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**GENDER DIMENSIONS OF LAND POLICY IN
CONTEMPORARY MOZAMBIQUE:**

**A CASE STUDY OF NDIXE VILLAGE, MARRACUENE
DISTRICT, SOUTHERN MOZAMBIQUE**

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DEDICATION

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I would like to dedicate this piece of work to all my family, especially to Tandeka, Hlonipa and Gil.

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Glossary

Agricultores	-	small-scale private (commercial) farmers
Amantismo	-	taking lovers (referring to men having many girlfriends instead of taking wives into a polygamous marriage)
Bairro	-	suburb or village (an administrative division at sub-locality level).
Beja hoes	-	hoes exchanged as bridewealth (lobolo) gifts
Boer	-	popular way of referring to South Africans
Canhu	-	indigenous fruit
DDAP	-	District Directorate of Agriculture and Fishing
DINAGECA	-	National Geography and Cadastral Directorate
Grupo	-	local committees created after Independence to take over the administrative role of the Régulos. The English translation of this term is 'Dynamising Group' and these bodies were initially formed by political activists.
Dinamizador	-	
Escudo	-	Portuguese currency used in Mozambique before Independence
Family sector	-	peasant sector or small-scale farmers using mainly family labour
Hosi	-	King or God
Indigenato	-	the Portuguese colonial regime in Mozambique whereby African Mozambicans were subject to a 'customary' law that was subordinate to Portuguese written law.
Ku konissa	-	wedding day celebrations
Ku thloma	-	the process whereby a suitor's relatives would approach the family of the girl to announce his intentions
Lobolo	-	bridewealth
Loiça	-	crocery for the household
Lourenço	-	the name of Mozambique's capital city under Portuguese colonial rule. Renamed Maputo after Independence in 1975.
Marques	-	
Madodas	-	elderly men respected as advisers, due to their status as elders.
Mafureira	-	indigenous fruit
Massala	-	Indigenous fruit

Metical	-	Mozambican currency: US\$ 1.00 = c.11,500 Mt 1997
(pl. Meticaais)		US\$ 1.00 = c. 22,500 Mt October 2001
Muti	-	homestead
Mutwana	-	chiefs in the pre-colonial Ronga political system
Ngekwa	-	henchmen or police responsible to the Mutwana
Ntisma	-	work parties in exchange for locally brewed alcohol, and
Nthlombe	-	negotiations over lobolo, or bridewealth
Numzane	-	male head of homestead or patriarch
Régulo	-	local chief appointed and paid by the Portuguese colonial administration to carry out tax collection, recruit labour and keep the peace
regulado	-	area of jurisdiction under the Régulo's control
Sequeira	-	rain-fed land
Tiko		chiefdom
Xifunda	-	sub-chiefs in the pre-colonial Ronga political hierarchy
Xitibili	-	reciprocal work on another person's field.
Xitoco	-	farm labour (performed with hand tools) paid in cash or kind
Zona Baixa	-	marshland or valley land

INTRODUCTION

LAND POLICY, RURAL POVERTY AND THE 'PROBLEM' OF WOMEN

Against the background of violent turmoil around land disputes in neighbouring Zimbabwe, in July 2001 Mozambique's Minister of Agriculture sparked emotional reactions when he announced that the Government was seriously considering privatisation of the land. Land is national property in Mozambique, but Minister Helder Muteia said: "I think the time has come to start selling the land" ['domingo' (sic): 8.7.01].

Many members of the ruling Frelimo party distanced themselves from Muteia's declaration, on the grounds that privatising land would create 'armies of landless people'. They argued that in a country where 80% of the mainly rural, 15,7 million, population are said to live in absolute poverty [Ferrão 1994:1; INE 1997; MPF 1996] privatisation would set a price on land that most people cannot afford.

Yet, Muteia's words have been prescient in ambiguous policy documents since the Government issued its National Land Policy in 1995 [GOM 1995]. This Policy, now in force and accompanied by revised land legislation, sets out the potentially contradictory aims of, on the one hand protecting the land tenure security of peasant farmers and, on the other, encouraging private investment in the land through increasing liberalisation [GOM 1995, 1997].

Research suggests that in Mozambique, as throughout Southern Africa, in the family sector it is women who produce by far the largest percentage of food for household consumption, as well as producing for the domestic and export markets [Casimiro 1994:3; FAO 1985; Lele 1991:46-50; Cleaver 1993]. Yet, according to Government statistics, women in Mozambique are collectively thought to be poorer and more vulnerable than men, with weaker rights over land and other resources [GOM

1996(b):31-33; Baden 1997:69; WLSA 1997:131-134]. Women in female-headed households are said to be particularly vulnerable [WB 1995:12; Landau 1998: 25; ILO 2001].

In this context, a group of academics has raised concern around the likely impact of land reform on rural women in Southern Africa [Davison 1988; Casimiro 1994; Loforte 1996, 1999; Waterhouse 1997; Waterhouse & Vijfhuizen 2001; Jacobs 1998; Kharono 1998; Lastarria-Cornhiel 1997]. Research suggests that women often have weaker land rights than men and have tended to lose out when land is registered, titled and, or privatised [Lastarria-Cornhiel 1995; Neda 1997; Hilhorst 2000: 188]. On the other hand, patriarchal customary laws in Mozambique, as elsewhere in southern Africa, are said to disadvantage women through failing to recognise their independent rights to land [Casimiro 1994; Loforte 1996, 1999; interviews with Mejia 1996 & Andrade 1996; Muteia 1996:13; WLSA 1997: 58]. In this context, reform of the land legislation in Mozambique becomes particularly salient.

A key aspect of the revised Land Law of 1997 is formal recognition, for the first time since national Independence in 1975, of land rights acquired through 'customary norms and practices' [GOM 1997]. The law and the national Constitution recognise equal legal rights for women and men. Yet these customary land tenure norms are said to discriminate against women.

In this thesis, I set out to investigate women's rights to the land and how these are shaped by gender relations. I investigate the meaning and significance of 'customary' tenure in the present day context, some 25 years after Independence and after the end of 16 years of armed conflict in the countryside. I ask to what extent customary norms are still practised and whether or not they disadvantage women?

I also challenge the premises of neo-liberal theory underwriting the current land policy and on-going proposals for land reform: namely that increased tenure security can be guaranteed by formal law, that this will encourage investment and thus 'alleviate' rural

poverty. These assumptions are explicit in the National Land Policy, which ostensibly aims to 'alleviate poverty' and 'promote growth with equity' through ensuring land tenure security for family and private sector investors, whilst liberalising transactions in land.

My investigation sets out from the premise that land tenure arrangements in any society are deeply embedded in the existing socio-economic context [Peters 1987; Bassett 1993] and that these inform and are informed by gender relations. Gender roles and identities are seen here as learned and negotiated, but they are negotiated from different positions of power by women and men [Archer 1992; Agarwal 1994; Kandiyoti 1998]. I further assume that custom is not a static edifice but a changing and flexible social institution that is shaped by historical events and individual interpretations [Hobsbawm & Ranger 1983].

Based on these assumptions, I take a theoretical approach which draws on the work of social scientists such as Anthony Giddens [1979, 1982, 1984] and Ernesto Laclau [Laclau & Mouffe 1985; Laclau 1990], as well as recent feminist literature (see Chapter Two), in seeking to resolve the tension between structure and agency in sociological analysis.

My research involves an exploration of the competing theories underlying land policy changes, from colonial time to the present. I argue that, despite radically different strategies, the current neo-liberal as well as the former colonial and then socialist approaches to rural development in Mozambique adhere to a modernisation paradigm that privileges material accumulation. By the same token, it devalues the reproductive and subsistence labour predominantly performed by women. I argue that an analysis of gendered power relations has been largely missing from analyses of land tenure and agrarian policy. This has negative implications for the likely achievement of the Government's current policy goals, namely those of achieving 'growth with equity'.

Against this background, the principal focus of my research is a case study in one rural village, Ndixe, in Marracuene District of southern Mozambique. Through the case study,

I seek to understand the gender dimensions of land access and control in the current period.

Ndixe presents some key features important in the history of Southern Mozambique more broadly, suggesting that experience here is indicative of experience elsewhere in the South. These features are also significant in the current controversy over land. They include: the continued influence of local Land Chiefs and patrilineal 'customary' norms; a history of male labour migration, wartime displacement of the population, partial post-war resettlement and current conflicts over land. Ndixe is also an interesting case because it may present a foretaste of things to come elsewhere. The experience of social change in Ndixe has probably been intensified by the area's proximity both to South Africa and Maputo and by the intensity of wartime devastation.

My research in Ndixe took the form of a case study. As such, the findings cannot be generalised. Yet, Ndixe is sufficiently similar to many other rural communities in southern Mozambique to render the insights from this research, and the questions it raises, more broadly useful. The assumption underlying my choice of the case study method is that in-depth qualitative research can generate new questions and that this process helps to deepen our understanding of social change.

My study takes place against the backdrop of a turbulent history in Ndixe. The pre-colonial socio-economy of the indigenous Ronga people was rudely disrupted by Nguni invasion, natural disaster and colonial conquest in the 19th century (see Chapters One and Four). Portuguese colonial rule in the following decades brought land alienation, taxation, forced labour and institutionalised labour migration to South Africa. These features strengthened the trend which drew male migrant labour away from the village and left rural production largely in women's hands, in what now became a deeply impoverished rural labour reserve for the colonial economy. These economic changes built on and interacted with social relations in ways that broadly undermined women's relative status and opportunities (see Chapters One, Two and Four).

Independence in 1975 brought dramatic changes in local government and in the economy, including the sudden decline of migrant labour, on which so many rural households now depended. Despite a new policy that aimed to 'emancipate' rural women, growing evidence suggests that the analysis of women's oppression was flawed and that the policy had limited practical consequences. Both agrarian and gender policies were dramatically disrupted, however, by the war between Frelimo and Renamo¹, which devastated Ndixe from 1984. From then on until the signing of a Peace Accord in 1992, the village lay abandoned. Since then, only half the original residents have returned, although there are also now signs of new in-migration.

Against this backdrop, I ask how gender relations are played out in present day Ndixe and how these interact with access to and control over the land and its produce. I ask how people access land and what rights they have over land within the village, how they use the land and how this fits in with the livelihood strategies of women and men in Ndixe. How do customary and constitutional law interact with land tenure in Ndixe and what are the implications of legal reform for Ndixe people and for women in particular?

Current policy on land in Mozambique

The current debate on land reform should be seen in its historical context. When Frelimo came to power in Mozambique at Independence in 1975 it declared a socialist State, which ostensibly aimed to tackle poverty by ending colonial alienation of the land and the exploitation of peasant labour [Frelimo 1977; Castel-Branco 1994; O'Laughlin 1994; Head 1995]. It aimed to 'emancipate' rural women, through providing them with new opportunities to join in economic production and political forums [Machel 1974; Urdang 1989]. With these aims, Frelimo nationalised the land and abolished the colonial system of land administration, which discriminated against indigenous people.

¹ Instigated by the secret services of Southern Rhodesia and later funded by apartheid South Africa, the war waged by the 'MNR', later known as 'RENAMO' eventually took on a widespread internal dimension - although many scholars are reluctant to call the conflict a civil war.

A decade later, in the context of economic crisis and an internal war with Renamo, Frelimo shifted radically from its earlier socialist stance. Under pressure from the International Monetary Fund (IMF) and World Bank (WB), the Government increasingly accepted a neo-liberal approach to policy formulation. The advocates of this approach blamed rural poverty on backward agricultural practices, state intervention, poor market access and land tenure insecurity for rural producers [WB 1989:90,107; Cleaver & Donovan (WB) 1995:4-5; GOM/IMF/WB 1999:8].

Women, especially as heads of households, were seen as the poorest of the poor in Mozambique, as elsewhere in Southern Africa. They were seen as the problematic victims of a backward, patriarchal custom and inadequate legal protection, limiting their access to land and resources to work it [Jaquette 1985:6; WB 1995:12, 1998: 25; Comiche 1997; Pontara et al. 2000; WB 1989: 90; UNHCS 1999]. This analysis brought pressure to reform the land law in order to secure individual rights to the land - specifically including women's rights - and to promote private investment [Jaquette 1985:10; WB 1989: 90-91, 103; WB 1995:9; GOM/IMF/WB 1999:8-9].

From the end of the 1980s, as the war wound down, conflict over land increased in certain areas [Carrilho 1990; Bowen 1992; Myers 1993; Vieira Mário 1996]. Improved security encouraged a new wave of private sector investors to compete with peasant farmers for the most fertile and best-serviced terrain [Bowen 1992; O'Laughlin 1995].

The 1992 Peace Accord finally ended 16 years of warfare. Post war Mozambique was faced with the extreme poverty of the majority rural population [GOM 1996; Cramer & Pontara 1998:101], food insecurity, high formal-sector unemployment and a crippling national debt burden [EIU 1996:51; Adam 1997:10].

The new agrarian policy designed to confront these problems focussed on three key objectives: rural resettlement, increasing agricultural production and 'poverty alleviation' [GOM 1995, 1995(b)]. To meet these objectives, the Government adopted policies advocated by the International Monetary Fund (IMF) and World Bank (WB), now the

country's key international financiers. These policies included the promotion of 'smallholder' development through market liberalisation, tradable rights in land and specific measures designed to 'target' the poorest groups, seen as those unable to compete on the market [GOM 1995; WB 1995:10; Muteia 1996:26; Landau (WB) 1998:33; GOM/IMF/WB 1999:8].

The government and its key financial backers saw land reform as a critical element in the new strategy. This reflected: 1) the context of political transition from socialism to free market capitalism and, 2) increasing competition for land, leading to the creation of land markets.

A pro land-reform lobby, including the IMF and the World Bank, argued that legal reform was necessary to stem a growing illegal market in land, where prices were uncontrolled and thus artificially high [Roth et al. 1994:126]. This lobby claimed that land tenure insecurity was seriously compromising agricultural production and that reform was further needed to protect small-scale farmers [Myers 1994:72; GOM 1995]. One group of the reform lobby, including the United States' funded 'Land Tenure Center' and representatives of the United Nations' 'Food and Agriculture Organisation (FAO)', blamed the Government for prioritising land allocation to private companies and investors, to the detriment of small-scale farmers. They argued that a 'confusing and obsolete land law', coupled with 'lack of transparency and clarity' in existing land administration, privileged a rich elite whilst undermining land tenure security for others [Myers 1994:72; Boucher et al. 1994:114; Tanner 1994:14-32; Garvey 1994:57-58].

Mozambique's current National Land Policy (NLP) [COM 1995] and the revised Land Law of 1997 [GOM 1997] reflect this pressure for reform. On the one hand, they introduce measures to protect the tenure security of peasant farmers. On the other hand, they aim to encourage private investment.

The vast majority of peasant farmers in Mozambique have little or no access to the formal system of land rights [GOM 1995: 3; Vieira Mário 1996:50; Mangaze 1998]. To

overcome this problem, under the 1997 Land Law the Government recognised occupancy rights to use the land², accepted oral (not just written) testimony as proof of occupation and – in a major reversal of earlier policies – proposed the formal recognition of ‘customary rights’ in relation to land [GOM 1995:6]. It further introduced the option of collective land titles, ostensibly to protect the land rights of small-scale farmers in ‘local communities’.

Concern for protecting the rights of small-scale farmers, however, has been paralleled by a potentially contradictory concern to encourage large-scale commercial investment, seen by some government members as the best way to achieve rapid increases in production. Land remains national property. Yet, in attempts to encourage private investment, the revised Land Law of 1997 opens the way for commercial transactions in land titles [Assulai cited in ‘domingo’: 22.07.01].

Women's land rights and the small-holder model

Until the rise of feminist scholarship in relation to Africa, in the mid-1980s, debates over land were generally cast in male terms, with men usually classified as the heads of harmonious and unproblematic households [Rose 1988: 177; Roberts 1991; Fortmann et al. 1997:296; Pitcher & Kloeck-Jenson 2001]. Since that time, however, feminist scholarship and the predominant presence of women in agriculture [INE 1998] as well as the high number of households headed by women alone have called considerable attention to women’s specific situation [Boserup 1970; Davison 1988; World Bank 1989; Gladwin 1991]. There has also been wide debate about women’s supposedly greater vulnerability to poverty than men, especially women in so-called female-headed households³ [WB 1989; Lele 1991; Elson 1991; Ostergaard 1992, Peters 1995; O’Laughlin 1998].

² Under the 1997 Land Law, occupancy of land for 10 years or more, in ‘good faith’ confers usufruct rights on the occupant, but not ownership rights, since all land belongs to the State [GOM 1997].

³ There is also debate about the definition and analytical usefulness of the category ‘female headed household’. I discuss this issue in Chapter Three.

There are many causes for concern over women's land rights. Over 95% of women in Mozambique⁴ are engaged principally in (small-scale) agriculture [INE 1998; Bagnol 1998:4]. Yet, Government statistics show women generally to be in a disadvantaged position regarding land rights, relative to men [Baden 1997:41; Bagnol 1998:4; IFPRI/UEM 1998:66; Calane 1998: v; Pontara et al. 2000: 40]. They further find that households headed by women without male support "are disadvantaged with respect to most productive resources --- have less land than male-headed households and are more likely to have tighter labour constraints" [MAP/WB 1998:I; Calane 1998: v]. In this context, questions of social welfare, equity, efficiency, autonomy and democracy all justify a specific concern with women's land rights.

The social welfare argument suggests that secure access to land will facilitate women's ability to meet the nutritional needs of themselves and their families [WB 1988: 6]. The 'equity' argument contends that, as human beings who work the land and depend on it for survival, women should be entitled to security and a just share of the benefits [WB 1989: 103]. The World Bank, amongst others, has argued that ensuring women's land rights is vital to overcoming agricultural crisis and raising productivity levels (efficiency) on the continent, given women's preponderant role in African agriculture [Chaney et al. 1979; Lewis 1981; WB 1989]. Many authors refer to all three motives [Davison ed. 1988; WB 1989: 103-104; Cleaver (WB) 1993; Cleaver & Donovan (WB) 1995:7; Muteia 1995: 11; Gladwin 1991:9; WB 1998: 25].

Proponents of the efficiency perspective apparently assume that promoting women's legal rights to land and credit will improve tenure security and translate into women's greater efficiency, with benefits for household nutritional status and poverty reduction. It is this liberal view of women's land rights that has principally influenced debate and the land legislation in Mozambique, in so far as it considers the gender question.

⁴ A wealth of data shows that women in Africa generally perform the largest share of productive work in agriculture, particularly in food production for home consumption. [Gladwin 1991; Lele 1991].

Alternatively, a number of other scholars argue that the value of protecting women's land rights should not be seen only in economic terms. It should also be seen in terms of the contribution that independent land rights can make to women's empowerment [Agarwal 1994; Meinzen-Dick et al. 1997; Kharono 1998]. They argue that independent land rights can enhance women's social status and confidence, improve their ability to extend social networks and enable them to take economic risks [Agarwal 1994]. Furthermore, independent rights over resources contribute to women's autonomy and thus to their capacity for independent decision-making: a vital factor in democratic governance [Fortmann 1998: 155-156].

Yet, some academics and peasant farmers' associations have questioned whether Mozambique's land reform policy will protect women's interests in practice [interviews with Mejia, Andrade (CEA) and ORAM 1996]. In particular, they have questioned the implications for women of recognising 'customary rights' over land. They suggest that the focus on customary tenure rights may in fact undermine women's rights to the land.

Recent research suggests that women have been particularly disadvantaged by a lack of rights under so-called 'customary tenure systems' in Africa [Whitehead & Bloom 1992:45-49; Muteia 1996:13; Lastarria-Cornhiel 1997; Hilhorst 2000], particularly under patrilineal systems, as found in southern Mozambique. In such patrilineal communities, women's access to land depends largely on marriage and women are vulnerable to losing land rights in the case of divorce or widowhood [Loforte 1996(b); Muteia 1996; WLSA 1997:58].

To counter the concern about sex discrimination under customary tenure, the 1997 Land Law explicitly recognises equal land rights for women [GOM 1997]. Yet the current formulation of the law sets up an unresolved tension between 'customary' tenure systems - where rights and duties are assigned differentially by gender - and the formal law, which is based on a declaration of gender equality.

Furthermore, the current land policy apparently reduces gender inequality in the control of land to a simple question of legal rights, thereby ignoring the deeply gendered processes of reproduction and production that involve women and men in different relationships with the land.

In the following chapters I set out to explore these issues relating to women, land and rural livelihoods.

Organisation of the thesis

In the first chapter, I present a brief history of agrarian policy in Mozambique and the changing political and economic context in which such policy was designed, through the transition from colonial, to socialist, to the current neo-liberal regimes. This forms the context within which land policies have been tried and reformulated.

At the same time, I review the academic literature on agrarian change and land policy during this period. This review points to the need for a gender analysis of land tenure.

In Chapter Two, I argue that gender relations are integral to the social organisation of reproduction and production, informed by and informing broader processes of accumulation and dominance. The construction of gender relations is both historically and spatially contingent. An understanding of how gender relations interact with land tenure in southern Mozambique thus requires an understanding of the historical and locally specific construction of gender relationships in this region.

In this chapter, I review the history of gender policy in Mozambique and critically review the literature analysing and informing that policy. Through this critique I set out an analytical framework for my research into the gender dimensions of land tenure in Ndixé.

In Chapter Three, I describe the research methodology I used for my case study in Ndixe. Chapter Four locates Ndixe in time and space. I investigate the political and economic history of the village. A key feature of this history has been Ndixe's integration in the migrant labour system taking male labour to work in South Africa or the Mozambican capital, leaving mainly women to secure household food production. In broad terms, this history suggests a long process through which women's identity and livelihoods have been closely tied to the land, whilst men have acquired a wider range of options to gain status and control over resources including land. This contributes to gender difference and tension in gender relations. Significant differences among women themselves stand out, however, as ability to access land and labour has become increasingly linked to marital status and access to a cash income.

Marriage is a central factor in mediating women's access to land and other productive resources in Ndixe. Yet, marriage practice as well as gender roles and responsibilities are contested. Chapter Five illustrates this through an exploration of changes in marriage practice and household formation. In this chapter I suggest that broader processes of social and economic change exert contradictory influences on the negotiation of gender roles and on household organisation. Despite the advantages of co-operation within households, these contradictory pressures often pull households apart, entailing particular risks for women. The negative implications for women of household dissolution have sharpened, with increasing competition for land and the emergence of land markets.

In Chapter Six, I investigate the assumption evident in current land policy that, in terms of land rights, women are principally disadvantaged through discriminatory customary laws. I research this issue through an exploration of historical change in customary land tenure arrangements, focussing particularly on the issue of inheritance as the key customary mechanism for the transmission of control rights over land. I investigate the various ways in which women and men have gained access to land in Ndixe, in the current period, and the kind of rights over that land they have acquired.

