes 28 districts with very different local dynamics and customary laws. More baseline studies are needed to monitor progress of the implementation of the new land bill and the success of the women's land rights agenda across the country.

### **Box 1. Stronger together: building networks for collective action**

The aim of COWFA and RWA is to educate women about their land rights and livelihoods and how to mutually support each other when members in or outside of the group face problems or have plans they would like to implement. The general idea is to organise women, to lead them to stand together and speak with one voice.

Sources: Ringa (2016); ActionAid (2016)



### **References**

Mpesi, A, Ndilowe P, and Mvula M (2018) Baseline study for gendered land ownership and women land rights in Malawi. Prepared for Oxfam Malawi. Lilongwe: Institute for Management Development and Social Analysis.

### **About the Securing women's land rights in Africa programme**

LANDac – in cooperation with Oxfam in Malawi, Rural Women's Assembly (RWA) and the Coalition of Women Farmers (COWFA) – has implemented a year-long action research programme Securing Women's Land Rights in Africa: Scaling Impact in Senegal, Kenya, Malawi and Mozambique (WLRA programme). Funded by the Dutch Ministry of Foreign Affairs, the programme aims to identify, build upon and scale successful practices and experiences of grassroots organisations and movements that work to strengthen women's access and control over land and natural resources in Africa. For more information on this working paper or the programme, please contact Griet Steel ([g.steel@uu.nl](mailto:g.steel@uu.nl)) or the LANDac secretariat ([landac.geo@uu.nl](mailto:landac.geo@uu.nl)).

© LANDac 2018

#### **Citation**

Oxfam in Malawi and LANDac (2018) Building a women's land rights movement in Malawi. Working Paper 4: Securing Women's Land Rights in Africa. LANDac, Utrecht.

Contributions by: Vivian Hartlief (LANDac), Andrew Mkandawire (Oxfam in Malawi)

Editors: Romy Santpoort, Griet Steel and Marthe Derkzen

Language: Holly Ashley (freelance writer, editor and writeshop facilitator)

Pictures: Vivian Hartlief and Andrew Mkandawire

Design: Michelle McLinden-Nuijen (LANDac) and Margot Stoete (Utrecht University)