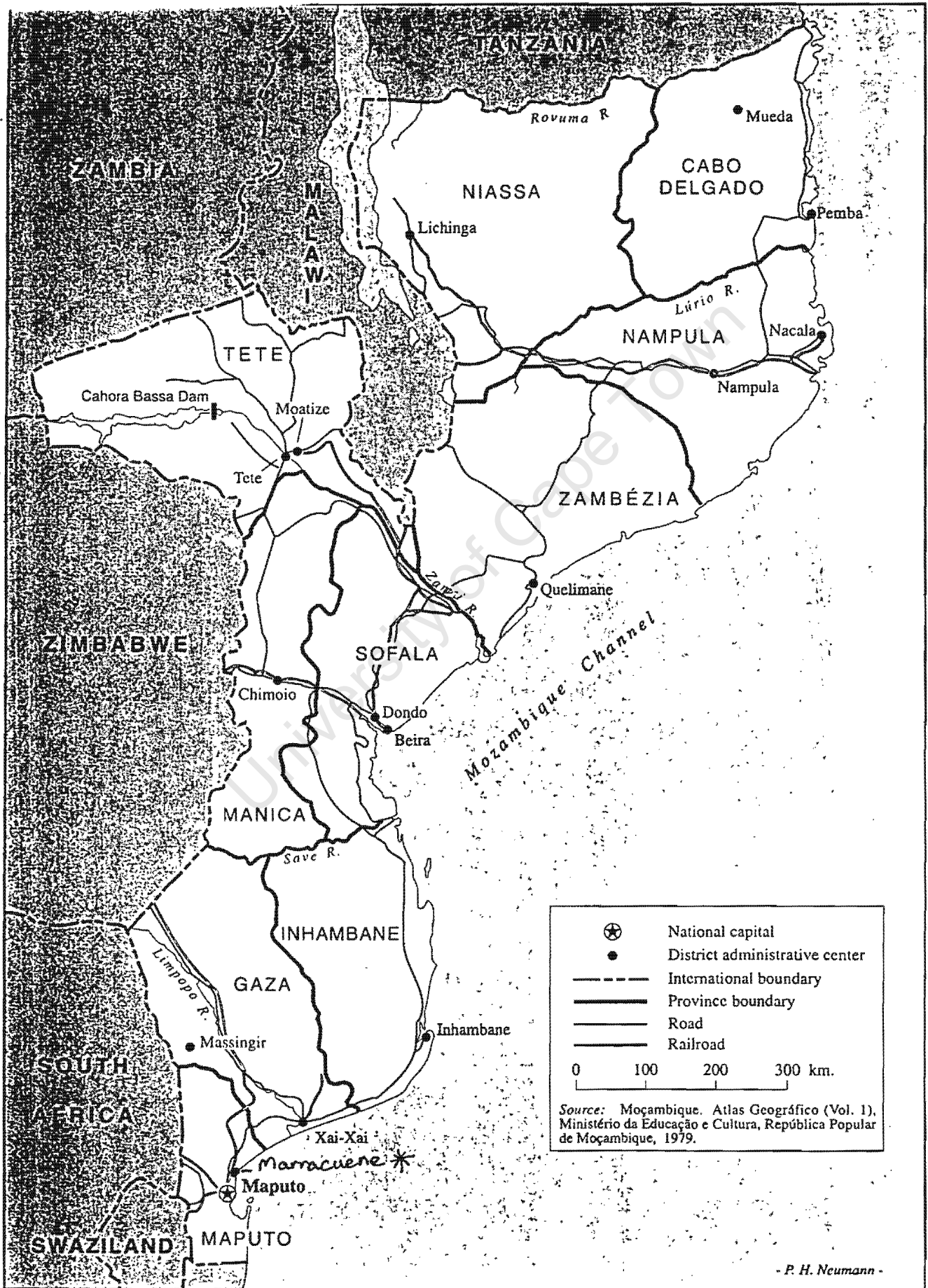
In Chapter Seven, I investigate the motives bringing people to (re)settle in Ndixé after the war. I therefore also discuss the key features of the post-war local economy. I explore how women and men currently use the land as a resource. I show that women and men draw on the land in varying ways to contribute to household livelihood strategies. Significant patterns of difference can be traced along the lines of gender and socio-economic status. I argue that women's relatively weaker access to off-farm resources reinforces their dependence on the land. It also reinforces women's particular vulnerability in the case of conflict over land.

Current land policy specifically recognises women's equal rights to the land. It assumes that formal law can guarantee respect for these rights. In Chapter Eight, I investigate this issue through an exploration of gender difference in the resolution of conflicts over, or involving, land.

Based on my research findings, the conclusions draw together a number of problems with the current land policy and law, as seen from a gender perspective. I suggest some possible alternatives.

MAP OF MOZAMBIQUE

[source: Bowen 2000]



- P. H. Neumann -

CHAPTER ONE

CHANGING AGRARIAN POLICY IN SOUTHERN MOZAMBIQUE

In on-going debates over the strategy needed to redress rural poverty and achieve the Government's stated goals of 'growth with equity' in Mozambique, the question of land reform has often held centre stage. These debates are shaped by the history of agrarian policy. In this chapter, I present a brief history of agrarian change, tracing the transition from colonial through socialist to current neo-liberal strategies of accumulation, as the context within which current land tenure arrangements and the options for future policy on land may be assessed.

At the same time, I review the academic literature on rural transformation in this period relating to southern Mozambique. This falls principally into four schools of thought: liberal, environmentalist and Marxist schools and that of gender studies. I point here to the contributions, but also limitations of the first three approaches. I attempt to clarify my own theoretical position in relation to these schools. I discuss the gender studies approach in detail in Chapter Two.

The simultaneously descriptive and critical endeavour I undertake in this chapter poses some conceptual problems. Any description inevitably starts from theoretical premises, but this produces a tension in the text between a description of rural transformation and a critique of the theories that have influenced and sought to explain that change.

Liberal perspectives on rural poverty and labour migration

Mozambique's current approach to rural development has its antecedents in assumptions underlying land policy in the colonial era. Portugal's colonial occupation of southern Mozambique can be dated from the 'Scramble for Africa' at the end of the 19th century

[Mondlane 1969:20]. From this time, the colonial government exploited growing economic links with neighbouring South Africa [Wuyts 1980:11, 1989:6; O’Laughlin 1996:7]. Already by the mid-19th century, thousands of southern Mozambican men were migrating to work in South Africa [Harries 1994:18-30]. Exploiting this trend, the colonial government earmarked the rural areas of southern Mozambique as a labour reserve for the South African mines [Wuyts 1978, 1989:6; Harries 1994; Head 1999:6]. It encouraged male migration, negotiating benefits to the state through a number of agreements with South Africa [Head 1999:6]. From 1897, it received a recruitment tax on every worker exported and a commission on workers’ wages, at a fixed rate, in gold [Harris 1959: 50]. From 1908 until Independence, the number of official Mozambican mine recruits to South Africa rarely dipped below 80,000 and from 1946, hovered around 100,000 per year [First 1983:32]. The Government estimated that a larger number crossed the border illegally every year [Isaacman & Isaacman 1983:53].

Rita-Ferreira (1963) described the official colonial view of migrant labour. In this view, migrant labour was explained as the flight of young men eager to escape the drudgery of a backward rural life⁵, to the bright lights and consumer goods of the city [Rita-Ferreira 1963: 56-57]. The indigenous rural economy was portrayed as backward and unproductive against a supposedly efficient and progressive modern economy.

Rita-Ferreira (1963) and Marvin Harris (1959) proposed an alternative view. Rita-Ferreira argued that migration involved the push factors of an unpropitious ecological environment, discouraging investment in agriculture. In the 19th century, Nguni invasion from the South and local wars had disrupted traditional Tsonga male activities in hunting, raiding, trading and cattle-keeping, providing further incentives to migrate. Wages thus appeared as an attractive alternative, especially to junior men [Rita-Ferreira 1963, 1982]. Harris contended that, in a hierarchical society ordered by lineage and kinship ties, migration offered an alternative to acquire bridewealth and socio-economic status through the cash economy. These factors were eventually compounded by heavy colonial

⁵ In reality, the life of a migrant was particularly harsh [Rita-Ferreira 1963:57]. Indeed from 1902 to 1954, over 81,000 Mozambican migrants died in South Africa, according to official figures alone [Harris 1959:52].

pressure, exerted through taxation and draconian labour regulations, which obliged African men to engage in wage labour [Harris 1959: 55-57].

Although contesting the official view of migration, however, both these scholars adhered to the dualistic view of a backward African agriculture performed mainly by women, producing only for subsistence with primitive technology. Against this, they contrast an urban industrial sector in a modern economy, as a "distinct and separate sphere" [Rita-Ferreira 1963: 34]. Development would depend on persuading a recalcitrant peasantry to modernise. They did not investigate the structural links between indigenous agriculture and the colonial capitalist economy, nor did they question the gender relations which enabled African men to migrate.

Colonial policy on land and the links with migrant labour

The colonial government's policy on labour was tightly linked to its policy on land [CEA 1980: 5; O'Laughlin 1995:99]. Crucially, it included alienation of the most fertile and best-serviced lands to colonial settlers, the institution of a two-tiered system of rule via an exclusively male hierarchy of chiefs, renamed 'Régulos', and establishment of the *indigenato*.

Under the 'Regime do Indigenato', Africans were made subject to an 'indigenous' or so-called customary law⁶. This was subordinate to Portuguese written law, which only recognised the rights of Europeans. Colonial administrators interpreted and applied 'customary' law with the aid of the Régulos [Coisorro 1987:29, Isaacman & Isaacman 1983:31]. Paid by the colonial state, the Régulos were co-opted from or replaced the existing institution of local land chiefs, creating the 'regulado' system of government. The Régulos' authority was based on jurisdiction over a specific territorial area, where

⁶ The exception to this were the tiny minority of Africans who could read and write Portuguese, who rejected African customs, were formally employed and converted to Catholicism. Such people were called *assimilados* and were legally treated as Portuguese citizens. By 1961, less than one per cent of the African population had been granted *assimilado* status [Isaacman & Isaacman 1983:40; Espling 1999:64].

they collected taxes, kept the peace and ensured that men fulfilled the legal obligation to take up wage labour. It was also the Régulos' responsibility to make sure that those who did not meet that obligation, or did not pay their taxes, were rounded up for unpaid labour service - the hated *xibalo*, as it was called [Harries 1994; Isaacman 1996].

The colonial alienation of agricultural land became a serious issue from the 1890s, as Portugal sought to consolidate territorial control of the colony [Coisorro 1964; Negrão 1995]. Once the colonial administration was firmly implanted its land policy followed two key principles. First, it aimed to provide colonial settlers and companies with access to the best productive lands. Secondly, it was concerned to ensure that indigenous people had continued access to some land, at least, to ensure food security [Coissoiro 1987; Abrahamsson & Nilsson 1994:24-25; Isaacman 1994:1; Negrão 1995:101-125]. However, the conditions under which peasants held land were strictly prescribed, as was the amount of land they could hold⁷.

These principles were reinforced from 1928, when Salazar's fascist regime in Portugal imposed a highly centralised, authoritarian rule extending to the colonies. According to Marc Wuyts, Salazar sought to exploit the colony's resources for the maximum benefit of Portuguese capital. In the 1930s, the colonial government expanded and institutionalised *xibalo*, thus intensifying the pressure drawing male labour away from production on the rural homestead [Wuyts 1980:11; Head 1980]. It also compelled peasant farmers to grow cash crops, mainly cotton for Portugal's textile industry, but also rice and tobacco [Isaacman & Isaacman 1983:45; Pitcher 1993; Isaacman 1996]. This added a further demand to the many others already being made on the rural population: to supply migrant workers to plantations, settler farms and neighbouring countries and to produce food for their own subsistence.

⁷ The 'Carta da Lei' of 1901 declared all contracts made by Chiefs or other natives relating to land to be invalid, unless they had the express permission of the colonial authorities [Coisorro 1964:40]. In 1909, the State removed the right of rural families to hold a land title and created 'native reserves' to enclose the rural population, giving colonial settlers free reign to occupy prime agricultural land. Within the reserves, natives could occupy land through the customary tenure system. However, they could never acquire a title or property rights over the land, meaning that the State could move them off at will [Negrão 1995:108]. Outside the reserves, land titles for natives were limited to two hectares of land per adult and were dependent on continued residency or use. Land sales between natives were forbidden.

These colonial policies ensured that the most fertile and well-watered lands were annexed and developed by colonial companies and settlers. In Marracuene, the most fertile lands of the Incomati River valley were progressively alienated from the 1940s. Those peasant farmers allowed to stay were severely restricted in their activities, as in Xihlale area, where they were forbidden to graze cattle and obliged to grow cotton [group interview in Xihlale 1997]. Those remaining were pushed out on to the less fertile soils of the sandy highlands, where Ndixe is found.

Portuguese colonial law thus protected native access to a limited amount of marginal land, but limited the amount of land that a family could have. The sale of land between Africans was forbidden [Coisorro 1964; Negrão 1995].

These rules served not only to fix peasant households to the land, but also to fix peasant farmers to specific plots of land. This restriction undermined indigenous systems of dispersed cultivation which allowed for fallowing and for spreading the risks of rain-fed agriculture across different ecological zones. They also foreclosed the possibility of acquiring more land. Their consequence, documented extensively throughout Southern Africa, was growing rural impoverishment. For women, this meant increasing dependence on the male migrant's wage [Murray 1981: 107; van den Berg 1987: 381; O'Laughlin 1998].

The 'civilising mission' and the dual economy thesis

The colonial justification for its rule was the ideology of a so-called 'civilising mission' and the idea that colonial rule would modernise the economy. As various authors have noted, most colonial texts describe Africans as 'superstitious', 'savages', or 'grown-up children' who must be 'civilised through work' [Harris 1959:61; Mondlane 1983: 36-37; Feliciano 1998: 53-55, 98].

These ideas were reinforced by missionaries, ethnographers and some local administrators who emphasised the exotic and 'traditional' nature of African beliefs and practices [Feliciano 1998: 12; Ranger 1983]. They thus fed the construction of a dichotomous view of the 'traditional' (African, peasant, tribal), in need of being developed by the 'modern'⁸ (European, civilised, technologically progressive) [c.f. Mamdani 1996].

In economic terms, this conception crystallised in the liberal idea of a 'dual economy' [de Kiewiet 1941; Houghton 1967; Horowitz 1967; McMillan cited by Keegan 1987]. According to this theory a 'traditional', subsistence and backward African agriculture was practised by indigenous peoples locked into an inefficient and eventually destructive relationship with the land. By contrast, colonial settlers were said to practise a technologically advanced form of agriculture in a modern, industrialising sector.

The official colonial view explained the growing rural poverty of the colonised rural population through a version of the dual economy thesis. This argued that poor agricultural performance could be explained by the cultural characteristics, poor farming methods, rapid population growth and 'failure to adapt' to modern methods of that population itself [Houghton 1967:68-69]⁹. It further held that African women were the most backward and traditional people of all, exploited as rural slave labourers by their 'lazy' men [Harris 1959; Rita-Ferreira 1963].

From this perspective, 'development' required modernisation of the traditional sector [Houghton 1967:19; Rita-Ferreira 1963: 178]. Conveniently for the colonial project, the structural causes of poverty, and the destructive impact of colonial intervention on indigenous economic management, were missing from the analysis.

⁸ In a biting parallel, Ferguson demonstrates how the World Bank similarly constructs Lesotho as a rural backwater, to justify its own intervention [1991].

⁹ See Moore & Vaughan 1994 on colonial perceptions of Bemba agricultural practice in Zambia and World Bank 1975, for 'dualistic' arguments.

Environmental accounts of agrarian change

Academics of the environmentalist school have broadened the analysis of migrant labour and rural transformation. Reviving themes of ecology, culture and identity raised by earlier anthropologists, they suggest the need to integrate such concerns within analysis of an impersonal environment.

A leading proponent of this approach, Patrick Harries, contests the dualism that pits traditional against modern society. He argues that economic organisation in pre-colonial Tsonga society responded to an ecological context of dispersed and fragile resources in which social ties and political allegiance were key factors of survival [Harries 1994:5-13]. In this context, mobility was a socio-economic resource, enabling people to access a variety of resources and spread risk across different areas and communities [Harries 1994:13]. Following Harries, Feliciano suggests the key features of pre-colonial Tsonga economy were a diversity of productive activities, dispersed settlement to make optimum use of diverse resources and social institutions (such as marriage) which ensured the circulation of people and food between different ecological zones [Feliciano 1998: 151]. Initially, migrant labour was perceived as one more resource amongst others [Harries 1994: 226; Feliciano 1998:151-168].

Sherilynn Young's seminal study of 'Women's agricultural history in southern Mozambique' (1977) highlighted gender relations and environmental change as a central issue in rural transformation. Refuting the view of a static and essentially unchanging, traditional society, she argued that ecological and economic circumstances provided a strong internal logic for male labour migration in the 19th century and that this became imbued with a sense of masculine identity. Male migration was made possible, however, by women's active and innovative contribution to the local economy. As men migrated, women introduced or adopted new crops and techniques of food and beverage preparation that permitted increased yields, "thus increasing the ability of the society and of the individual families to subsist primarily from the products of female cultivation" [Young 1977: 71] (see Chapter Two).

The structural analysis of rural impoverishment

Marxist literature on Mozambique from the late 1960s saw colonial explanations of African poverty as a scanty veil for extreme exploitation.

Eduardo Mondlane (first President of the Mozambique Liberation Movement, Frelimo) dismissed the myth of a civilising colonial mission. The colonial alienation of land and extraction of peasant labour through taxation, forced labour and recruitment for the colonial army, he argued, heavily compromised the opportunity for Mozambicans to accumulate wealth or even maintain a basic diet [Mondlane 1983 (1969)].

State subsidies were heavily biased in favour of settler agriculture. Throughout the colonial period there was virtually no state investment in traditional food crops produced and consumed by the peasantry [Mondlane 1983; Wuyts 1979; Head 1995]. Portuguese and Indian traders held a tight monopoly on rural commerce, whilst state interference in the domestic market often meant that Mozambican producers were paid well below international market prices.

According to this view, rural impoverishment was a direct consequence of colonial intervention, which deliberately blocked the development of an indigenous African peasantry in order to extract labour from it and promote accumulation by settler capital and the embryonic Portuguese capitalist class [Wuyts 1980; CEA 1981:5; CEA 1987].

The end of the colonial era

By the 1950s, the colonial government in Mozambique was contemplating moderate reform to its agrarian policies. Increasingly, it was concerned with rural unemployment, an influx of men to the cities, an expensive need for imported food staples and low quality cotton which did not compete well on world markets [CEA 1980; Mackintosh 1987; Pitcher 1993; O'Laughlin 1996]. After the Second World War, nationalism and

anti-colonial resistance throughout Africa also played their part to provoke changes in colonial policy and law [Wuyts 1980:20; Isaacman & Isaacman 1983:27-29].

As African people increasingly challenged imperialism¹⁰ and the fascist state in Portugal was itself opposed from within, the colonial government thought a class of rural property owners might align itself with the State and provide a bulwark against the gathering movement for African Independence.

Yet, the government's attempt to create an indigenous, rural middle-class in Mozambique had mixed consequences [Coisorro 1987: 33-34; UEM 1993: 181; O'Laughlin 1996:9]. The State fostered specialised commodity production in some areas and enabled some African farmers to access land and services [Mondlane 1983:90; Bowen 2000: 5]. However, many bureaucratic and economic impediments to indigenous agriculture remained [Isaacman & Isaacman 1983; Bowen 2000: 6]. Moreover, the conditions facing the majority of peasant farmers remained unchanged until the end of colonial rule in Mozambique.

The end of colonial rule was heralded in 1962, when three separate groups joined to form Frelimo. Following the colonial massacre of civilians at Mueda in northern Mozambique, in 1964 Frelimo mounted an armed struggle. This culminated with national Independence in 1975.

Agrarian policy in the early years of national Independence

At Independence, Frelimo represented a broad political alliance with a predominantly socialist line. Mozambique at that time was economically and socially fragmented, run by a highly bureaucratized administration under repressive colonial laws. In 1975 around

¹⁰ Imperialism is broadly defined as 'the imposition of the power of one state over the territories of another, normally by military means, in order to exploit subjugated populations to extract economic and political advantages' [Abercrombie et al. 1984].

95% of the population were illiterate [Isaacman & Isaacman 1983:139]. Internal production was predominantly agricultural. Cash crops and labour were exported. Most manufactured goods or inputs for the local manufacturing industry were imported [Hanlon 1984; Saul 1985]. Agricultural production was divided between plantations, settler farms and the peasant sector.

Despite the colonial view of a 'backward' peasantry and the impact of labour migration, at Independence the peasant sector produced more than two-thirds of the national output of agricultural crops, including most of the cotton and cashew which were Mozambique's major export crops [Wuyts 1978:6,9]. Peasant-produced cash crops accounted for some 44% of national export earnings.

As the new government came to power, some 90% of the remaining 200,000 colonial settlers fled the country, taking with them much needed technical and managerial skills, carrying off whatever goods they could manage and destroying what they had to leave behind [Hanlon 1984:50; Isaacman & Isaacman 1983:113,145]. South Africa reduced the number of mine workers recruited from Mozambique, from over 115,000 in 1975 to little more than 32,000 in 1976, adding to unemployment created by the settler exodus [First 1983:57]. The mass exodus of settler farmers and traders increased the need for imports, whilst commercial networks in the countryside rapidly collapsed.

In drawing up a development strategy to confront these problems, Frelimo's leaders took a Marxist view of class structure, the material dynamics of change and the State's capacity to engineer development. According to this view, the peasantry is a remnant from pre-capitalist society, a transitory class bound to be divided by capitalism into landless proletarians and capitalist farmers or landowners [Marx 1976 (1887): 714-715].

Following this analysis, Frelimo saw its task after Independence as preventing the emergence of a rural bourgeoisie and hastening the transition from peasant¹¹ to proletarian.

At Independence, Frelimo saw strong similarities between rural Mozambique and the Russian situation analysed by Lenin [Lenin 1969]. It saw a mainly rural economy with a technologically 'backward' peasantry alongside a modern large-scale commercial sector controlled by colonial settlers and non-Portuguese foreign capital [Frelimo 1977: 124; O'Laughlin 1996; Head 1996:8; Bowen 2000:6]. It further saw the wealthier African producers (middle peasantry and *agricultores* or private farmers) as a weak but potentially reactionary class, allied to the colonial bourgeoisie [Bowen 2000:6]. Influenced by its reading of Soviet history and by its own internal conflicts during the liberation struggle, Frelimo thought that an emerging middle peasantry posed an imminent threat to the socialist revolution. It thought that this group could become a reactionary proto-kulak class, interested in maintaining existing, exploitative relations of production [Frelimo 1977: 14,18; Bowen 2000: 7].

Based on this analysis, at the 'Third Party Congress' in 1977 Frelimo outlined its strategy to achieve equitable economic development, to improve living conditions for the majority and, thus, to tackle poverty. This would be achieved through building a strong, nation-state based on a 'Worker-Peasant Alliance', led by Frelimo as a 'vanguard party' [Frelimo 1977:91, 1978]. Frelimo's tasks were to assume control of the state and set up a centralised system of planning, which would guide economic modernisation and the redistribution of production to socially beneficial ends [Frelimo 1978:35; Isaacman & Isaacman 1983:121-122].

¹¹ There is a broad academic literature on the 'peasantry'. Bryceson argues that three main features are common to most definitions, "namely: *farm* - the pursuit of an agricultural livelihood which combines subsistence production with commodity production; *family* - internal social organisation based on family labour, whereby the family serves as the unit of production, consumption, reproduction, socialisation, welfare and risk-spreading; *class* - external subordination to state authorities as well as regional or international markets, inferring surplus extraction and class differentiation". She also uses a fourth criteria, '*community*', defined as "relative physical isolation and local extended family and patron-client relations" [Bryceson 2000: 2-3].

As a critical factor in its development policy, Frelimo nationalised the land, under the popular slogan "land belongs to the people". Through nationalisation, it aimed to prevent private acquisition and facilitate collective and state-controlled forms of production. Partly to these ends, it abolished the *regulado* and dismissed the customary norms associated with 'tradition' as obscurantist, superstitious and standing in the way of modern development [Frelimo 1977; Feliciano 1998:14].

At this stage, Frelimo saw modernisation through the rapid mechanisation of a large-scale, state managed agricultural sector as the solution to increased productivity and hence development [Castel-Branco 1994:54-58; O'Laughlin 1996:16]. It turned abandoned colonial plantations and estates into massive, state farms, whose imagined future surplus was to help improve rural living standards. This ideal was reflected in the state budget: between 1977 and 1983 over 90% of state investment in agriculture was pumped into the modernisation of state farms [Castel-Branco 1994:54].

Transformation of the peasantry into a rural proletariat was to be achieved through promoting wage labour on state farms and collective forms of production through collective fields and co-operatives [Frelimo 1977]. Frelimo further planned to 'socialise' the countryside, by bringing dispersed peasant farmers into communal villages where they could get clean water, health care and education as well as reap the anticipated economic benefits of collective production [First 1983; Hermele 1987; Espling 1999:69].

In contrast:

"Household production was to become a marginal subsistence complement to collective production...each family was eventually to have no more than one hectare of rain-fed land or one-half hectare of irrigated land"

[O'Laughlin 1996:17].

The rules of the new land tenure regime were formalised in the 1979 Land Law which, at that time, was unique in Southern Africa. Rejecting the political dualism of colonial law, which offered one set of 'modern' rights to European settlers and another, subordinate code of supposedly customary norms to indigenous people, this law attempted to create a unitary land tenure regime. This was based on a western model of formal law and the principle of equal legal rights for all citizens [Welch & Sachs 1990: 5; Berg & Gundersen 1990].

In contrast to the laws produced by other newly Independent countries in Africa, customary or traditional norms were not formally recognised. These were seen as 'feudal' relics corrupted by the colonial regime and which now stood in opposition to the revolutionary objectives of transforming the relations of production. The administrative and judiciary roles of the *Régulos* were passed over to the *Grupos Dinamizadores* (committees of local-level activists) and the so-called popular tribunals [Berg & Gundersen 1990:247].

The 1979 Land Law recognised the occupation rights of 'family sector' farmers to the land they lived on and farmed. 'Family sector' agriculture was defined as that aimed at meeting household (subsistence) needs, using exclusively family labour [Lei n.6/79, Art 5, no.1]. The State maintained the prerogative to redraw boundaries and alienate land at will – and indeed it did so [Cambaço 1990:16; Vieira Mário 1996:49]. As under colonial law, then, the opportunities for African peasants to acquire land were legally restricted, though this time with the aim of preventing the emergence of a conservative class of land-holders.

Despite its very different aims, Frelimo's analysis of the rural economy was characterised by the dualism which also marked liberal analysis [O'Laughlin 1996]. It identified a backward traditional peasantry, as separate and isolated from a would-be large-scale, mechanised commercial agricultural sector. This view influenced its policy of containing land acquisition by peasant farmers whilst enabling state-run enterprises to extend over vast terrain. When peasant-sector marketed production plummeted after Independence,

Frelimo interpreted this as the peasants' willing withdrawal from the market and further evidence of peasant self-sufficiency [Castel-Branco 1994:47]. There was no real need, it thought, to invest in co-operatives, as the peasantry could increase production through mere collectivisation [Castel-Branco 1994; O'Laughlin 1996, 2001].

Frelimo's rigid view of class structure and exploitation thus fell short of analysing the complexity of existing class structure and of the interactions between the peasantry and the wider economy [O'Laughlin 1996; Pitcher 2001 p.comm.]. It did not fully account for the complex interactions between rural production, migrant labour and markets. Its materialist focus sidelined cultural questions related to social well-being and self-fulfilment.

Questioning dualism

In the 1970s and '80s, a number of Africanist scholars challenged the notion of a dual economy. They began to see the peasantry, or peasantries, in Southern Africa not as prior to, but emerging through the intervention of colonial capitalism [Wolf 1966; Saul & Woods 1971; Shanin 1971; Bundy 1979]. They exposed the structural links between colonial capital accumulation on the one hand, and rural impoverishment on the other [Wolpe 1972; Arrighi 1973; Wuyts 1979; Meillassoux 1981]. These relationships were not one-dimensional: in practice they ran in multiple directions, shaped by state policy and law but also by market conditions, local culture and individual agency.

In his seminal essay, Harold Wolpe exposed the links between capital accumulation in the mining and industrial sectors of South Africa and impoverishment in the rural labour reserves¹², including southern Mozambique [Wolpe 1972]. He disputed the official contention that a 'tribal economy' existed in the reserves, as a mere hang-over from pre-colonial times. Instead, he argued that state intervention deliberately sought to preserve

¹² Reserves might be defined by land laws, which marked them out as areas of African residence and, or by labour laws which marked them out as recruitment zones.

subsistence production and 'tribal' norms, to ensure the reproduction of an extremely cheap labour force [Wolpe 1972: 446]. Labour was cheap because the rural families of male migrant workers produced for their own subsistence. They reproduced labour power at no direct cost to capital and they absorbed the welfare cost of migrant labourers through childhood, sickness, unemployment and old age. To maintain a low-paid labour force, access to rural land for the migrant and his family was crucial [ibid]. Capitalism had thus become parasitic on a pre-capitalist, rural 'tribal' economy.

According to Wolpe, this exploitative system eventually destroyed the basis of its own existence, through eroding subsistence capacity on the reserves. Labour migration, overpopulation on diminishing areas of land and soil degradation all contributed to increasing poverty and falling capacity for people to reproduce their own subsistence. Rural impoverishment was not, therefore, a problem of 'backward' African traditions, but a direct result of the structural processes - heavily underwritten by the State - through which capital was being accumulated [Wolpe 1972: 425, 432]. From this perspective, rural poverty was not a crisis of agrarian production, but a crisis of the reproduction of cheap labour power on the reserves¹³ [Wolpe 1972; Arrighi 1973; Mamdani 1987].

Wolpe's analysis, then, exposed a dynamic linkage between the exploitation of peasant labour and the impoverishment of rural communities. Yet it tended to present an abstract and undifferentiated view of peasantries and to cast rural people as static and passive objects of exploitation [Levin & Neocosmos 1989:230; Levin et al. 1996:117-118; Long & Long 1996: 29]. It therefore denied peasant agency [Walker 1990: 170; Levin et al. 1996: 123].

¹³ Anthropologist Claude Meillassoux came to similar conclusions. He argued that pre-capitalist societies in Africa had evolved to reach the stage of a stable and self-reproducing 'domestic rural economy' (DRE) based on agricultural production [Meillassoux 1981].

Meillassoux argued that in colonial capitalist economies, wealth was accumulated through exploiting labour extracted from the DRE. This happened through two mechanisms: firstly, capitalist employers paid only the costs of immediate maintenance, but not of long term maintenance to workers drawn from the DRE. Furthermore, they did not cover the costs of reproduction, which were subsidised by (mainly female) labour in the DRE. For this system to work, the existing structure of social relations within the DRE had to be maintained. The migrant labour system of Southern Africa thus represented the example, par excellence, of capitalist exploitation. The maintenance of this system depended, in turn, on continuing availability of land, so that the DRE could persist [1981:119]. In Southern Africa, this was guaranteed through the tribal Reserves and other legislation to 'protect' African land rights.

Peasant agency

Building on the structuralist analysis of rural impoverishment, from the 1980s empirical work by another group of researchers began to capture the variety and dynamism of different Southern African peasantries and their experiences. Bundy's detailed history of the Cape Nguni brought a fresh dynamics to the account of peasant history¹⁴, portraying the peasant sector as varied, differentiated and responsive to change. The work of scholars such as Colin Murray (1981) and William Beinart (1982), Timothy Keegan (1987) and Terrence Moll (1988) revealed the highly complex relationship of different peasantries in Southern Africa to common structural processes of accumulation.

Under the research direction of Ruth First, scholars at the Centre for African Studies (CEA) in Maputo applied this analytical framework to Mozambique. They rejected the idea of a rigid division between traditional and capitalist institutions and emphasised "the ways in which commodity production had integrated the reproduction of the Mozambican peasantry into the circuit of capital" [O'Laughlin 1996:5-6; First 1983].

CEA research clearly showed that the rural economy of southern Mozambique was not a traditional backwater left out of capitalist development, but was intimately tied in to 'modern' labour and capital markets. Labour migration did not only drain the rural economy, but also provided resources to plough back in. First and Wuyts demonstrated that the value of migrant remittances in the three southern-most provinces greatly exceeded the income from rural production in this area. In 1973, the commercialisation of

¹⁴ In his analysis of a 'South African peasantry', Bundy argues that the Cape Nguni initially responded to colonial capitalism through increased interaction with the market, enabling a certain sector of the emerging peasantry to accumulate land and wealth [Bundy 1988: 81-97]. Further development of the peasant economy was blocked, however, by state intervention, the alienation of land, overcrowding in the native reserves and extremely unfavourable terms of trade and investment for peasant agriculture [Bundy 1988: 129-133].

peasant crops was only equal to some 12% of the annual wage bill paid out to Mozambican miners [Wuyts 1981; First 1983:184].

First and Wuyts argued that some accumulation of wealth occurred in the rural areas and by the mid-1970s there was significant differentiation between peasant households. This was critically linked to migrant wages, depending on access to wage employment and the level of wages paid [Wuyts 1980:15,16; First 1983]. Migrant labour, then, was intimately linked to reproduction of the peasant economy and to the embryonic possibilities for accumulation.

Migrant labour had far reaching implications not only for economic, but also for social relations in Southern Mozambique. Generally, men's wage labour was not rewarded by social security, welfare services or pensions, which were all supposed to be provided by the rural family; mainly women. This created strong pressures on the migrant labourer to maintain relations with the village, the family and rural production, as his only insurance against sickness, old age, or unemployment [Meillassoux 1981; First 1983; Harries 1994].

By the same token, peasant agriculture in the South became heavily dependent on the input of migrant wages. Men used their wages to set up a homestead, purchase livestock, tools and equipment or, depending on the wealth of the household, even just to supply extra food [First 1983; CEA 1987; Van den Berg 1987:382]. In such ways, the rural economy - and the women who increasingly managed it - became dependent on a cash input from returning or remitting miners.

Wartime research and the anti-statist critique

In the 1980s a number of scholars argued that, in an attempt to orchestrate social transformation through centralised state management, Frelimo had relied on the notion of a common class interest but ignored and sometimes violently repressed other aspects of

social identity and organisation. In their view, this repression contributed to the internal spread of an externally instigated war [Geffray 1990; Cahen 1988]. Their critique raised vital questions around social identity, roles and culture.

The 'Mozambican National Resistance (MNR)' or 'Renamo' opposition movement was created by the intelligence services of Southern Rhodesia in 1976 [Vines 1991]. With the collapse of the Rhodesian regime in 1980, Renamo launched its war against Frelimo with training and financial support from apartheid South Africa. Further support to Renamo came from individuals in the United States of America, Germany and Portugal who saw the war as a fight against communism. As the conflict spread, however, it took on a complex internal dimension [Vines 1991; HRW 1992]. Renamo became infamous for its brutal recruiting methods and atrocities against civilians [Wilson 1992; Human Rights Watch 1992]. Its key targets for attack were the signs of Frelimo authority and success: communal villages, health posts, schools, government administration buildings and economic infrastructure.

As the country ran out of foreign exchange and rural market networks collapsed in the early 1980s, agricultural production plummeted. Marketed peasant output fell drastically whilst the state farms were also failing: in 1981 Government admitted that not a single state farm was profitable [Bowen 2000:58]. With spreading war in the countryside, the food security situation became extreme and when drought hit in 1983/4 hundreds of thousands of people starved.

Early analysis of the war and simultaneous collapse of Frelimo's socialist policies focused on external factors as the main explanation [Saul 1985; Hanlon 1984]. Recent work has looked more closely at internal factors, including Frelimo's neglect or even hostility towards the peasantry, especially the wealthier or middle peasantry [Bowen 2000:12-13]. Hermele argued that when, instead of returning the land to peasant farmers after Independence, Government turned the Chokwe irrigation scheme into a huge state-run farm, this provoked bitter resentment and peasant resistance to collectivisation [Hermele 1986]. Roesch suggests collectivisation was a source of peasant alienation in

the Gaza hinterland [Roesch 1986, 1992], whilst Geffray argued that Frelimo security measures in Nampula, cordoning peasants into communal villages and denying them access to their former lands, pushed many people over the edge into sympathy with Renamo¹⁵ [Geffray 1989].

Seeking a social explanation for the conflict, Geffray argued that Frelimo policy contributed to war, through alienating the peasantry. He accused Frelimo of treating the peasantry as a 'tabula rasa', to be pushed into new forms of social organisation without respect for existing norms and institutions. Frelimo deposed the previous authority structure of lineage chiefs and moved people off their lands into communal villages. In its attempt to create a national Mozambican identity and implant a state bureaucracy throughout the country, Geffray argued, Frelimo negated cultural diversity and ridiculed existing cultural values as 'obscurantist', 'feudal' and 'superstitious' [Geffray 1990: 27-28; Cahen 1988: 3]. Instead, argues Geffray, Frelimo attempted to impose an alien, socialist ideology. He claims it was peasant revolt against this abnegation of cultural identity, which led to the spread and intensity of war in Mozambique.

Contributing to this anti-statist critique, a number of researchers claimed that the State's role in confiscating land and deposing the Régulos played a major part in alienating the peasantry and earning their hostility [Geffray 1990; Cahen 1993; Tanner 1994; Myers 1994; Lundin 1995: 19; West 1995].

O'Laughlin (1996) argues that this critique, what she terms the 'traditionalist' account, is incorrect at an empirical level. It over-emphasises the popularity of Régulos and headmen at the time of Independence and exaggerates the extent and impact of villagisation¹⁶. At a theoretical level, she argues, it falls into a romanticised view of an implicitly homogenous and static peasantry and exaggerates the power of the State. Ultimately, it plays into neo-liberal hands by once again casting the peasantry as a 'traditional' sector, willing and able to withdraw from the modern state and the market economy.

¹⁵ Other records of popular testimony, however, suggest that many people simply saw themselves as caught between two sides of a conflict far beyond their control [McGregor 1998; Waterhouse & Braga 2000].

¹⁶ Indeed, in practice, 'socialisation' of the countryside was largely not followed through.

"Ironically", O'Laughlin argues, "the traditionalist account shares the analytical dualism underlying Frelimo's strategy of accumulation", namely by pitting a traditional peasantry against large-scale commercial agriculture. Whilst Frelimo assumed the autonomy of large-scale production, the traditionalist account inverts the equation, stressing the supposed autonomy of peasant production. Either way, a dualistic analysis obscures the relations of power and dependency which actually tie the peasantry into structural relationships with the state and the market¹⁷ [O'Laughlin 1996: 2,3].

Despite these criticisms, this anti-statist critique signalled the importance of not only distinguishing between different class interest groups, but also of taking other social and political institutions and identities into account. These include lineage hierarchies, kinship relations and generational conflicts. Though barely mentioned by these scholars, another key issue that cannot be ignored nor reduced to class is that of gender relations (see Chapter Two).

War, peace and the value of the land

In the late 1980s, the success or not of any land or agricultural policy was difficult to discern, amidst insecurity and destruction, as the Renamo-Frelimo war reached its height. Hundreds of thousands of people were forced into internal refuge or over the borders. Renamo's destruction of agricultural equipment, the severing of communication routes and widespread slaughter of animals added to severe strains on plummeting agricultural production.

The Frelimo / Renamo war was waged almost exclusively in the countryside. As the conflict dragged on, competition grew for secure and protected land around the cities, within irrigation schemes and along the major international transport routes through

¹⁷ Implicitly, the traditionalist account further seems to condone practices of dominance and exclusion within structures of lineage rule and 'traditional' hierarchy. Geffray, for example, points out that these structures discriminated against social groups such as young men, subordinate lineage groups and women - yet this concern does not qualify his condemnation of Frelimo, for challenging tradition [Geffray 1990:37].

Mozambique. Both rural people and commercial companies sought refuge in protected areas. Private farmers and commercial enterprise who could afford to defend their land, especially the well-protected land of the valleys and peri-urban areas, often suffered least from the damage of war [Hanlon 1995:8; O'Laughlin 1996: 31-33; Head 1999]. As pressure on safe land increased, so did the commercial value of secure and fertile land [Bowen 1992; Myers & West 1993; O'Laughlin 1996: 31-32].

At the height of wartime insecurity, Mozambique began negotiations with the IMF and WB for international loans. In 1987, under the conditionality terms imposed by the IMF, Mozambique launched its on-going Structural Adjustment Programme (SAP), designed to liberalise the economy (see below). The accompanying political shift, from socialist to neo-liberal development strategies, intensified polarisation in terms of land access and control [Bowen 1992: 275]. As liberalisation proceeded under wartime conditions, secure commercial land was increasingly appropriated by international capital, urban-based investors and speculators and by the wealthiest peasant farmers [Bowen 1992: 275-276, 2000: 186,188; Myers & West 1993; O'Laughlin 1996:31-32].

Although land continued officially to belong to the state, informal - indeed, illegal - land markets began to emerge. Research sponsored by the United States based Land Tenure Center proved the existence of land markets [Myers et al. 1993; Roth et al. 1995; Roth et al. 1994:126-138; Boucher et al. 1994]. Much of this research focused on the so-called 'Green Zones' (irrigated plots in the peri-urban area of the main cities), or protected, irrigated lands. Yet the findings were generalised. A pro land-reform lobby argued that these markets should be recognised and formalised, in order to make them transparent and controllable [Weiss & Myers 1994; Roth et al., 1994:110].

Such studies were employed to support the neo-liberal argument that free-holder title would ensure land tenure security and in turn promote agricultural production [Strasma 1994]. The United States Agency for International Development (USAID), a major source of funds for agriculture, argued that since land sales were illegal, prices were

wildly inflated and transactions insecure. They argued that it would be better to legalise the land market through privatisation [Myers et al. 1993].

A further motive for reform was conflict over land. By the time a Peace Accord was signed in 1992, there were many signs of land conflict. As security improved, refugees returned home, national and foreign investors moved in, and a newly emerging post war elite sought land for commercial use or speculation. These varied interests were often in competition with each other, exerting overlapping or parallel land claims [Myers et al. 1993; Weiss & Myers 1994]. The researchers reporting these conflicts often cast the private sector as well as individuals within the State as crudely self-interested, to the detriment of smallholders¹⁸ [Myers et al. 1993; Hanlon 1995:9; Tanner 1994:10]. They argued that smallholder farmers should be given legal titles to the land to protect them from a rapacious elite, constituted by individuals from within the State and private commercial sectors¹⁹.

Despite the pressure for free trade, there were arguments against privatisation. One argument was that privatisation would undermine the fragile post-war stability, since most peasant farmers had no financial resources with which to purchase land [Muthemba 1994; Cabaço 1990:19]. If, however, they were given land, peasant farmers might easily lose it through default on mortgages, as happened in Brazil where privatisation caused widespread landlessness [Hanlon 1996:44]. Meanwhile, the experience of WB supported programmes for privatisation or individual titling of land elsewhere in Africa (as in Kenya) showed that state-financed demarcation was extremely expensive [Bruce et

¹⁸ According to Myers "as of May 1994 approximately 40.7 million hectares of land have been granted in concession or "sold" to private commercial enterprises", amounting to over half the country's 80 million hectares [Myers 1994:65]. This information was later challenged as inaccurate and exaggerated [Pitcher 1999]. For example, the figures advanced made no distinction between actual land concessions and mere requests for land, nor between (exclusive) land and (partial) forestry concessions. Myer's research was partly funded by USAID, which had an overt interest in promoting privatisation of the land.

¹⁹ The pro-privatisation lobby argued that certain Government officials only wished to maintain state ownership of the land, because their political position gave them privileged access to it, for private use, through state controlled channels [interview with Manecas 1996].

al. 1994:256]. It might also fail to achieve either tenure security or increased agricultural production [Okoth-Ogendo 1986; Bruce et al. 1994:251; Platteau 1996²⁰].

Given the context of extreme rural poverty and attempts to bring peace to a war-torn country, in the early 1990s Mozambique's Government staved off the pressure for outright privatisation [Cambaço 1990; Muthemba 1994; Hanlon 1996]. It did concede to initiating a process of land reform.

The neo-liberal approach to agrarian reform in Mozambique

The current neo-liberal approach to Mozambique's agrarian troubles relates to the broader conception that there is a 'crisis' in African agriculture. This became a key theme in the reports and policy recommendations of international funding institutions, most notably of the World Bank, from the early 1980s. According to World Bank policy documents, low agricultural production was now the main cause of poverty in Africa [WB 1988; Cleaver & Donovan 1995]. These documents contended the key factor provoking a crisis was that "...technology based agriculture has not come to Africa on a significant scale". This had to do with "ill fated government intervention" and the lack of adequate infrastructure and incentives to persuade small-scale rural producers to invest in agriculture and participate in the market [Cleaver & Donovan 1995:4].

Whilst continuing the familiar liberal themes of poor farming practice by Africans, rapid population growth, soil degradation and government distortion of the 'free' market [WB 1981, 1988, 1989] from the 1980s, the World Bank took a broader and more deeply politicized view of what was needed for agrarian reform [Bernstein 1990:9]. It began to criticise not only agricultural policy, but also the macro-economic policies of African governments [WB 1981; Cleaver & Donovan 1995]. These criticisms fed into the justification for IMF-backed SAPs, to which most African countries now adhere in order

²⁰ Philippe Platteau has argued that land registration can create tenure insecurity, rather than redress it [Platteau 1996:39].

to access multilateral funding. SAP policy prescriptions emphasise the devaluation of national currencies, promoting export agriculture, market liberalisation and further measures to encourage private sector investment and the reduction of government spending [WB 1981,1989; Cleaver 1997].

The first phase of Mozambique's SAP (or 'Programa de Reajustamento Económico - PRE')²¹, from 1987, involved macro-economic 'stabilisation' and reduction of the state budget, with a heavy impact on basic services. This was followed by the privatisation of state enterprises and market liberalisation. The state was advised to withdraw from the market and confine itself to 'creating an enabling environment' for the private sector [GOM 1988; WB 1989; Bowen 1992:262]

With Frelimo's move away from socialism and, internationally, with the end of the Cold War, external financing for the war dwindled away [Cabaço 1996:91]. Inside Mozambique, there were few resources to fight over. Drought struck again in 1990/92, hastening the search for a political solution to the war, confirmed in the Peace Accord of 1992. Two years later, the country held its first multi-party elections, with Frelimo winning a narrow victory over Renamo in what most observers saw as a 'vote for peace'.

By this time, Mozambique depended on foreign aid for some 80% of its budget²². The United Nations classed it as one of the poorest countries in the world, one of the most indebted (relative to income) and the most aid-dependent [Hanlon 1996:118; Abrahamsson & Nilsson 1994:298].

In their policy recommendations for post-war reconstruction and development, the World Bank and IMF emphasised the question of land reform [WB 1995:9,14; WB/IMF 1996; Manecas 1996]²³. The existing land law became a central target for criticism, construed

²¹ A social component was later added (becoming the 'PRES').

²² Indeed, from 1990-94, Mozambique was the largest aid recipient in Sub-Saharan Africa [Hanlon 1996:16].

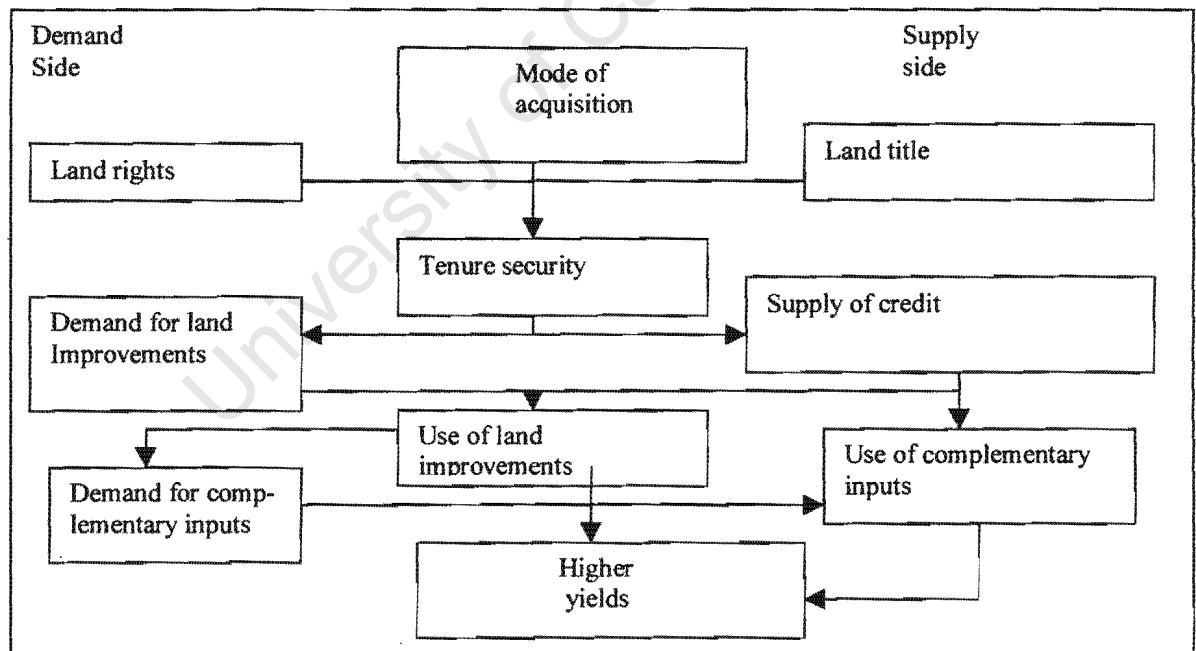
²³ In the February 1996 version of the Policy Framework Paper, the IMF and WB stipulated that the Government must encourage small-holder development and allow free trade in land titles. The latter condition was apparently renegotiated.

as a key source of insecurity and increased conflict over land [Martins 1994:94-99; Garvey 1994:56; Boucher et al.:100; Manecas 1996].

The pressure for land reform grew, as the international finance institutions made credit conditional on land reform and on promotion of commercial farming in the 'small-holder sector'. In the WB / IMF view, 'small-holder' agricultural production can be improved through ensuring tenure security, which will both encourage private investment and open the way for land to be used as collateral against loans [Strasma 1994:85]. In this 'small holder theory' of land rights, investment is said to lead, in turn, to increased agricultural productivity [Noronha 1985; Bassett 1993:4; Bruce et al. 1994:254] and hence the reduction of poverty in 'backward' rural areas without the need for (expensive) state intervention [Manecas 1996]. This theory is illustrated in Diagram One, below.

Diagram One: Conceptual Model Linking Title and Tenure Security with Agricultural Performance

[Place et al.1993:16]



Faced with these demands, in the first phase of the SAP the Government began to privatise state farms and offer increasing support to private commercial farming. As thousands of people returned to rural production after the war, positive figures for agricultural growth, coinciding with the SAP programme, were soon employed to bolster the argument that state withdrawal and market economics were the key to agricultural development²⁴. This thinking was reflected in the Government spending programme from 1990-1994, when only one per cent of recurrent public sector expenditure went to agriculture [Wuyts 1995: 39; O'Laughlin 1996:33].

The neo-liberal standpoint was further reflected in the Government view of an elastic peasant sector that would 'reabsorb' unemployed labour, as the shift to a 'free market' economy left widespread redundancies in its wake and migrant labour quotas to South Africa continued to fall. Thousands soldiers were demobilised. Some Government quarters apparently held the view that, with high unemployment, a tightly restricted state budget and the intention to maintain labour cheap, land access would serve as a safety valve to avert social unrest [Myers et al. 1993; Hanlon 1996:5-6].

Framework for analysis

Rural poverty in Mozambique continues to be severe and widespread. Policies meant to redress this problem have veered from colonial, to socialist to neo-liberal. The discussion above suggests that, despite obvious differences, all these policies have shared a similar set of basic assumptions. Namely, they are premised on a modernisation paradigm that privileges material accumulation through so-called technological progress. Analyses of the constraints facing rural development have been based on this premise.

Through my review of the literature I have suggested that the liberal analysis of a backward peasantry, whose more or less homogenous members are free to respond

²⁴ According to the Economist Intelligence Unit, this increase might be largely explained by the low base from which calculations started and the fact that thousands of people returned to rural production.

rationally to market opportunities, is a-historical and obfuscates powerful structural impediments to improving rural livelihoods. Structuralist analysis has demonstrated that rural and urban livelihoods, peasant production and capital accumulation are not separate but deeply inter-linked, in an often exploitative relationship. The anti-statist critique has challenged the implicit economic and class reductionism of these approaches. It signals the importance of taking other factors in social organisation and power into account, including personal and cultural identity, kinship and generational hierarchies. These factors influence how different groups of people stand in relationship to structural processes.

These relationships, however, are not static. Drawing on Anthony Giddens' 'structuration theory' (1979, 1982, 1984), Long & Long argue that structures, institutions and the creation of values are negotiated processes [Long & Long 1996:20]. Indeed, as Harries suggests, rather than accept categories such as class, race or gender "... as unquestioned, or foundational syntheses", one should "... treat them as social constructions with a complex history of development" [Harries 1994: xviii-xix].

Another way of avoiding essentialism, whilst not retreating into economic reductionism, is to take a relational view of social groups and institutions as well as of economic ones. Laclau & Mouffe (1985) argue the need to recognise the multiplicity of identities around a plurality of interest groups²⁵. They draw attention to:

"...the multiplicity of social relations from which antagonisms and struggles may originate: habitat, consumption, various services, can all constitute terrains for the struggle against inequalities and the claiming of...rights"

[Laclau & Mouffe 1985:161].

²⁵ Ernesto Laclau and Chantal Mouffe contest what they call the 'logic of privileged points'; that is, the idea that certain factors are necessarily privileged in determining political identity and social change. Such a logic, they argue, has three dimensions: classism – the idea that the working class is a privileged agent of social change; statism – the idea that state expansion is the panacea for resolving problems and economism – "the idea that from a successful economic strategy there necessarily follows a continuity of political effects which can be clearly specified" [Laclau & Mouffe 1985:177].

This view is echoed by Sen's appeal against economic reductionism:

"Everyone of us has many identities --- One's individuality coexists with a variety of [collective] identities [such as gender, class, nation]. Our understanding of our interests, well-being, obligations, objectives and legitimate behaviour is influenced by the various - and sometimes conflicting - effects of these diverse identities"

[A. Sen 1990:125].

This suggests that we need to understand rural peoples' livelihood strategies not just in terms of profit maximisation (neo-liberal) or class identity (Marxist) but also in terms of the ways in which people negotiate roles, responsibilities and power within households and communities. A crucial factor which shapes, and is shaped by, these structures and processes is that of gender relations. In the next chapter I review the debate on gender relations, in the context of Mozambique.

CHAPTER TWO

THE GENDER DEBATE AND ITS RELEVANCE MOZAMBIQUE

The theories broadly informing agrarian policy in Mozambique have focused on issues of ecology, culture and class. In this chapter, I argue that the processes of accumulation and impoverishment which these theories seek to explain cannot be fully understood without an analysis of gender relations. In the context of existing gender inequalities and the close relationship between women and rural livelihoods in Mozambique, I argue that such an analysis is crucial for assessing the options for, and likely outcomes of, land policy.

Although gender is organised around biological difference between women and men, gender is not a biological fact. Gender can be defined as a social, cultural, political, economic and historical construct, which refers to the attitudes, emotions and beliefs associated with being male or female, in a given society at any given time [Archer 1992]. Bina Agarwal describes gender relations as:

“... the relations of power between women and men which are revealed in a range of practices, ideas and representations, including the division of labour, roles and resources between women and men, and the ascribing to them of different abilities, attitudes, desires, personality traits, behavioural patterns, and so on”

[Agarwal 1994: 51].

In this view, gender is conceived of as negotiable and open to change. Whilst biological differences between women and men are acknowledged, gender theories make it possible to challenge existing, unequal power relations between women and men. They also open up the way to explore how gender relations are constructed, how they are reproduced or may be transformed.

To make my case for a gender analysis of land policy, I review changing gender policies in Mozambique and the literature informing and analysing these policies. As in Chapter One, this exercise poses some problems in terms of achieving a comprehensive description, whilst also attempting to establish a critical theoretical position. Through this critique, I set out an analytical framework for my research in Ndixé.

Colonialism and rural women

The colonial view of gender difference adhered to naturalist beliefs. It explained cultural differences in gender roles and division of labour through an evolutionary theory that placed such differences along a scale from 'primitive' to 'civilised'. It saw African women as the most 'undeveloped' members of a backward rural population, exploited by African men, who were said to treat women as their property or slaves [Walker 1990: 180; c.f. Scott 1996:23,24]. Men themselves were said to enjoy a life of idleness at women's expense²⁶ [Junod 1927; Harris 1959: 6, 61].

Colonial officials and ideologues further proclaimed their supposedly moral outrage against polygamy and lobolo, interpreted as the instruments of women's enslavement. The idea that men lived like parasites from female labour was used to argue that men should be forced to work: not, however, to benefit their women, but to work for colonial settlers [Walker 1990]. Indeed, the policies devised to extract cheap African labour and resources were heavily gendered (as shown in Chapter One). The labour code of 1899 for example was gender specific [Davison 1997:90]. It required all African males to work outside family agriculture for six months of the year and also to pay an annual hut tax, in cash. Those failing to comply would be conscripted for *xibalo* [Davison 1997:90; Isaacman 1996]. Whilst male labour was extracted, female labour was to provide the

²⁶ Junod claimed that Tsonga men only worked for three months each year, leaving their wives to do the rest [1927], whilst the colonial Governor Bettencourt claimed "--- the large majority of [men] do no work --- but simply live from the labour of their wives" [Governor General José Tristão de Bettencourt, 1945:75-76; in Harris 1959: 61].

subsistence and reproductive base of the male labour force recruited by colonial capital [Davison 1997:90].

Historian, Patrick Harries argues that:

“As the accumulation of wealth and power by males was heavily dependent on female domesticity, women were generally excluded from activities that took them far from the homestead...It was largely through this sexual division of labour that men were able to realise a profit from...trading and labour migration for, while women increasingly provided most of the labour needed to feed and reproduce the family, men accumulated wealth through their involvement in the market economy”

[Harries 1994:93].

Most kinds of wage employment were reserved for men. In some cases, the Portuguese enacted laws forbidding the recruitment of women. In Zambezia, for instance, women could not be recruited for labour outside the home without the express permission of their male relatives [Negrão 1995:118; Isaacman & Steven 1980:13]. In her historical study of women and migrant labour to South Africa, Cheryl Walker argues that in collusion with "traditional authorities" the State put enormous pressure on women to prevent their mobility [Walker 1990: 180-181; Davison 1997:134]. Women's lack of independent rights to the land further put them in a vulnerable position, both because this limited their access to new land and meant that they did not have a guaranteed right of return to rural land if they left it.

Apart from the restrictions inhibiting women's mobility, urban areas offered very little in the way of alternatives for women [Walker 1990:170; Penvenne 1995]. With industrial development in South Africa and the capital city, skill and education became an advantage which women did not have [O'Laughlin 1998:9]. Men dominated in the labour market and only a few, marginal options such as beer brewing and prostitution were open

to African women [Walker 1990: 170]. Few women, therefore, worked outside the homestead. In Marracuene, for example, by the end of the colonial era there was hardly a single family whose male members had not at some time participated in wage labour, either in Lourenço Marques (on the docks, in construction work or as domestic servants), in South Africa, or on colonial estates. By contrast, only a very tiny minority of women had ever experienced paid employment [interviews in Ndixé, Gimo Ocoosa, Xihlale 1997; Isaacman & Stephen 1980:13].

Despite the colonial view of African male 'indolence', men were cast as women's legal protectors. Colonial authorities and missionaries extolled the alleged virtues of a patriarchal, Christian ideal of domesticated women, monogamous marriage and the strict containment of - especially female - sexuality [Arnfred 1989 (a); Isaacman & Stephen 1980]. Under Portuguese law, which was eventually extended to include Africans, women were legal minors, whilst men appeared as 'heads of household'²⁷. Property rights including land rights were legally vested in men [SARDC et al. 2000:38]. Spouses were only fourth in line for inheritance, after sons, fathers/paternal uncles and brothers/brothers' sons [WLSA 1994:xii]. In part, such legislation (still reflected in the Civil Code in 2001) represents the concretisation of a Western, patriarchal ideology which contributed to expanding and entrenching gender differences in Mozambique, to the disadvantage of women [WLSA 1994:4].

Discrimination against women was further compounded by the ideology of the Catholic Church, which became the official religious institution of the colony. Entrusted with 'native education' under Portuguese rule, the Catholic Church stressed the 19th century European-Christian ideal of male leadership and responsibility [Manuel 1954], against submissive obedience for, ideally, passive, women [Isaacman & Steven 1980: 13-14].

Yet a number of historians have strongly contested the view that Mozambican women were either passive or statically 'traditional' [Young 1977; Harries 1994; Isaacman 1996].

²⁷ The Portuguese Civil Code of 1967, still not revised in Mozambique by 2001, establishes the husband as the head of the family in its Article 1674. Article 1678 no. 1 gives authority for the administration of the couple's property to the husband, who is not obliged to be accountable to his wife [SARDC et al. 2000:38].

They argue that women were adapters and innovators. As trade took an economic hold in the South, women began to gather fruits and grow seeds for oil production [Young 1977; van den Berg 1987]. In the 19th century, women began to cultivate maize and cassava, crops which gradually replaced the more labour intensive staples of millet and sorghum. In some cattle-keeping areas, women learned to handle a plough. As labour migration became the norm for men, women took over many tasks and responsibilities formerly seen as men's work, such as clearing fields and taking daily management decisions on the farm [Young 1977:77; van den Berg 1987:379-381; Harries 1994: 159; Isaacman 1996]. This picture is confirmed by interviews with people in Ndixe [group interview with elder women in Ndixe 1997(a)]. Women's innovation and adaptive capacity to manage reproduction and homestead agriculture was, indeed, the pre-condition enabling men to migrate and, in some cases, accumulate a small surplus [Harries 1994:93].

Yet, the growth of migrant labour also brought sexual repression and severe emotional stress for many women. Whilst husbands might be absent for two years at a time, "...a wife was prohibited from entering into extramarital sexual relations, while her husband was encouraged, by custom and precedent, to find other unmarried sexual and marital partners" [Harries 1994: 159].

Several scholars conclude that colonial policy exacerbated existing gender differences in social status and political and economic power, to the disadvantage of women [Harries 1994; Negrão 1995; Isaacman 1996]. I take up this theme again in my discussion of Ndixe (Chapters Four and Seven). Now, however, I turn to look at different ways in which gender relations have been analysed in the African context.

Liberal feminism and women farmers

The early political challenge to unequal gender relations has been associated with the rise of feminism in Europe. According to Connell (1987) and Mies (1986), in their histories of feminism, from the 18th century liberal feminists saw women as being oppressed by

legal discrimination, lack of educational opportunities and confinement to the domestic sphere. This raised critical issues of legal rights and socialisation into different gender roles. Based on this analysis, the early liberal feminists principally addressed their demands to the State, placing their faith in legal and bureaucratic amendments to redress inequalities [Mies 1986; Dryson 1992].

This approach resonates with the current, neo-liberal approach to addressing gender inequality. However, it does not consider structural processes of exclusion or the personal power dynamics between women and men.

In the African context, the liberal emphasis on women's lack of access to legal rights and education has been reflected in concerns with women's role in agricultural production and their perceived marginalisation from the modernisation process. In her pioneering work on 'Women's Role in Economic Development', Ester Boserup argued that European colonial policy was "largely responsible for the deterioration in the status of women in the agricultural sectors of developing countries" [Boserup 1989 (1970): 53-54]. Boserup contends that colonial governments - convinced that men, though 'lazy', were better farmers than women - directed agricultural training, modern technology and cash crops to men. African women cultivators were relegated to the 'backward' subsistence sector of low technology, low productivity and traditional farming. A change from traditional to modern farming, she argued, therefore tended "to enhance men's prestige at the expense of women's" [Boserup 1989:56]. This enabled men to increase control over resources, particularly land, turning women from independent cultivators into unpaid labourers on their husbands' fields. Furthermore, men were able to reinvest their knowledge and profits in modernising practices, thus perpetuating women's exclusion.

Lourdes Benería and Gita Sen argue that Boserup's work, and the liberal gender critique it represents, broke critical ground on a number of issues [Benería & Sen 1997:42-43]. It emphasised the fundamental role women play in African agriculture, stressing that gender has been fundamental in the division of labour. Boserup began to delineate the negative consequences of colonial capitalism for women. She illuminated the fact that statistical

categories common to classical economics are "systematically biased towards an under-valuation of women's work" [Boserup 1970: 163].

Despite her valuable insights, however, Benería and Sen argue that "Boserup's work is... based on technological determinism that uses cultural values as filler for conceptual holes in the analysis" [Benería & Sen 1997: 45]. Boserup blames European cultural prejudice for marginalising women in what she regards as a generally beneficial process of modernisation. From this perspective, they argue, tends to ignore long term processes of capital accumulation and their effects on women in different socio-economic locations.

A further criticism of Boserup's analysis is that it ignores relations of reproduction. In much of Africa, the reproductive labour load is almost exclusively borne by women, with specific implications for their capacity to participate in productive labour²⁸ [Sachs 1996: 128; Quisumbing et al. 1998].

Materialist analysis and the devaluing of reproductive labour

In contrast to the liberal view that women's 'oppression' is based on cultural attitudes and socialisation, classical Marxist theory explains this as a function of capitalist relations of production and the class-based division of labour. The materialist analysis illuminates exclusionary practices of economic accumulation, which at once depend on and devalue women's domestic and reproductive labour roles. However, it leaves aside issues of personal identity, sexuality and negotiation, involved in gender relations.

The classical Marxist view suggests that women are oppressed through the division of labour between the sexes. Fredrich Engels called this the primary division of labour in society. He hypothesised that in pre-capitalist societies "[d]ivision of labour was a pure and simple outgrowth of nature; it existed only between the sexes...the household was

²⁸ Given that the current neo-liberal thinking on women's role in African agriculture draws heavily on Boserup's arguments, the limitations of her analysis thus present serious cause for concern.

communistic...Whatever was produced and used in common was common property" [Engels 1972 (1884): 149]. With the rise of private property, however, men both accumulated property and felt a 'natural' urge to pass this on to his sons²⁹. Since biological paternity is always open to doubt, Engels argued, men were now compelled to control women's sexuality. Thus women were increasingly confined to a reproductive function within the private sphere of domestic life, outside the public sphere of (material) production and political decision-making. Whilst men dominated social labour and public, political power, women were reduced to "a mere instrument for the production of children" [Engels cited in Stolke 1981:32-33].

In Engel's view, then, women's oppression was due to their (supposed) confinement to domestic life, resulting from the emergence of private property under capitalism. The key to emancipation, as Lenin also argued, would be to transform the relations of production and to "bring the whole female sex back into public industry" [Engels 1972 (1884)].

Frelimo's view of gender relations followed this analysis. From the early days of its foundation, Frelimo voiced its commitment to the 'emancipation of women', particularly peasant women. This was based on the perception that, as Mozambique's first President, Samora Machel argued in his address to the Organisation of Mozambican Women (OMM) in 1976:

"The woman peasant is the most oppressed and exploited woman in Mozambique. Reduced to an object of pleasure, a reproducer of children, a producer of food for the family's subsistence, an unsalaried worker in the service of the 'head of the family', the woman peasant at the same time has a very great revolutionary potential from which the Mozambican Revolution cannot be cut off"
[Machel cited in Davison 1988:228].

²⁹ Engels did not explain why only men should accumulate nor why they should want to pass wealth only to their sons and not daughters. By contrast, Delphy [1986] and Stolcke [1981:41] contest the naturalisation of inheritance: see below.

The new national Constitution thus urged the State to promote women's emancipation [National Constitution: Art 17].

According to Frelimo statements, women's oppression resulted from two principal factors, namely the discriminatory customary norms of 'traditional' society and the development of capitalist relations of production under colonialism [Machel cited in Urdang 1989:16-17]. As a consequence, women were seen as particularly backward and traditional. According to President Machel:

"...all superstitions and religions find their most fertile soil among women, because they are immersed in the greatest ignorance and obscurantism"
[Machel cited in Scott 1995: 111].

Signe Arnfred has argued that in addition to its Marxist inspiration, Frelimo's stance was based on a less explicit, Protestant morality which sought to repress, especially female, sexuality whilst promoting the monogamous, male-headed nuclear family as the ideal form of household [Arnfred 1989 (a), (c): 10].

The declared policy of 'women's emancipation' involved opposition to so-called traditional practices thought to oppress women. These were said to include lobolo (the payment of bride price), premature marriage, polygamy and sexual initiation rites where, it was argued, women learned submission to men [Machel 1976: 173; Frelimo 1977:19; Urdang 1989:203, Arnfred 1989(b); Berg & Gundersen 1990:251]. The payment of lobolo, Frelimo held, was equivalent to buying property rights in women, whilst polygamy was a further manifestation of men's (as owners) class domination over women (as property). These positions were articulated, amongst other places, in the policies and programme of the Organisation of Mozambican Women (OMM).

The OMM was founded in 1973. In 1976, the OMM programme of action urged its members to ensure that all women became engaged in production. The same document

exhorts women to participate in the creation of the 'new man' (sic), for a new socialist society and, within the family, to be 'true companions and revolutionary educators' [OMM 1979:78]. Despite the call for women's economic and political participation, Frelimo and the OMM saw gender struggle as secondary to class struggle, or even as counter-revolutionary. In his opening speech to the OMM Conference in 1976, Samora Machel said:

"The decisive factor for the emancipation of the woman (sic) is her engagement in the principal task, the task which transforms society --- [in the present phase] the principal task is production and the principal form of action is class struggle"
[Machel cited in Arnfred 1988: 13].

In practice, Frelimo greatly enhanced women's legal rights, whilst its policies encouraged women's participation in political forums and wage work. Some women found jobs on the state farms and in factories and others held leadership positions in the newly formed agricultural co-operatives. 'Dynamising Groups' and popular tribunals [Berg & Gundersen 1990:251-252]. Creches were opened and adult literacy classes for women were organised.

Yet, by the mid-1980s, the material situation of most Mozambican women had not improved since Independence. Little had been done to lighten the workload of women or alter the gender division of labour, especially domestic labour.³⁰ The structure of production continued to be based on women's reproductive and subsistence labour within the homestead. There was no real questioning of male gender roles [Arnfred 1989(a); Urdang 1989:24; Berg & Gundersen 1990:251]. According to Catherine Scott, Frelimo was willing to challenge gender divisions of labour in production outside the household,

³⁰ A notable exception were the 'Maputo Green Zones', co-operatives which, with external support, were able to provide creche facilities and agricultural services to their 90% women membership. Most co-ops offered none of these things. Co-ops, furthermore, remained a marginal form of agricultural organisation which continued to be predominantly 'family sector' (peasant) farming.

but it "...attempted to maintain political support by conceding the terrain of the household to male authority" [Scott 1996: 110].

In retrospect, the socialist project of emancipation aimed to draw on women's capacity, to realise a vision of modernisation that privileges economic accumulation and what are historically constituted as male norms.

Emancipation policy was based on a classical Marxist explanation of women's oppression. Yet, in the 1970s and '80s, this analysis was challenged by radical feminists who rejected the idea that gender inequality could be redressed merely by urging women to take up the productive labour roles dominated by men. This prescription, they argued, missed a fundamental truth about gender relations - namely the benefit to men of women's un-waged labour [Dalla Costa 1973; Mackintosh 1981; Stolke 1981; Delphy 1984; Walby 1986].

In its theory of surplus value, traditional Marxist thought places little value on domestic labour or what feminist scholars have defined as 'reproductive labour' (see Mackintosh 1981, below). Lenin, for example, argued that "women are still in an actual position of inferiority because all housework is thrust upon them. Most of this housework is highly unproductive" [Lenin cited in Stolke 1981:33]. Feminist scholars argue that this view denigrates a type of work performed almost entirely by women, which is fundamental to the production, maintenance and reproduction of human life, as well as to capital accumulation [Safiotti 1977; Delphy 1984; Mies 1986].

As a key proponent of the so-called 'domestic labour debate', Maria-Rosa Dalla Costa argued that the work performed by 'housewives' in the home not only produced 'use-value' but also the commodity 'labour power' [Dalla Costa & James 1973; Mies 1986: 32-33]. In other words, women's work in bearing, raising and caring for people is the necessary basis for producing workers for the wider economy. Domestic labour is therefore not outside the process of surplus value production but is the fundamental basis from which this process occurs. This theory led some feminists to define women as the

'world proletariat' or a discriminated 'sex-class', exploited by men who are, in turn, exploited by the capitalist system [Firestone 1970].

This analysis resonates with Wolpe's critique of the migrant labour economy (see Chapter One), where subsistence labour on the reserves (implicitly, performed by women) reproduced the labour force and maintained the adult worker at no cost to capital. Although he failed to state it in gender terms, Wolpe's argument thus implies that women's unpaid labour significantly subsidised capital accumulation [Wolpe 1972; c.f. Bozzoli 1983; Werlhof 1978 cited in Mies 1986; Mies et al. 1988]. By the same token, it further suggests that structured processes of capital accumulation perpetuate women's subordination.

The classification of women as a 'proletariat' or 'sub-class' advanced by some feminists, however, has been criticised by scholars who argue that class-based analysis is inadequate to explain women's generally subordinate position in society and that wage labour is not the only exploitative relation of production³¹ [Mackintosh 1981; Delphy 1980:35].

Maureen Mackintosh distinguished several meanings of 'reproduction' including 'social reproduction' - the process by which the production relations in a society are recreated and perpetuated [Mackintosh 1981: 9-10]. Her analysis of gender relations is specifically concerned with what she calls the 'reproduction of labour', involving "the production of people: not merely the bearing of children -- but also their care and socialisation and the maintenance of adult individuals". The effort expended in these activities - reproductive labour - is socially organised by the 'relations of human reproduction', through the institutions of kinship, marriage and the family. Mackintosh argued that women's subordinate position in society is embedded in the sexual division of labour, inscribed in the institution of marriage and reproduced in the wider economy [Mackintosh 1981:10;

³¹ According to Rubin:

"No analysis of the reproduction of labour power under capitalism can explain foot-binding, chastity belts, or any of the incredible array of Byzantine, fetishized indignities, let alone more ordinary ones which have been inflicted upon women in various times and in various places" [Rubin 1975: 163].

Goody argued that in predominantly hoe based agriculture, the economic value of work done by women is recognised in marriage practice - namely through payment of bride-price and through polygamy [Goody 1969].

These conclusions, however, are quite descriptive and do little to explain how the gender division of labour or the prevailing power relations between women and men are established. In addressing this issue, Meillassoux argued that the key function of bridewealth in agricultural communities was to ensure the peaceful circulation of pubescent women between household groups and communities, to guarantee their long-term reproduction. This movement was controlled by elder men who, through control of bridewealth payments, controlled both the labour and reproductive capacity of women as well as the labour (and political allegiance) of young men - who depended on elders to pay the bride price [Meillassoux 1981].

In this analysis, virilocal marriage consolidated through lobolo was a key mechanism of social organisation, making women largely dependent on husbands for access to land and the resources to work it. In Meillassoux's analysis, then, women are exploited because of their reproductive capacity while the traditional marriage system promotes male control over that capacity³³.

In a similar argument to Saffiotti (1977), Meillassoux equates the exploitation of women's unremunerated work in the production and maintenance of labour power with exploitation of the 'domestic rural economy'³⁴, when 'capital' extracts labour power from it. This analysis thereby links the devaluing (exploitation) of women's labour and women's subordinate position in society with an extractive process of capital accumulation [Meillassoux 1981; Mies 1986; Mies et al. 1988].

³³ This analysis by-passes matrilineal and matrilineal systems of land access and inheritance which still function in certain areas of northern and central Mozambique [see Hirvonen & Braga 1998; Waterhouse & Braga 2000; Braga 2001].

³⁴ See Chapter One for a discussion of the 'domestic rural economy'.

This raises vital questions pertinent to current agrarian policy, of how women's labour is valued and what entitlements - material, social or other - women gain through their labour. The Marxist analysis presented here, however, rests on an abstract model of capitalism and does not investigate power relations between women and men or women's active role in negotiating those relationships. It apparently assumes that men 'naturally' dominate.

Nigerian academic Oyeronke Oyewumi argues that Western academics have often simply assumed that power is male. In their interpretation of Yorùbá history and culture, for example, they have looked on African society with a 'patriarchalizing gaze' that ignores and undermines areas of female power and reconstructs power as exclusively male [Oyewumi 1997; Arnfred 2001]. Gender policy in colonial and post-Independence Mozambique suggests that this 'patriarchalizing' vision of society had concrete, negative consequences for women (see above), as experience in Marracuene also bears out (Chapter Four).

A number of feminist academics have argued that Western scholars, and the theories they developed, have imposed their own, culturally specific concepts and values, resulting in a distorted view of gender relations elsewhere [Amadiume 1987: 8; Mohanty 1997:80-81]. They charge that Western academics have ignored the evidence of female power and gender co-operation, which often went along with non-Western forms of economic and social organisation.

In Mozambique, Arnfred argues that customary norms in the past shaped different, but not necessarily oppressive, gender domains for women³⁵ and men [Arnfred 1989 (a):28; Leacock 1975, 1981]. Even where women had less public power than men, they had power within their specific gender domain, for example as key actors in the spiritual life of the community [Arnfred 1989 (a): 21-23; Young 1977]. In the matrilineal areas of Gurué and Milange in central Mozambique, research by Waterhouse and Braga [2000]

³⁵ Arnfred argues that in 'traditional' or 'pre modern' society in Mozambique "Gender was a community, gender identity was shared" and that this gave women a strength in their common gender [Arnfred 1989 (b):23].

also showed that women held powerful positions within community leadership structures and played a key role in agricultural decision-making.

Ironically, Arnfred argues, Frelimo's 'emancipation' policy in practice sometimes weakened rather than strengthened women's domestic position. It did so through failing to consider women's existing loci of power, or security [Arnfred 1989: (e)]. In the South, marriages not consolidated by lobolo could leave women without the status as a 'proper' wife that lobolo was supposed to confer. Given the political campaign against polygamy, many men resorted to *amantismo*, or taking lovers. These were women whose status was less secure than that of a 'properly' wedded wife [Arnfred 1989(e): 40-44]. Arnfred contends that when the promised, practical benefits of socialist revolution failed to materialise, many women found a comforting security in the 'gendered space' of their traditional social roles [Arnfred 1989 (a)].

This suggests that women's choices are shaped by material conditions, but also the historical construction of gender roles and relationships. Women, meanwhile, are not an homogenous group. Different women hold different positions of power and their status within rural communities may vary widely, according to lineage, kinship, political status and material wealth of the household. In patrilineal societies women may have little power as wives, yet they may wield considerable authority as sisters, mothers or aunts [Sacks: 1982; Moore: 1988]. In southern Mozambique, for example, paternal aunts often play a central role in negotiating marriages and resolving family problems [Pessoa et al. 1999; Bagnol 1999]. Women I interviewed in Ndixe described how women's power and influence differs according to their position in a female hierarchy, based on kinship status, child-bearing and age [interview with women 1997(a)].

It is partly by looking at women's differential relationships to gendered power structures, including kinship hierarchies and class, that we can understand how women may be active negotiators of gender relations and at the same time contribute to perpetuating power structures which disadvantage women. For instance, Laurel Rose argues that in the context of patriarchal Swazi society, women devise creative strategies to negotiate rights

over land. These include strategies of control, avoidance, and deceit. In control strategies, women recruit allies or directly challenge patriarchal norms to assert control rights over land. In avoidance strategies they do not challenge, but avoid people or institutions unsympathetic to their claims and in deceit strategies they hide personal circumstances (such as marital status) that could compromise their access to land [Rose 1988: 178]. Adri van den Berg's research on women's negotiation of land rights and marriage in Northern Cameroon shows how women manage insecurity caused by their weak access to rights and resources, through strategies which may contest, avoid or collude with male power. Women's control strategies may thus perpetuate gender inequality [van den Berg 1997].

The gender balance of power, however, is not static but may shift in ways that are not necessarily teleological: according to historical circumstances they can shift one way or another. Anne Pitcher argues that in northern, Nampula Province, widespread hunger in the 1980s reinforced the power of women, as the key producers of food [Pitcher 1996:85]. In the 1990s, however, she detected signs that increased agricultural output and a shift to cotton production for cash was undermining women's influence as food producers, whilst bolstering male power through the sale of male controlled cash crops [Pitcher 1996; Arnfred 2001:172].

Patriarchy, masculine identity and the negotiation of gender roles

In the 1980s, a group of radical Marxist feminists combined analysis of capitalism with that of patriarchy [Mies 1986; Walby 1986; Mies et al. 1988]. Women's confinement to the domestic sphere of reproductive and subsistence labour, they argued, long pre-dates and is more widespread than capitalist relations of production. They rejected the idea that class is prior to gender and insisted that not just the blind workings of an abstract capitalism, but individual men, benefit from women's subordination [Mies 1986: 13-14; Millett 1970; Rubin 1975: 163; discussed by Kabeer 1994:51]. They explained this through the concept of patriarchy, defined as the systematic and structurally inscribed

domination by men, over women. This critique emphasised questions of sexuality and the role of power in constructing gender relationships, starting at a personal and household level.

These feminist scholars saw men's domination of women as predicated on male violence and a supposed masculine urge to dominate women. They argued that gender relationships of domination-oppression were sustained by the institutions of marriage and the family. They saw marriage as a labour contract where men exploit women's labour [Delphy 1986: 61-64], where male sexuality may be violently expressed and where gender roles oppressive to women are learned and legitimated [Millett 1970]. The radical view saw power as a crucial operative force in the organisation of gender relations. They further grappled with the relationships between capitalism and patriarchy, which some saw as competing [e.g. Walby 1986], others as colluding sites of women's oppression [e.g. Mies 1986].

Naila Kabeer argues that the radical-feminist viewpoint enables an 'embodied' understanding of gender relationships and opens up the area of 'body politics' to analysis. Nonetheless, this viewpoint and the 'capitalist-patriarchy' school, in particular, ends up casting all men as 'naturally violent' aggressors and all women as passive or powerless victims of over-arching, oppressive structures - thereby denying them any historical agency [Kabeer 1994: 53].

An analysis of women's capacity to negotiate in their own favour should include consideration of the physical and psychological dimensions of gender [Scott 1996]. These factors influence gender relationships at the household level and at a broader social level, suggesting that women's opportunities and choices are influenced, not only by male control over resources, but also by people's (women's and men's) resistance to change. Catherine Scott argues, for example, that Renamo's successful appeal to traditionalism can partly be explained by the fact that many people opposed Frelimo's challenge to 'traditional' patriarchal authority. That challenge included Frelimo's advocacy of a new

role for women. Scott contends that support for Renamo and its traditionalist stance "...should be linked to losses of masculine privilege" [Scott 1996:116].

Unlike the liberation war in which women participated, for example as soldiers and couriers, there was little active participation of women in the Frelimo-Renamo war. Many women were subjected to violent sexual and psychological abuse, overwhelmingly at the hands of Renamo [Gersony 1988; Geffray 1989; Minter 1989; Wilson 1992; Jacobson 1994; Langa 1995; Hanlon 1984; UNICEF 1990; Langa 1995: 35-38]. This issue and the trauma it entails should not be underestimated as a factor influencing the construction of gender identity and compromising the ways in which women see their own options. On the other hand, it should also be contextualised, in terms of women's very varied experiences during the war. It should also be remembered that masculinity itself is historically constructed³⁶ [Dolan 2001].

In addition to physical violence, during the war thousands of women were displaced from their homes and thus from socio-economic support networks. This was particularly disruptive for women, given their previous, relative lack of mobility and more precarious land rights than men. On the other hand, some scholars have argued that displacement and the disruption of existing social networks led many women to develop a creative new range of economic activities and social relationships, which gave them greater economic independence than before the war [Gengenbach 1998; Loforte 1996].

I suggest that such consequences cannot be assumed, but should be locally investigated. My case study in Ndixe investigates the post-war reconstruction of local livelihoods around the land and the (re)shaping of gender relationships.

³⁶ A recent but rapidly growing school of 'men's studies' advocates the importance of analysing masculinity and has begun researching the social consequences, when the socio-economic bases for existing concepts of masculinity are undermined in practice. Studies by Paul Willis (1980) in Britain and Catherine Campbell (1992) in South Africa, for example, suggest that widespread and long-term unemployment in traditionally male occupations is contributing to a 'crisis of masculinity'. Campbell links this crisis to violent crime and crime against women in South Africa. Based on research into male violence in Uganda, Chris Dolan argues that it is possible to analyse and contest the factors which promote a violent masculinity, in favour of cultivating a non-violent masculine culture.

Current policy debates on gender and development

The current debate around gender inequality in Mozambique is characterised by a renewed emphasis on 'agency' - people's own ability and responsibility to act and make choices about their lives. The tone of debate began to shift in the mid-1980s, with the demise of the socialist project and with the introduction of the new development discourse that has accompanied SAPs. A key premise of neo-liberal theory informing SAPs is that the State is ill-equipped to orchestrate development and therefore should limit itself to 'creating the right conditions' for development to happen, supposedly propelled by individual and private initiative [Bowen 1992:258; Hanlon 1996:25].

By the time Mozambique adopted its first SAP in 1987, the IMF and World Bank were already responding to early criticism that SAPs tended to increase social polarisation and the numbers of people suffering from 'absolute poverty'. Their response came through introducing 'Social Dimensions of Adjustment' programmes, designed to mitigate the negative social impact of economic restructuring. These programmes are based on the idea that poverty can be 'alleviated' by targeting particularly 'vulnerable groups' with special assistance [Sen 1999:686; Whitehead & Lockwood 1999]. In the late 1980s, "women" were identified as one such group needing special assistance in Mozambique.

Government statistics showed that the majority of women were engaged in agricultural production and were predominant amongst the poor, facing specific problems in terms of weaker rights than men to land and other resources. 'Female headed households' were said to be the poorest of all [Bagnol 1998:4; Comiche 1997; Calane 1998; ILO 2001]. Based on projections of the 1980s census figures, Government documents showed that a disproportionately high number of rural households were 'female headed' (some 40% of households in Maputo Province were classified as 'female headed') [INE 1980]. The apparent trend towards an increasing number of 'female headed households' and the poverty of such households, in Mozambique and elsewhere in Africa, has been associated

more broadly with the so-called 'feminisation of poverty' [Buvnic 1997; Calane 1998; Whitehead & Lockwood 1999: 536; Osorio 2000].

Given women's preponderant role in agriculture [GOM 1995(b):III, 2(e)]³⁷, the Government expressed particular concern with these trends. The WB also suggested that the implications for agriculture were worrying and that special attention should be paid to women to resolve the crisis of poor agricultural production in Southern Africa³⁸ [Gladwin 1991: 9; Lele 1991: 50-51; Whitehead & Lockwood 1999]. Certain academics, including advisors to the World Bank, argued that land reform was specifically needed to improve women's tenure security in Africa and that this would help increase small-holder production [Sachs 1996: 45-47; Cleaver (WB)1993:17,100; Cleaver & Donovan (WB)1995].

From the neo-liberal perspective, poverty and gender inequity would no longer be challenged by social revolution. Instead of being seen as the result of structural factors arising from differential relationships to the means of production, gender inequalities were now thrown back on an explanation derived from cultural practice and legal discrimination. As such they would be dealt with by legal reform and by 'targeting' so-called low-income women, with 'poverty alleviation' programmes. In this approach, the apparent failure of 'emancipation' to achieve gender equality is not blamed on structural or material constraints. Instead, it is blamed on an alleged insensitivity to 'cultural' or 'customary' norms and inattention to women's specific needs. The proposed alternative is a 'WID' approach.

The 'Women in Development [WID]' approach emerged in the early 1980s and informed policy recommendations through the United Nations 'Decade for Women', launched in 1985. According to Caroline Moser, 'WID' has become something of a catch-all phrase

³⁷ A long tradition of scholarship since Bosserup's work in 1970 has demonstrated the major role that women play in African agriculture [Boserup 1970; ISIS 1979; USAID 1981; Bandarage 1984:497].

³⁸ April Gordon argues that the current 'globalisation' phase of capitalist expansion is in some ways undermining patriarchal structures, through the search for more 'efficient' production and wider markets [Gordon 1996:9]. She argues that women's poor access to land and other productive resources may become

which may cover 'equity', 'anti-poverty' and 'empowerment' approaches to gender policy. In recent years and especially in connection with SAP programmes, it is predominantly concerned to improve women's "efficiency", both as producers and also as social service providers, in the face of reduced service provision by the State [Moser 1993:55-73]. Apparently the basic assumption is that gender inequality can be overcome through ensuring equal legal rights for women and through removing the political and technical obstacles to women's greater participation in material production and in the management of 'community services'.

In terms of agricultural policy this has translated into concern with the legal guarantee of women's land rights and access to credit [Gladwin ed. 1991; Sachs 1996]. From the liberal viewpoint, women's disadvantaged position regarding land rights relates to discrimination under customary tenure systems, whilst formal laws have failed to protect women adequately [Gladwin ed. 1991; Sachs 1996].

Mozambique's current land policy and law are principally influenced by this (neo)liberal view of women's land rights. According to this view, although women do much of the subsistence production in agriculture, customary tenure systems discriminate against women. Thus, promoting women's rights to land and to credit will improve tenure security and translate into women's greater efficiency with benefits for household nutritional status and poverty reduction [Quisumbing et al. 1998].

Critiques from the feminist left argue that, since WID was popularised, gender awareness and advocacy have grown. At the same time, more women have become poor and politically marginalised [Bandarage 1984: 499; Sen & Grown 1988: 16; Sparr 1994: 13-39; Kabeer 1994:9]. This is partly because of weak policy implementation, but largely because respecting the rights and welfare of the majority of women is incompatible with the neo-liberal macro-policy framework for WID policies [Sen & Grown 1988; Sparr 1994; Kabeer 1994; Mohanty 1997]. The WID focus on 'women', as an isolated group,

a constraint on the overall productivity of African economies, leading such institutions as the IMF and WB to promote greater gender equality [Gordon 1996:8-9].

and on women's participation and individual agency, has led to serious neglect of the structural and material constraints which inhibit women's equal access to and control over resources. As Mohanty argues, the WID approach is guilty of economic reductionism, defining the problem of women's needs through women's exclusion from development policies. The complex interactions between gender, class, culture, religion and other ideological institutions which have contributed to women's exclusion are thus reduced to a merely economic issue [Mohanty 1997:82].

Kabeer contends that the WID approach accepts the fundamental premises of the liberal world view. In other words, it accepts the market oriented model of development and only asks what obstacles have prevented women from entering the market, rather than questioning the values and inevitable inequalities inscribed in that model itself [Kabeer 1994:20]. Yet the process of liberalisation, with an emphasis on private property regimes and commercialisation, has often reduced women's access to resources [Sen & Grown 1988; Lastarria-Cornhiel 1997]. Sen & Grown argue that "the marginalisation of basic needs from the dominant production structures has downgraded women's role as the predominant fulfillers of those needs" [Sen & Grown 1988: 16]. They contend that:

"...a development process that shrinks and poisons the pie available to poor people and then leaves women scrambling for a larger share, is not in women's interests...Equality for women is impossible within the existing economic, political and cultural processes that reserve resources, power and control for small groups of people"

[Sen & Grown 988: 20].

In practice, WID policies have played an important role in restructuring responsibilities away from the State, as a provider of welfare and services, and back towards women³⁹, who must once again bear the major labour burden of reproduction and welfare [Elson

³⁹ Quisumbing et al., for example, argue that women's access to land, credit and extension are key to rural development in Africa because women tend to invest more in family food security, health and education than do men [Quisumbing et al. 1998:1].

1991: 24; Moser 1993: 70; Sparr 1994:17]. From this viewpoint, WID policies ask women to become more competitive entrepreneurs, on terms which generally disadvantage women in relation to men.

Given the supposed gender equity aims of Mozambique's current policy on land, in the light of this critique it becomes urgent to investigate the gender dimensions of land access, control and benefit.

The limits of 'modernisation'

I have suggested that socialist and neo-liberal agrarian policies in Mozambique have adhered to a modernisation paradigm of development. A number of feminist scholars argue that this paradigm both helped to create and depends on a dichotomous view of gender relations, across a private / public divide [Keller 1985: 43; Arnfred 1989 (c): 6; Manicom 1992: 449; Marshall 1994: 10-28; Scott 1996]. Scott argues that, whether from a liberal or Marxist perspective, modernisation discourse is constructed from a 'masculinist standpoint', replete with images of struggle against and eventual dominance of the natural and backward / traditional [Scott 1996:5; Arnfred 1989 (c): 1-7]. In this discourse, nature and tradition are feminised through association of the pre-capitalist and traditional with the domestic domain and hence with women [Marshall 1994: 10-17; Scott 1996: 5].

Liberal versions of modernisation are often cast in terms of an evolutionary struggle against the obstacles of traditional family, household and tribe, to attain the goal of a scientifically-based, modern society of rational "men" [Marshall 1994:10-17]. Scott argues that revolutionary liberation projects, such as that of the early Frelimo government, hold out more hope for aspirations of gender equity. Nonetheless, the association between the backward / traditional and the feminine on the one hand, as opposed to the modern and masculine on the other, permeates this discourse as well [Scott 1996: 5-12].

Fixed to this modernisation view and focused on efficient production, emancipation and WID approaches seem principally concerned with women in their function as 'rational economic actors', whilst ignoring other aspects of gender inequality. They thus fail to question the intra-household distribution of rights and resources and relationships of power [Whitehead 1990⁴⁰]. Furthermore, an exclusive policy focus on 'women' comes at the cost of neglecting "gender" as a relationship, including the constructive and co-operative aspects of gender relations.

A more recent approach to gender sensitive policy-making is captured by the term 'Gender and Development (GAD)', which attempts to shift the focus back from women, in isolation, to unequal gender relationships⁴¹. This approach aims to take into account women's 'practical gender needs' (i.e. resources women need to fulfil their existing gender roles) and women's 'strategic gender interests' (i.e. resources women need to gain more power in gender relationships) [Moser 1993].

Yet, critical analysts argue that the GAD emphasis on 'integrating' gender concerns into existing plans and policy makes an unquestioning compromise with existing development models [Jackson & Pearson 1998:21]. They criticise both WID and GAD for accepting an inherently male-biased development framework based on narrowly defined objectives of 'modernisation' and economic growth [Moore 1998; Elson 1991; Sparr 1994, Kabeer 1994; Scott 1995].

Alternatively, some critics advocate an 'agenda setting' approach. In other words, rather than fitting women into an existing development paradigm, the entire development agenda should be reworked, starting from an appreciation of women's (as well as men's) gender needs and interests [Mejia 2000].

⁴⁰ Anne Whitehead, for example, argues that the dualistic liberal view of a female traditional subsistence sector and a male sector of commercial agriculture rudely belies the complexity of gender relations in agricultural production and women's varying roles within it [Whitehead 1990: 55-56].

⁴¹ Barry Thorne (1993) argues that gender is a relationship with the self and between the self and others. One side of the gender coin can only be understood, or altered, when the other side is also involved. This perspective informs the GAD policy approach.

There is not sufficient space here to explore the debate about how precisely gender specific needs and interests are to be defined [see A.K. Sen 1981; Sen & Nussbaum 1993, Kabeer 1994, n.d.; Kandiyoti 1997; Jackson & Pearson 1998:7-8]. However, I would argue against Sen's view that women, because oppressed, are not able to articulate their interests in their own favour [Sen & Nussbaum 1993:5]. Instead, I would suggest that Kandiyoti's concept of 'patriarchal bargains' (see below) has more explanatory power.

In practice, the negotiation of changing gender relationships does not involve a linear or balanced set of 'either / or' factors [O'Laughlin 1998]. As O'Laughlin notes, what may be liberating for women socially may be debilitating economically. In Southern Africa, social autonomy often goes hand in hand with poverty for women [O'Laughlin 1998:41; Loforte 1996]. In this vein, O'Laughlin challenges the neo-liberal tendency to address gender inequality through 'targeting' the poorest groups of women with 'poverty alleviation' measures. Such policies side-step the structural causes of impoverishment. In fact, O'Laughlin argues, "both rural poverty and the high incidence of women-headed households [in Southern Africa] derive from exclusionary and polarising structures of accumulation" [O'Laughlin 1998: 3]. The challenge, then, is to identify and transform these structures.

Yet, some of the most critical feminist scholars have challenged the concepts generally used to identify these structures, in terms of either class or patriarchy. Christine Delphy and Diana Leotard argue that the supposed primacy of 'class' in social analysis is itself an effect of patriarchy, in that it specifically privileges (historically) male roles [Delphy & Leotard 1986]. The notion of class has dominated social analysis - to the extent that 'social class' is frequently seen as the only meaningful criteria of differentiation. This concept is defined by 'relationship to the means of (public) production' which, Delphy and Leotard argue, privileges the question of men's relationship with each other and excludes key areas of life which have historically been of specific importance to women. According to Delphy, the term class has both a narrow and a broad application. In its

narrow application it refers to direct holders of the class position. In its broad sense it applies to the whole social milieu around and including the holder of the class position - that is, including 'non-holders' [Delphy & Leotard 1986: 57-58]. Women's reproductive role is thus subsumed under the heading of 'family' or 'family head', whilst gender inequalities are naturalised as the apparently inevitable result of women's confinement to domestic roles. This, Delphy and Leotard argue, obscures the fact that to be the 'head of the family' or the 'bread-winner' is in itself a privilege, a symbolic reward by which menial or reproductive work is - at the same time - devalued, since being the bread-winner justifies the position of household-head. The privilege (power) of headship is further mobilised to justify the uneven distribution of consumption within households, including the 'consumption' of independence and freedom of choice⁴² [1986: 64-65, 72].

In their essay on 'Class Analysis, Gender Analysis and the Family', Delphy and Leotard suggest that "...there are (at least) two major patriarchal biases" within class analysis and that:

"...both involve instances of naturalistic presuppositions - first that the family is a natural, affection-based, sharing, egalitarian unit; and secondly that inheritance naturally follows blood/genetic links" [Delphy & Leotard 1986:71-72].

Their argument exposes the fact that, far from being 'natural' (as Engels supposed), inheritance and succession patterns (re)produce social patterns of recruitment to and exclusion from positions of property ownership and power. Their work suggests that lack of control rights over land, through lack of either succession or inheritance rights, is a key social mechanism in reproducing gender inequalities, creating powerful holders and dependent non-holders of class positions. Thus (in patriarchal and patrilineal societies)

⁴² Naila Kabeer argues that modernisation theory sees the 'traditional' household as male-dominated and autocratic, whilst the modern household is envisaged as democratic and egalitarian. However, the gender division of labour in an ideal modern household is based on an essentialist notion of 'natural advantage' in specific gender roles: men in public power, women in domestic, 'nurturing' roles [Kabeer 1994:17-18]. Within this framework, gender inequality may be challenged in the public sphere, but is dissolved into a naturalist essentialism, when it comes to domestic relations.

the rules of inheritance and marriage combine to produce the non-holder, dependent position of wife [Delphy & Leotard 1986: 71-72].

Turning to the issue of patriarchy, Deniz Kandiyoti argues that this concept has been over used and under-theorised:

"...the term patriarchy evokes an overly monolithic conception of male dominance, which is treated at a level of abstraction that obfuscates rather than reveals the intimate inner workings of culturally and historically distinct arrangements between the genders"

[Kandiyoti 1997: 86].

In practice, though, women are not passive objects of oppression, she argues, but negotiate roles even when these are characterised by domination / subordination. In other words, women calculate their options within the given framework of opportunities and, according to their assessment of options, they make 'bargains with patriarchy'. Given limited options, they concede some positions of power to maintain a measure of security.

Kandiyoti's argument resonates with post-structuralist perspectives, which contend that structuralist analyses fail to account for the investment that women, as well as men, have made in surviving and creating loci of power within existing systems, even if such systems discriminate in many ways against women [McNay 1992:66].

It further resonates with the 'bargaining theory' of gender relations, as elaborated (amongst others) by Asian economist Bina Agarwal [Agarwal 1994; Sen 1990; Kabeer 1994:108-113; Moore 1994; Kandiyoti 1998]. Agarwal, argues that:

"...gender relations are characterised by both co-operation and conflict ...their hierarchical character in any given context is maintained or changed through a process of (implicit or explicit) contestation or bargaining between actors with

differential access to economic, political, and social power”

[Agarwal 1994:52].

Agarwal contends that gender relationships are constantly negotiated and renegotiated, but from different positions of strength and at different social levels. These different bargaining positions relate to differential access to, and rights over resources reinforced by differences in the social and legal ‘legitimacy’ of claims made by women and men [Agarwal 1994; Sen 1990; Elson 1991:24; Kandiyoti 1998]. Thus:

“...it would be useful to conceptualise the household/family as a complex matrix of relationships in which there is ongoing (often implicit) negotiation ... [Within these negotiations], a person’s bargaining power would be defined by a range of factors, in particular the strength of the person’s fall-back position (the outside options which determine how well off he or she would be if co-operation ceased), and the degree to which his/her claim is seen as socially and legally legitimate⁴³. The person who has a stronger fall-back position (better outside options) and/or whose claim enjoys greater legitimacy, would emerge with a more favourable outcome, although both parties would be better off than if they did not co-operate”

[Agarwal 1994:54-55].

This analysis raises questions about power dynamics at household level. Economists in particular have often taken ‘the household’ as a clearly bounded and stable unit of production and consumption, operating under the domination of a single head, usually characterised as a patriarch. This conception of the household has guided economic theory and numerous policy interventions, which have tended to target a male ‘head of the household’. This model, however, and the assumption of either harmonious

⁴³ Agarwal defines ‘social legitimacy’ as “that which is accepted and enforced as legitimate by the community (identified by kinships, caste, religion, or location) of which the household is a part’. Legal legitimacy is defined as ‘that which is established in law’. However, ‘the two need not coincide” [Agarwal 1994:55].

communality, or even 'benevolent dictatorship', may be highly misleading, with the result that women's specific needs and interests are left out of policy interventions [Mackintosh 1989:28-29; Roberts 1991:60; Harris 1981:57].

Alternatively, gender analysis suggests that the household should be seen as a site of both conflict and co-operation, negotiations and compromise [Moore 1994:87; Agarwal 1994; Kandiyoti 1997, Sen 1990; Pitcher 1996, 2001]. Indeed, not only the household but all social institutions and structures, should be perceived as sites of negotiation in which gender norms and relations of power are inscribed [Manicom 1992:441; Jackson 1998:43].

Agarwal's theory seems to hold a narrow conception of economic rationality as the key factor in such negotiations, which is compromised by gender relations of power. Nonetheless, it succinctly shows how overlapping layers of disadvantage reinforce each other and add to the structural weight against change, yet allows that change is possible and happening. It links micro with macro experience in a way which can account for both agency and structure, without falling either into structural determinism on the one hand, nor a neo-liberal over-emphasis on agency, on the other.

In Agarwal's analysis, when women have a weak bargaining position at domestic level, this accumulates at community level and beyond. On the other hand, change at national level (such as equitable legislation) can have an impact at community and domestic level (e.g. through legitimising and making it possible for women to realise their claims). But this does not happen overnight or in isolation. For example, if legal rights do not achieve social legitimacy they won't improve women's situation within the community [Agarwal 1994:71-75].

Gender relations are embodied and this informs gender identities and the decisions people make. Yet gender also informs structural and institutional forms and relationships, from the household to the state and within markets. As such, unequal gender relations contribute to shaping inequalities in broader patterns of accumulation and dominance.

Informed by economic factors such as access to the means of production, gender inequality and the relative poverty of women and men is not, however, merely a material issue but also relates to questions of personal dignity, self esteem and life choices.

Policies, including those of land and rural development, which ostensibly aim at gender equity should thus be based on research which investigates the historical development of specific gender relationships.

My case study of Ndixé looks at the historical construction of gender relations and how these relate to issues of access to, control over and benefit from the land. I explore how social institutions are gendered, as well as how women and men themselves view their own interests in the land. I also consider the question of gender identities and the ways in which social, as well as economic resources contribute to securing livelihoods and negotiating gender roles. In the next chapter I present my research methodology.

CHAPTER THREE

DISCOVERING, OR DESIGNING REALITY?

The research for this thesis focuses on a case study of the gender dimensions of land tenure in Ndixe village of southern Mozambique. In this chapter I discuss the methodology used for my investigation. I present my theoretical approach to the research process. I discuss the advantages and limitations of the case study method and qualitative research techniques, which have principally oriented my research. I signal a number of 'research biases' that I have attempted to minimise. I describe how I operationalised my research questions and present working definitions of central concepts used to define and analyse the field data.

First encounters in Ndixe: setting the scene

From the dusty town of Marracuene, whose once attractive façade still bears the heavy scars of war on its many, burned out buildings, it takes some 10 minutes driving north on the national highway from Maputo city, to reach the turn-off to Ndixe village.

The road marks a dividing line, of sorts. To the left, lie the rolling green hills, cashew and other low trees, sparse settlements and maize fields, that characterise the more agriculturally marginal, hinterlands of Marracuene District, where Ndixe (named from 'dish'), is found. To the right, the fertile valley lands which slope down alongside the heavy, grey-blue waters of the Incomati River as they flow out to the sea at Macaneta on the Marracuene coast. In the distance, across the flat expanse of marshland, stretches the coast and finally the Indian Ocean, which mark the Eastern border of Marracuene. The national highway is also the most potent symbol of Ndixe people's contact with the wider, commercial world. Trade in Ndixe is always calculated according to the time it will take to reach the main road – for most people, by foot.

From the highway turn-off, the dirt track leading to Ndixe is fairly level for 1,5 km or so, until you reach the police training centre at Matalane – a great white building that suddenly arises out of the bush as one approaches. Ndixe people call it “The White House”. In war-time, many of them huddled around its walls for protection from “bandit attack”. These days, young women from Ndixe vie for the attention of its wage-earning policemen, whilst unemployed men from the village complain bitterly about the competition.

On my first visit to the village, the guards at Matalane Police Centre look surprised, as we turn past them towards Ndixe – few cars ever pass that way now: in general, a 4 x 4 vehicle is needed to get through the sand. As we reach our destination, at first, the track is lined by little, hand-tilled fields, giving way to low bushes and wild flowers like the bright, unexpected gladioli. As we drive by, women, bent over double, raise their heads from hoeing.

The ‘hub’ of Ndixe is a big cashew tree, which stands in a clearing and marks the spot where village meetings are usually held. Nearby are the very new, as yet incomplete, buildings of a school-room and a health post, the early signs of reconstruction after the former schools were destroyed in wartime. The main attraction, in this spot, is a well with a hand-pump and neatly cemented base, where several women and children have gathered to draw water. Beyond this, however, there is little evidence of a village centre and homesteads are widely dispersed. There was no sign of livestock, except a slim, solitary ox, tied to a stake in the ground.

The terrain is very sandy and, at this time, dry. In this part of the village, the abundant vegetation consists mainly of long grasses, low shrubs and fruit trees: cashew, mango, *canhu*, *mafureira*, *massala*⁴⁴. From where we stand, we can see a few huts, mostly built in the regular way of poles and thatch, and each with a small, cultivated patch of land beside it.

⁴⁴ *Canhu*, *mafureria* and *massala* are the names of indigenous fruit trees, with no English translation.

On the day of my first meeting with the community in Ndixe⁴⁵ I arrived together with three people who introduced me to the village. These included one person from the National Peasants' Union (UNAC), Marracuene branch, one from the Rural Mutual Aid Association (ORAM), Marracuene branch, and one from ActionAid, the British-based non-governmental organisation financing my research. The former two organisations had both been carrying out civic education on the land legislation and lobbying on behalf peasant farmers' land rights.

The gathering consisted of some 80 adults including women and men, local leaders, a handful of non-resident men born in Ndixe and a large number of other village residents. I introduced myself and explained that I wished to do interviews on the history, tradition, and current ways of managing the land in Ndixe. Then I mentioned the Land Bill being proposed to Parliament and that I was interested to learn what it could mean for peasant farmers. The representatives from UNAC and ORAM explained that they were helping peasant farmers to organise, in co-operatives or associations, and to secure their land rights through obtaining 'land use title deeds': written proof of occupation and use rights, issued by the Government. There was a loud reaction to this information, which came from some of the men, who sounded outraged:

“We never had land titles before and we don't want them now!”

“Don't come here again talking about 'associations' or 'co-operatives'! If you want to know about our tradition, you are welcome, you can come – but if you want to tell us about co-ops and land titles.... We'll dig a big hole in the road for your car to fall in!”

[community meeting (b) in Ndixe, November 1996].

Taken aback, I described again the objectives of the research, with a focus on learning about local tradition in Ndixe. The ORAM and UNAC representatives, meanwhile, stressed their aim was merely to bring information. My fieldwork request was eventually accepted.

⁴⁵ After I initially met with local leaders, they agreed to call a general community meeting.

The hostile response from some villagers immediately suggested two things to me: that land is a highly emotive issue in Ndixe and secondly, a certain group of people had particular reasons to promote “our tradition” and to oppose the idea of any intervention from outside.

Later on, however, the incident had interesting consequences, which helped provide an insight in to local power relations. Some days after, during my first interview with two elder women of the village, I learned that not everyone agreed with the words fired at me during that meeting. The most vocal people, apparently, had been a small number of men, born in Ndixe but who reside in Maputo, where they work or have some small business. The two elder women complained that certain men tend to monopolise meetings in the village, and usually send the women home when there is a meeting about land. Yet, in their view, they argued: “If there is something new to learn, why shouldn’t we hear about it?” [conversation with two elder women in Ndixe, November 1996].

Some weeks later, the all-male village leaders held a council to talk about my visits and what was being said about the land law and land titles. I was not allowed to attend; nor were any women of the village. This meeting was called for by Ndixe-born men now living and employed in Maputo, yet they had wives and considerable influence in Ndixe. In my later research, I found that these were the only people in Ndixe who, in late 1996, had the knowledge and means to consider applying for land titles. They had not done so, apparently secure in the knowledge that their economic status and influence in the village was enough to guarantee their access to extensive land. Now they wanted to know if an intervention would threaten their interests.

These incidents highlighted two crucial points. Firstly, the struggle for land and resources to work it looks very different, from different gender and socio-economic standpoints. Secondly, the current struggle for control over land is part of an on-going contest between different interest groups, in which the very interpretation of customary norms and practices plays a part in defining the terms of legitimate right to control resources.

Some people in Ndixe, those with a significant stake in the existing distribution of land within the area, appeared more interested than others in protecting 'tradition' and resisting innovation around land rights. These points provided a focus for my case study research, into the gender dynamics of land tenure, in Ndixe.

Theoretical approaches to research

The days have long gone since Durkheim (1858-1917) put forward the idea of sociology as a purely 'objective' and potentially value-free, scientific study of 'social facts'. Post structuralist analysis and post-modernist doubt have debunked the old certainty that a signifier represents 'the truth', if only we can interpret it correctly. Current social theory generally takes the view that investigation is oriented by the researcher's view of society, of social process and of what constitutes the object of research. Social theorists such as Mouzelis (1995) and Laclau & Mouffe [Laclau & Mouffe 1985; Hudson 1994] argue that social change is a relational process, produced by both individual and collective agents or actors, given the specific material conditions and also social, political, institutional and historically structured constraints and opportunities which they encounter. By extension, research itself is a process, which involves both the researcher and the researched in the production of meanings. However, it is not an arbitrary process. These assertions require some explanation.

Over a century ago, Emile Durkheim advanced the theory that sociology should entail the objective study of a society whose broader meaning was thought to exist beyond the consciousness of its individual members. The endeavour of sociological enquiry would consist of discovering the 'social facts' according to which society is organised and to discover their meaning and purpose. For Durkheim, there were hidden truths about society, explaining why people behave as they do, which the sociologist could uncover [Durkheim 1993 (1895)].

In Marx's analysis of social organisation and change, the hidden truth behind social behaviour was none other than the material base of society and existing relations of production. Social change is not brought about by individual volition, but through conflict and struggle between different social 'classes', defined by their relationship to the means of production [James 1985:151].

There is an unresolved tension in Marx's work, between the explanatory power of structure and material production, against individual potential for action. On the one hand, he argued that society and historical process are nothing more than the individuals who create them. On the other hand, he argued that the economic forces of production are determining and that history, itself, has a determined logic [Giddens 1979:52-53]. This heralds an on-going debate about the relationship between 'structure' and 'agency' which has preoccupied much of recent social theory.

The abstract functionalism of Durkheim's theory, as well as the material determinism discernible in Marx's writing, are to some extent contested by Weber's plea for individual meaning⁴⁶. In Weber's view, conditions or processes are only meaningful when they relate to the behaviour of individuals. Such behaviour may be subjectively meaningful or, in the case of social behaviour, describes the way in which individuals relate to others [Weber 1993]. In Weber's view, belief systems could be powerful factors in motivating social or economic change (as described in his influential work, 'The Protestant Ethic and the spirit of Capitalism', published in 1904).

With the advent of deconstructionism in linguistics and of post-structuralist theory, however, a critical challenge was thrown up to the idea that certain truths, or 'meta-narratives' exist, which explain the 'reasons' for social process. A leading figure of post-structuralism, Michel Foucault, argued that discourse is constructed through parallel processes of social identification, institutional definition or 'discipline' and of 'self formation', in which people actively seek to understand themselves. In Foucault's view, what organises society and motivates social change are power struggles, involving both

⁴⁶ Weber: 1864-1920

individuals and the social groups and institutions they form. Social analysis, then, should be based on " --- the genealogy of relations of force, strategic developments and tactics" [Foucault cited in Rabinow 1984:7-11]. Extending Saussure's theory of language as a signifiatory, rather than a representational phenomenon, French theorist Jacques Derrida concluded that both the author and the receiver of texts (speech or writing) invest them with meaning. Language, then, does not tell us about 'reality, out there'; instead, its narratives, signs and symbols give the world meanings, which bear no autonomous truth outside the text.

By rejecting the notion of some ultimate 'truth' about the forces of social change, post-structuralism launched a challenge to the conventional notions of social theory itself. As Comaroff and Comaroff argue, it posed the notion that "...ethnography and history alike are merely exercises in the making of texts, no less arbitrary than any other texts and with no more purchase on the truth" [Comaroff & Comaroff 1995:13].

Doubt about the nature of 'reality' was taken one step further by the post-modernist school, identified, amongst others, with Jean-Francois Lyotard. He argued that the two key myths of the modern world are no longer believed: namely, the myths of 'liberation' (belief in a coming, just order) and the myth that ultimate, universal truths exist [Doherty 1993].

Drawing on such analyses, social scientists have argued forcefully that researchers do not 'discover' truth, but help to create it, participating in construction of the 'realities' which they purport to observe [Moore & Vaughan 1994; Comaroff & Comaroff 1995; Said 1978]. In his influential work, 'Orientalism', Edward Said argued that colonial discourse actively invents its subjects, defining the colonised 'other' in direct opposition to the colonial 'self'. The texts of Western academic discourse on the Orient, he argued, were not mere representations, for they "can create not only knowledge but also the very reality they appear to describe" [Said 1978, cited in Vaughan 1994:2]. He has since been criticised for viewing this colonial construction of reality as a mainly one-way process.

His critics argue that the colonised / researched play an active role in creating discourse about themselves [Vaughan 1994:3-7; Berry 1993].

The perception that there is no ultimate 'truth' has led the more radical of post-modernists to question the purpose of any social enquiry at all. If there is no 'real meaning' out there, what is the point of investigation? The post-modernist challenge is summed up by Baudrillard in his discussion of the 'image' and how its meaning has been successively reinterpreted:

"This would be the successive phases of the image:

- it is the reflection of a basic reality
 - it masks and perverts a basic reality
 - it masks the absence of a basic reality
 - it bears no relation to any reality whatever: it is its own pure simulacrum"
- [Baudrillard 1991:75].

The pessimistic view that social science is useless, however, has been equally severely criticised. Some critics argue that, whilst denying the possibility of an explanatory meta-narrative, post-modernist theory makes implicit, essentialist assumptions about the primacy of (an albeit fragmented) subjective consciousness. It further suggests nostalgia for a securely ordered past. Sabina Lovibond neatly encapsulates the problem with post-modernist theories. What are we to make, she asks, of suggestions that the Enlightenment ideals of reason and progress towards self-realisation are now dead?

"It would be only natural for anyone placed at the sharp end of one or more of the existing power structures (gender, race, capitalist class...) to feel a pang of disappointment at this news. But wouldn't it also be in order to feel suspicion? How can anyone ask me to say goodbye to 'emancipatory narratives' when my own emancipation is still such a patchy, hit-and-miss affair?"

[Lovibond cited in Doherty 1993:393].

Sharing Lovibond's 'suspicion', a number of social theorists have rejected the post modernist notion that there is no 'true' meaning outside of individual consciousness, noting that the material and historically structured contexts of life have not disappeared. Rather than deny that socially meaningful structures exist, they have turned to exploring the tensions between subject and object, structure and agency, and the interactive process through which they constitute 'reality'. They admit that we do make choices, but we are not 'free' to do so: our choices and the way we live our lives are constrained as well as enabled by our particular circumstances. Giddens attempts to explain this through the notion of 'duality' - that individual agency and social structure actively contribute to creating each other [Giddens 1979].

Mouzelis, however, argues that Giddens ignores the significance of social hierarchy in determining that interaction. In Mouzelis' view, the concept of duality should go alongside one of 'dualism', to explain that different agents stand in differential relationship to institutions and structures. An individual's capacity to influence structural change depends on their relationship (their position in the hierarchy) with the institution or social edifice in question [Mouzelis 1995:123].

It is this view which informs my own belief that social research is meaningful, in that it may help to explain processes of social change and thus point out opportunities to influence the direction of that change. Post-structuralist and post-modernist accounts have demonstrated that the narratives we live by are not given, but constructed. Yet, live by them we do. We construct our 'truths', not in a void, but in the context of material conditions and the social, political, economic and cultural institutions of our time and place.

From this perspective, research itself is a process, but not an arbitrary one. It may be useless to seek 'the truth', but highly fruitful, to seek an understanding of how social institutions operate and how people, individually and collectively, in specific place and time, interact with those institutions.

Relative advantages of quantitative and qualitative research methods

If we admit the possibility that research can provide an 'explanatory understanding' which points to the opportunities and constraints for future change, this raises methodological questions about how best to achieve that understanding and ethical ones about its purpose.

The ideal of sociology as an objective social science has often been coupled with the concept of large-scale surveys whose data can be subjected to statistical analysis as the privileged instrument of achieving objective results. Even for those who aspire to an unquestioned 'objectivity', however, statistics have no intrinsic validity in themselves, but are only representations of prior questions, more or less well conceived, transmitted, understood and replied to. As Robert Chambers has argued, questionnaire surveys often produce inaccurate data and tend to reproduce the foregone conclusions of survey designers [Chambers 1983, 1997; Pincus 1996]⁴⁷. Furthermore, surveys generally fail to facilitate any meaningful participation in the study, by people in the group or community where research is conducted [Chambers 1983]

According to Reinhartz, once we recognise that our lives, and those of others, are the product of both personal and structural factors, then multiple research methods are needed [1992:204]: "Multiple methods work to enhance understanding both by adding layers of information and by using one type of information to validate and refine another" [Reinhartz 1992:201].

In my research I prioritised qualitative research methods. Though quantitative research can be very useful for general and comparative data gathering, the techniques used and methods for analysing quantifiable data may fall prey to many of the problems which

⁴⁷ Pincus, for example, commenting on the questionnaire surveys he organized in three villages of West Java, noted that "...certain questions asked during the interviews were eliciting formulaic responses (and) cross-checks of answers involving inter-household relationships showed that many responses were inconsistent ...the presence of the questionnaire itself was a major obstacle to frank and informal discussion" [Pincus 1996:26-27]

beleaguer questionnaire surveys. The limited categories required to classify data can lead to misrepresentation and may leave out many important factors in explaining social phenomena. Qualitative data yields information that may be far more sensitive to issues which involve ideas, attitudes, perceptions and political interests, such as those around gender, custom, conflict resolution and so on, with which this thesis is concerned [Chambers 1997].

Large-scale surveys have the advantage of providing 'representative' data, in terms of reaching a large percentage of the relevant population. A number of scholars argue, however, that micro-studies may reveal the complex interactions between the personal and the social, between individuals, households, communities and the state, which together make up the processes of social change [Reinhartz 1992]. Case studies, such as my study of Nidxe, may contribute to such an understanding.

Some scholars continue to be critical of case studies and note that it is not possible to generalise from a single case. Further criticism has been levelled at studies that focus on one particular village. Pincus, for example, has noted that village boundaries may be unclear, blurred or impossible to identify, whilst "...the thread of inquiry continually draws the researcher away from the village" [Pincus 1996:31]. Village level analysis, furthermore: "...will tend to stress the role of internal factors, often resulting in a partial or distorted account of economic [RW: or social] relationships and patterns of change" [ibid].

Yet case studies can reveal the complexity of social dynamics in ways that other methods cannot [Vijfhuizen 1998:13]. In her discussion of 'feminist methodology', Reinhartz argues that case studies can be invaluable to analyse the 'relationship between the parts of a phenomenon', to explain social change over time, explore uncharted issues and reveal many specific details over-looked by other methods [Reinhartz 1992:167,178]:

"...a carefully chosen case can illustrate that a generalisation is invalid. For this reason studies of the exceptional case have great heuristic value. Although they

cannot establish a generalization, they can invalidate one and suggest new research directions”

[Reinhartz 1992: 167].

The uses of knowledge

Scholarly debate around the ethics of research has often focused on the question of whether or not research is used to extract information for use by more powerful actors, or whether, and how, it may be used for empowering the people with whom research is conducted. Classical anthropology has frequently been criticised for tending to reproduce the former process, providing tools for control and manipulation of the less powerful by the more powerful. Researchers who advocate Participatory Rural Appraisal (PRA)⁴⁸ have generally aspired to achieve the latter, at least in theory. To this end, some have argued that the ‘target community’ should select their own research agenda, through prioritising their own problems and interests [Nelson & Wright 1995:1].

My own position is that local change happens in a macro context, whilst the relevance of macro policy may often be most clearly seen in the micro context. At village level, people may lack information about policy or be unable to influence policy changes at the macro level. Empowering people to contribute to those processes does not necessarily mean leaving the research agenda open, but can also happen through sharing information and publicising local views.

The objective of this study is to contribute to policy development in a way which seeks to promote the interests of rural women. Through the research process, however, I was concerned to not merely ‘extract’ knowledge from people in the researched group, but to share knowledge and reflect on findings together. Through group meetings, individual conversations and two seminars, findings from the field research in Ndixe village were

⁴⁸ PRA techniques have been elaborated by theoreticians particularly concerned to involve ‘the researched’ in analysing and solving their own development problems. See Chambers 1983, 1997; Archer & Cottingham 1997

fed back to and discussed by people in Ndixé. Furthermore, I used these occasions to introduce new information about the land law debates and eventually the new land law, and to facilitate contacts between local residents and government officials in relation to the land issue.

This resulted in a local initiative, backed by ActionAid, to apply for a community land title under the new law. My involvement in this process and my later involvement in the “Land Campaign”, a civil society initiative to disseminate the new Land Law, contributed usefully to my knowledge of the bureaucratic, legal and political questions surrounding implementation of the law.

Research design and problems of bias

As suggested above, research findings are not 'neutral facts' to be gathered for 'objective analysis'. The interpretation of things and events is constructed in the interaction between researcher and researched [Vijfhuizen 1998:13]. Interviewees respond to who they think the researcher is, what s/he wants to know and why. The 'persona' of the researcher - the way they present themselves to, and are seen by interviewees - is an important factor in shaping responses [Covane 1996: 29-33; Measor 1985; Chambers 1997]. Measor argues that the quality of information gathered in research depends substantially on the researcher's relationship with interviewees [1985:56]. These relationships may be problematic. To give one example, respondents may deliberately provide inaccurate answers [Pincus 1996:26], especially where benefits or risks may be involved in presenting accurate information [Chambers 1997].

Such relationships are shaped by many factors, including language, appearance, clothing, behaviour, body language [Epsling 1999:95], confidence and trust, as well as the specific circumstances of the interviews. Luis Covane, for example notes how conducting interviews in the context of war-time insecurity in Mozambique conditioned both his access to interviewees and their perceptions of him [Covane 1996:29-30]. In my own

case, my relationship with interviewees was probably shaped by being a white, foreign woman in a formerly colonial country with a strongly patriarchal history in the South. I was able to speak Portuguese, but unable to speak the local Ronga language. The fact that I was introduced by a British-based, non-governmental organisation, providing funds for development in the area, may have meant that people also saw me as a 'donor', i.e. someone who might bring new resources.

Chambers warns of such biases. He identifies 'professional' bias, whereby outsiders with an academic training are likely to impose their own version of reality on research findings. He also identifies 'diplomatic' bias whereby researchers are misled by the diplomacy, deference or politeness of interviewees [Chambers 1983:22]. Chambers has argued persuasively that "uppers", people in positions of social and political power, are in many ways disadvantaged when it comes to learning from "lowers", in subordinate or weaker positions of power. This relates to their own capacity to impose a particular version of 'reality', as well as to the deference, avoidance, diplomacy and deceit with which they are treated by people in weaker positions [Chambers 1997].

As argued above, it is not possible to avoid all 'subjective' influences in research. Further, it is unlikely that power relations and the separate agendas of researcher and researched will be erased from the process. Nonetheless, it is important to be aware of the interpersonal dynamics involved in research and to be critical of sources, attempting to place them socially and politically. As far as possible, I sought to check information from one source against that of another and information obtained in one situation (as in an individual interview) with that obtained through another (as in a group interview or from observation). A wide variety of research techniques were used, including life histories, focus group discussions and a number of techniques adapted from PRA, including participatory mapping, seasonal calendars and transects.

Participatory mapping involves local people in drawing a map of their own village, using locally available and familiar materials, such as sand, sticks and grain. The map is drawn

in the sand and is a revealing way to encourage non-literate people to describe their history and environment. Discussions around the map drawing can also reveal much data.

Seasonal calendars are a graphic form which can describe different labour and input needs at different times of the year, cropping patterns, nutritional balance and so on.

Transects describe a 'transversal section' of the village. This involves the researcher in charting a route through different agro-ecological, or other, zones in the village, discussing differences, resources, or history of places along the way with the local residents who accompany her or him [Archer & Cottingham 1997].

In this process of research, the data gathered is sure to be varied, including contradictions, inconsistencies and different opinions. Yet, difference may reveal as much as consistency. It is often the slippage between what is said and what is done, between dominant discourse and what people say about their own experience, which may best reveal resistance to existing power relations and illuminate processes of social change [Walker 1994:349].

Covane in Mozambique [1996] and Belinda Bozzoli in South Africa [1991] have noted the importance of language sharing between interviewer and interviewee, for building confidence. As indicated above, I was obliged to use an interpreter for most interviews, especially those with women. However, I sought to minimise the distance by working consistently with two people, João Mazive and Maria-Alice Nhantumbo. They were chosen for their knowledge of Ronga and of Marracuene, where they were both born and now lived. Nonetheless, they were chosen from outside Ndixe, to avoid the influence of existing inter-personal relationships. All interviews with non-Portuguese speaking women carried out in 1997 were conducted through Maria-Alice. Besides being a local woman, Maria-Alice was a mother and sufficiently old enough to command respect from adult women in the village. João had been a migrant worker who retired to farming, suggesting that both his age and experience would afford him respect in Ndixe. This factor was considered more important than the inhibitions that 'respect' could create. In

1999, further interviews were carried out with 46 women in Ndixe, under my direction. These interviews were conducted in Ronga by three women students from the Eduardo Mondlane University and translated into Portuguese for me.

Translation has the potential to distort messages. During my fieldwork I got to know some Ronga, which helped me gauge the accuracy of translation. Transcripts were also checked by my husband, a Mozambican whose family speaks Ronga. Nevertheless, it is probable that some slippage occurred.

All my interviews with Ndixe people took place in the village itself and were limited to people with a home (a residence and family members) in Ndixe, although they were not necessarily full time residents (see discussion of 'households' below).

The field data was gathered in three phases:

- 1) November 1996 - May 1997: over seven months, I carried out interviews with key informants, gathered information through focus group discussions and observation and conducted 50 individual life history interviews (with 25 women and 25 men). I also organised two feed-back seminars within the village;
- 2) 1997-98: I accompanied the process through which Ndixe people applied for a community land title. I also participated in the national 'Land Campaign', a civic education campaign to publicise the 1997 Land Law, and in debates around land reform involving (amongst other entities) the National Land Commission;
- 3) 1999: I conducted follow up field research to gather further data on livelihood strategies and on conflict resolution in Marracuene District. During this period, I gathered 46 life history interviews with women in Ndixe, with the help of the three women students mentioned above.

In the first phase of the field research, life history interviews were conducted with people from 50 households (see definition of 'household' below). This sample is large enough to represent Ndixe households more broadly (between 15% and 21% of households according to estimates of total households ranging from 234 [INE 1997] to 338 [Village

Secretary 1997]). The sample of 46 women from different households, interviewed in the third phase, is also likely to be more broadly representative of women in Ndixe.

Interviewees were selected to broadly represent different socio-economic status groups within the community. Interviews were selected by visiting all five areas of the village at different times of day and in different seasons. Analysis of the composition and socio-economic status of these households was triangulated with data gathered through PRA techniques, group interviews, interviews with key informants and with secondary source material. This analysis is presented in Chapters Four and Seven. My findings from the interviews are discussed in the remaining chapters of this thesis. It should be noted that whilst I have provided actual names of all interviewees in Ndixe in the list of sources, where a source is quoted in the text I have used pseudonyms, to protect the privacy of the person quoted.

Besides individual interviews, I conducted group interviews and focus group discussions in Ndixe. Group discussions can yield rich information, but are coloured by group dynamics and power relations. In a Mozambican rural setting, mixed sex focus groups, for example, tend to be dominated by elder men and single sex groups by elders. This suggests that sensitivity to these dynamics, flexible research methods and triangulation are essential to ensure an adequate interpretation of findings. During the research in Ndixe, one attempt to conduct a focus group discussion with only young women produced mainly shyness, inhibition and silence. Later, individual interviews with the same women produced a wealth of information.

As public encounters, focus group discussions can usefully indicate social norms and the dominant discourse in relation to a phenomenon, such as gender roles, or 'customary' rights to land. But norms are established through a particular set of power relations: one also needs to ask 'Whose norms are they? What are the power relationships involved in producing the dominant discourse?' To understand those relations and how they change over time, it is helpful to compare the public discourse about 'norms' with actual practice. This may help to reveal how such norms are constructed, adapted, manipulated

and subverted. It is not only 'custom' or 'tradition', however, that as Spiegel and McAllister suggest are "under continual revision" [Spiegel & McAllister 1991, cited in UNDP 1998]. Our daily interpretation of norms, situations and events may change from one moment to the next. This fluidity must be seen as a given of social research.

Through-out the field work, I sought to establish a relaxed atmosphere. Interviews were always carried out in a familiar setting for the interviewee, general questions were asked before personal ones, group interviews held before individual ones. I shared food, jokes and dancing with interviewees in Ndixe. To show 'respect' for local mores, I always dressed in long clothes, learned to say greetings in Ronga and always sat on the floor, with other women, instead of on chairs, with the men.

The problems of research design and process are linked to conceptual and definitional ones. I noted above the need to draw conceptual boundaries around the definition of 'community'. Similar issues arise in relation to the definition of households, household wealth and well-being, land tenure rights and tenure security.

Households

Household formation in Southern Mozambique must be seen partly in the context of the region's migrant labour history. According to anthropologist Andrew Spiegel, a major result of the migrant labour system has been to separate husbands and wives, parents and children, for long periods of their lives, as working people were forced to move between urban and rural homes. In this context, Murray conceives of the household in terms of shared income and expenditure, rather than an indicator of co-residence or commensality [Murray 1981; Spiegel 1995:90-91]. A corollary to this model, however, has been the perception that household boundaries remain relatively fixed, retaining the image of a stable home – women and children – waiting for the absent migrant. This belies the experience revealed in recent research from labour migrant areas within South Africa, which has demonstrated an extreme fluidity of domestic groups and household

membership [Spiegel 1995:92]. It would, then, seem wise to agree with feminist anthropologist Henrietta Moore that household form and relationships should never be assumed, but should be investigated [Moore 1988].

The physical absence of men from many residential households in the rural south of Mozambique (and other migrant labour reserves) has resulted in considerable attention being paid to the phenomenon of 'female headed households'. A further result of the migrant labour system has been said to be the poverty of female headed households forced to survive without wage remittances and suffering from labour shortage. This description has been qualified, however, by a number of observations. Firstly, Murray notes that 'female headedness' may be a stage in the 'development cycle' of the family in the early years of marriage, whilst the male worker is away, but which will be 'male headed' on his return [Murray 1981].

Furthermore, the simplistic distinction between 'male' and 'female' headed households in much economic literature, census data and other Government statistics, has been seriously challenged by the academic literature on households. There is often an enormous difference, for example, between the income and consumption patterns of female-headed households where men are not normally resident, but participate in household production, consumption and decision-making (female-headed households *de facto*) and female headed households *de jure*, where adult men do not participate at all [O'Laughlin 1998].

Even this distinction is problematic, however. Firstly, the dividing line between a *de jure* and *de facto* female-headed household may have to be an arbitrary one, imposed by the researcher: for example, how would one classify a household where a migrant husband visits his second wife irregularly, a few times per year? Further, the concept of a female-headed household *de jure* does not account for the role of non-household members in household decision-making, such as the role of brothers or broader social networks [O'Laughlin 1998:6].

The distinction between 'male' and 'female' headed households itself poses serious problems. This terminology implies that wherever men are members of a household, they alone are the key decision-makers. Peters has characterised the notion of the male headed household as 'the empty box' for, although it tells us that a man is present, it tells us nothing about the presence or not of women, or their role in decision-making [Peters 1995]. For this study, to avoid the 'empty box' syndrome and yet be able to compare households of different adult composition, I categorise interviewees' households in various ways. This includes categorisation by sex of normally resident members, by physical location / distribution of the household members and by household wealth (see 'measuring wealth', below).

Life history interviews made it possible to compare the livelihood strategies of different types of household (see Chapter 7). Norman Long argues that 'livelihood' expresses the idea of individuals and groups 'striving to make a living', but it implies much more than merely economic strategies to acquire food, shelter, money [Long 1997:11]. Citing Wallman [1984] he argues that less materially tangible factors, including networks of relationships, the management of skills, meeting obligations and the tasks of achieving security, identity and status, are equally part of 'livelihoods' [Long 1997:11]. In this context, an investigation of 'livelihood strategies', rather than 'sources of income', not only affords a broader vision of gender roles and the relationship with land, but helps to avoid the 'male bias' (see below) so often entailed in classifying household wealth and members' contributions according to cash income. Typically, this ignores women's unremunerated labour.

To the difficulties of defining 'community' and 'household', must be added the complex problem of attempting to measure wealth, well-being or security, at household or community level.

Wealth, well-being and security

The currently mainstream, neo-liberal theory of agrarian change informing policy in Mozambique tends to look at rural households as homogenous and independent units, free to make individual choices about their future [Pincus 1996:19; Cramer & Pontara 1998]. In strong contrast, Marxist scholarship sees rural households within the peasantry as severely constrained in their choices through their structural relationship to labour and capital. In either case, an understanding of rural change in the south requires an understanding of social differentiation. Gender is one aspect, another is class. One indicator commonly used to detect socio-economic differences between class and gender groups is that of wealth.

Social theorists such as Giddens and Laclau, however, have expressed concern about the rigidity of class categories in classical Marxist theory and the apparently pre-determined and static relationship of individuals to structure that it supposes [Giddens 1979; Hudson 1994:276] (see Chapter One). They argue in favour of more flexible theories of the relationship between agency and structure, in which differential wealth status is not necessarily indicative of exclusive economic or ideological identity with a specific class. This resonates with feminist concerns to demystify the relationship between gender and specific economic roles (see Chapter Two). From this perspective, the definition of different wealth groups is not seen as an exercise in identifying static categories of people with essential characteristics. Instead, it aims to facilitate the analysis of processes through which different households achieve or succumb to different levels of wealth or poverty.

Measuring wealth has often proved extremely difficult. Whilst economists have generally focussed on cash income, this leaves out all the other assets which contribute to household livelihoods, such as production of food crops for home consumption, gathering

of fuel wood and wild fruits, reciprocal exchange, investment in social networks [see Chambers 1997; Berry 1995]. Furthermore, it particularly tends to leave out typically female contributions to household well-being, which in Mozambique as in much of Southern Africa are often concentrated in the activities noted above, as well as reproductive labour and informal marketing [Delphy & Leotard 1986; Sender & Smith 1990:29]. It also leaves out the social aspects of household livelihoods, such as maintaining supportive social networks and political followers [Berry 1995].

Household 'income' has proved very difficult to measure. Attempts at this have often involved crude estimates of output and sales, poor recollection of prices, guesstimates of production and labour costs [Sender & Smith 1990:29]. As Pincus points out [1996:27], researchers must rely on the memory and frankness of respondents to report the money involved in transactions that are not written down, occur irregularly, vary with season and so on. Furthermore, it is extremely difficult to separate out the cost of inputs from profits.

To overcome these problems, some recent research has used a 'possessions' score, measuring household wealth on the basis of ownership of consumer durables. A list of items is chosen through prior observation and each item is given a score. The wealth status of each household is calculated according to its 'possessions score'. This method would seem to offer a number of advantages. According to Pincus "...the information needed to compile the 'possessions score' does not require the respondent to estimate earnings", definitional problems of what constitutes income are avoided and through observation "...the information is easily verified by the researcher" [Pincus 1996:29]. Sender and Smith add that "[T]he questions posed (may be) extremely simple, and the answers...unlikely to be distorted by lapses in interviewee's memory, or by the systematic ability of respondents to mislead, exaggerate, or underestimate" [1990:27-28]⁴⁹. I have therefore used this method in my case study.

⁴⁹ Sender & Smith note that this instrument can be made sensitive to intra-household difference in wealth and resource distribution, for example by checking for ownership of divisible goods (shoes, clothing and so on) by gender.

Arising from, but moving beyond debate about how to measure material wealth, academics and international institutions (such as the United Nations) have recently focused increasing attention on the question of 'quality of life' [Nussbaum & Sen 1993]. This centres on the recognition that well-being is not just to do with material resources - although access to these are often the necessary condition for achieving other goals. Leading proponents of this debate, Amartya Sen and Martha Nussbaum, argue that the evaluation of well-being should include qualitative aspects of life such as health, education, self-respect, human dignity and whether labour is 'rewarding or grindingly monotonous' [Sen 1993: 1-3]. Sen proposes a 'capability approach', which assesses people's ability to do or achieve different things ('functionings'), which may include elementary factors such as nourishment and health, as well as complex personal goals such as self respect and social integration [Sen 1993: 31]. Whilst the validity of 'quality of life' indicators is widely accepted, how to assess them remains a controversial issue, especially when such factors as cultural relativism and gender difference (as different social groups may give different value to different 'functionings') are taken into account.

It is beyond the scope of this thesis to delve deeply into the debate on methodology for assessing 'quality of life'. However, during the field research I tried to allow for the local perspectives of Ndixe women and men on what Sen calls 'valuable functionings', in other words, aspects of life to which people attribute value [Sen 1993: 32]. The possessions score method was supplemented by observation and the use of techniques from PRA. Separate focus group interviews with women and men were used to identify the characteristics of what local residents deemed to be 'rich', 'middle' and 'poor' households in the relative terms of Ndixe. As can be seen from the results (Chapter Four), these characteristics included social and personal attributes such as nutrition and loneliness.

The same (PRA) method was used to determine items for the 'possessions list' (see Chapter Four). Thus the list included possessions associated with poor, middle and rich households, with a higher score allocated to those associated with the 'rich'. As suggested above, the purpose of this categorisation is not to distinguish some kind of essential

differences between groups of people but, rather, to facilitate the analysis of processes of change.

Defining land tenure, rights and security

Current land policy revolves around the presumed need to ensure land tenure security for rural producers. So how is this to be judged? In this study, I have avoided the attempt of some land tenure scholars to make quantitative measurements of the relationship between land tenure security and agricultural production. Such research, although problematic in its attempt to quantify social variables, nonetheless strongly suggests that there is no linear relationship between the two [Bassett 1993; Bruce & Migot-Adollah 1993]. My approach has been to look at security of tenure, through the window of conflict around land and the question of conflict resolution. I explore gender difference in norms, practices and access to the various mechanisms used for conflict resolution over or involving rights around land; at intra-household or domestic level, inter-household level and between the local community and the state (see Chapter Eight). Yet land tenure and land tenure security are, themselves, contested concepts.

The term 'land tenure', as I use it here, is based on Lastarria-Cornhiel's definition, as being " --- the social relations established around land that determine who can use what land and how" [Lastarria-Cornhiel, 1995:2]. These sets of social relations are interwoven with other societal institutions [1995:2]. In African agricultural societies, where land rights have historically been organised around gender, kinship relations and lineage status, family structure as well as marriage and inheritance systems are central to land tenure relations. More broadly: "[The land rights of any one person] are derived from his/her relations with other persons in the household and in the community, and are also determined by local and national laws" [Lastarria-Cornhiel, 1995:2]. As such, land tenure systems are deeply embedded in the socio-political, economic and cultural history of any region at any point in time [Peters 1987; Bassett 1993:5].

In research on land tenure in contemporary Africa, a distinction is generally made between 'customary tenure systems', understood to arise from indigenous, pre-colonial land tenure systems, and the so-called modern tenure system inscribed in the written law, based on a Western model and implemented by the State. Within customary tenure systems in Africa, the rules and norms guiding access, use and control over land are usually associated with a person's membership status in social groups [Kloeck-Jenson 1998:3]. Rights and obligations are attributed differently, on the basis of gender, age, kinship status and position in lineage hierarchies. Besides customary and formal systems, people resort to numerous individual and unregulated channels for gaining access to and control over land. In general, these may be termed informal channels or land tenure arrangements.

Land rights come in different shapes and sizes. In neo-liberal thinking, the ideal form of land right is often thought of as the Western model of freehold property rights in land [Bassett 1993:5-6; Lastarria-Cornhiel 1997:1317]. It is important to distinguish between this exclusive form of ownership and other types of land tenure that may be compatible with multiple users and rights [Peters 1987:181]. Scholars have often made another key distinction between access rights (for example the right to cultivate a piece of land or harvest its resources) and control rights over land (such as the right to reallocate the land, or its produce) [Bruce 1993; Lastarria-Cornhiel 1997:1318]. Although these rights frequently overlap and are often difficult to delineate in practice, it remains useful to distinguish between mere access to land and the power to control land or its produce. This distinction is particularly important for a gender analysis of land tenure since, historically in Southern Africa, access and control rights over land have often been divided along gender lines.

A number of land tenure scholars have used the concept of a 'bundle of rights', which may include – for example – access rights to the land itself, access to resources on the land (such as water and trees), rights of passage, and the rights to lend, mortgage or sell the land. Different people may hold, or share, different 'sticks' in the bundle of rights to a same piece of land [Bruce 1993; Kloeck-Jenson 1998:3]

There is a general consensus among land tenure specialists that land tenure security is linked to investment on and conservation of the land, although the precise inter-relation between these factors is a matter of much controversy, as becomes clear in this chapter. Broadly, however, the argument is that farmers are not likely to make investments for the mid to long term future, if they cannot be sure of reaping the benefits [Bruce 1986].

A precise definition of 'tenure security' has also proved somewhat elusive. Scholars in the field have argued that the attribution of formal, legal rights over land is not sufficient to ensure security of tenure, which has to do not only with legal rights but also with social legitimacy and with relationships of power [Bruce 1986; Bruce & Migot-Adholla 1993; Kloeck-Jenson 1998].

For example, if women's right to land is guaranteed in the written law, but local custom dictates that men inherit and control land, it may still be extremely difficult for women to claim their formal rights [Agarwal 1994]. In her study on tree tenure in Zimbabwe, for example, Fortmann has shown that women were unwilling to invest in tree planting on their husband's land, knowing that they could lose those trees if the marriage ended in divorce or widowhood and they were then forced to leave [Fortmann 1998]. A survey of women's attitudes to tree-planting in Namacurra and Gurué Districts, Zambézia Province, similarly showed that married women were unwilling to plant fruit trees on their husband's land. This implies that they were wary of losing access to land controlled by their husbands, in the case of widowhood or divorce. Young women hoping to marry in future said they would prefer to plant trees on their parents' land. Only widows said they would be happy to plant trees on land they currently occupied [Pequinino 1998].

Farmers' behaviour may be guided as much by their perception of power relations as by formally written laws. Regardless of having legal right to the land, smallholders who know they have little power may well feel insecure, if an influential commercial company is laying claim to the same land. Thus Kloeck-Jenson notes the importance of 'perceived tenure security' [Kloeck-Jenson 1998:3].

Looking forward

Working with the definitions outlined above, my case study of the gender dimensions of land tenure arrangements in Ndixe village, and the implications for these of the current land policy, relies principally on qualitative research methods. Through the research design and through triangulation of data acquired through a variety of techniques and from many different sources, I have attempted to minimise the problems of bias outlined above. Yet, as Stanley & Wise argue:

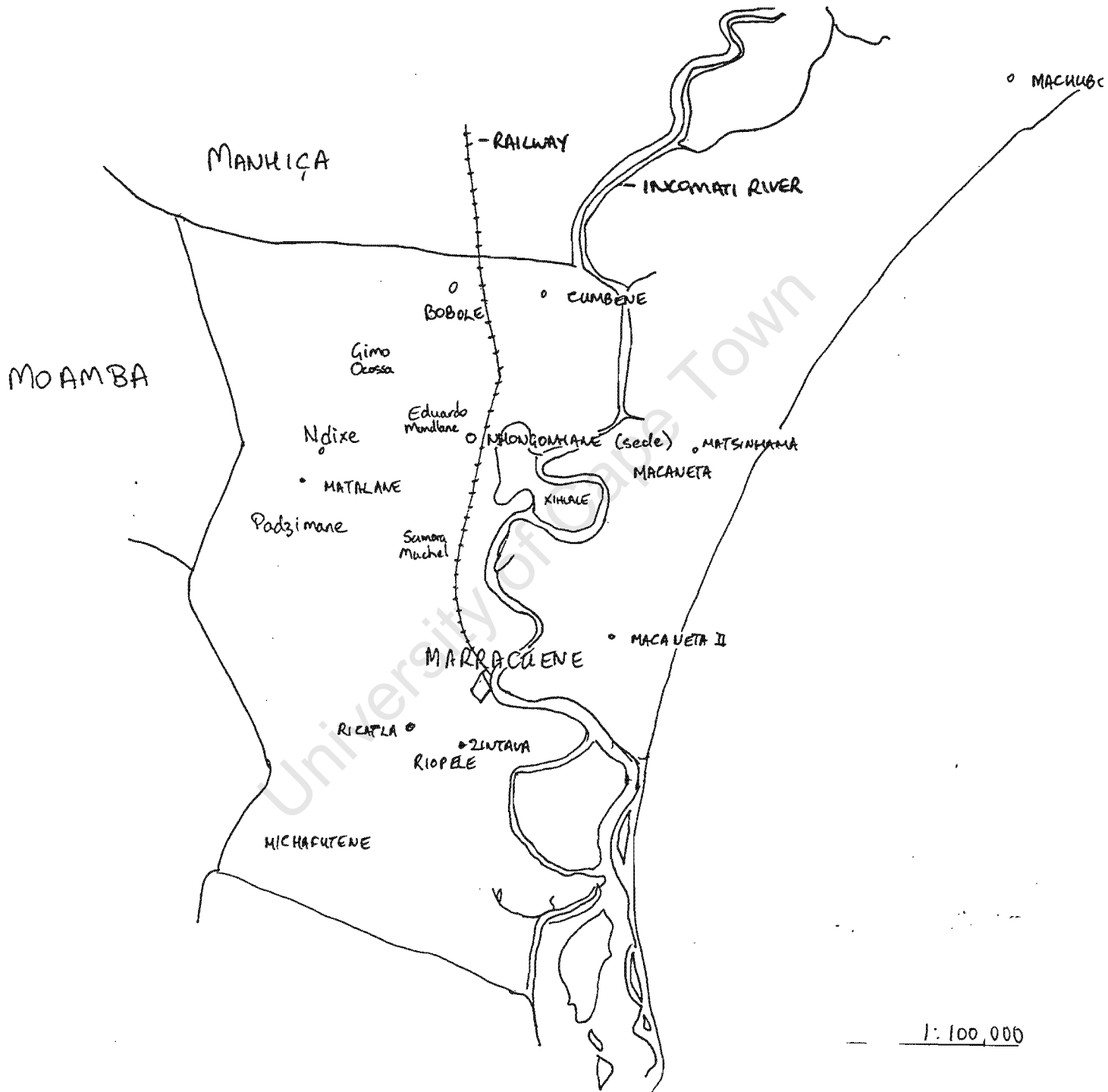
“Researchers cannot have ‘empty heads’...researchers’ understandings are necessarily temporally, intellectually, politically and emotionally grounded and are thus as contextually specific as those of the researched”

[Stanley & Wise 1996:22-23].

The study reported here represents my own interpretations, inevitably coloured by my own, western education. Nonetheless, I seek to present an experience from southern Mozambique such that others may share it. The findings point to key problems that are centrally relevant to current agrarian policy. This micro-study does not, and has not sought to provide definitive data or conclusions. If, however, it succeeds in contributing to the policy debate about the linkages between gender, land and livelihoods, it will have served its original purpose.

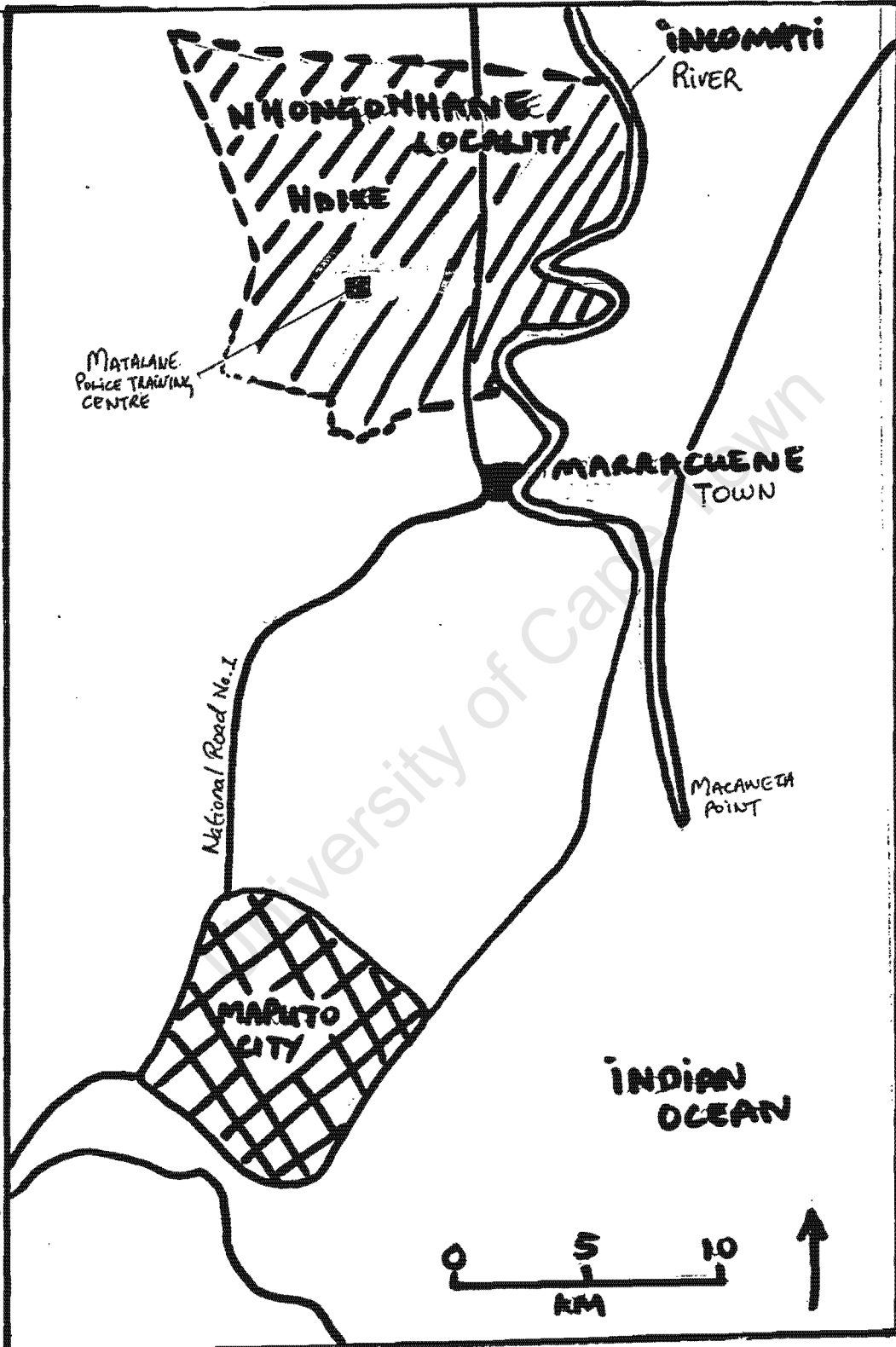
MAP OF MARRACUENE DISTRICT

[Source: Maputo Provincial Government (no date)]



NHONGONHANE LOCALITY

[Source: adapted from ActionAid 1997]



CHAPTER FOUR

LAND AND LIVELIHOODS IN MARRACUENE

Locating Ndixe

Spatial and administrative organisation of the village

The administrative area now known as Ndixe is situated some five kilometres inland from the Incomati River valley, approximately 42 kilometres upland from the Maputo capital city. Located on the sandy highlands beyond the valley, the gently rolling hills of Ndixe are relatively marginal land for crop cultivation. Yet, the expansive scrub offers good grazing ground for cattle and goats. Its marginal situation in terms of agriculture and its relative distance from the road may help to explain why Ndixe is sparsely populated.

The total area of the village was fixed by DINAGECA⁵⁰ in 1999, at 3,920 square hectares. Estimates of the resident population varied from 234 to 338 households in 1997 (see Chapter Three). Even taking the higher estimate, this gives an average of over 10 hectares of land per household. Yet, most households were working less than one hectare each [interviews with District Directorate of Agriculture and Fishing (DDAP) officials and ActionAid officials Marracuene, 1998]. There was no absolute shortage of land in Ndixe. However, the rain-fed sandy soil of the higher ground, which accounts for most of the land in Ndixe, yields a precarious harvest. In drought years, it yields barely anything at all. There was, therefore, stiff competition for the relatively fertile land in the low-lying areas of Bobomuine river valley and in the areas of Xaugonhinguine and Conuluene (see map p117)⁵¹. Here in the valley and marshes, the soil is well-watered and much

⁵⁰ 'Direção Nacional de Geografia e Cadastro', the government department responsible for land surveying and for emitting land titles and concessions

⁵¹ These latter areas appear on the official district map as lakes [DINAGECA 1990]. This map was elaborated on the basis of survey information from 1963/4, however, and observation in the 1990s revealed

heavier to work. The average size of fields on the rain-fed high grounds of Ndixe is 0.5 – 1.0 Hectare (Ha). It is less than 0.5 Ha in the more fertile, and contested, lowlands [interview with ActionAid officials, 1998]. A key indication of relative wealth or poverty in the village is access or not to the lowlands (see below).

Economic activity in Ndixe is heavily influenced by its historical integration in the migrant and urban labour markets, drawing men to South Africa and, particularly, to Lourenço Marques. The majority of local households principally produce crops for subsistence rather than for sale. Pre-war, they generally supplemented cultivation with livestock-keeping, including poultry, goats and cattle. During the 20th Century, the majority of households depended to some extent on migrant worker remittances to provide farm inputs and money for such things as education, health care and ceremonies, or in some cases, simply food.

Settlements within Ndixe are clustered around facilities such as wells or along the sandy tracks that run through the village. Homesteads generally consist of one or several huts grouped together, standing in a cleared plot of land and surrounded by small, cultivated fields. Houses are generally set among the trees and are not fenced.

Shelter ranges from simple, low roofed shacks of poles and mud with a grass roof, to wattle and daub huts with corrugated iron roofing sheets. There used to be a number of brick houses in the village, but these were mostly destroyed in the war. After the war, some people returned to live in the ruins. Only by the late 1990s were brick houses being built again. No-one in the village has piped water or electricity.

The households that comprise the village are generally clustered in five dispersed settlements, within the domains of the former land chiefs, Painde, Ouadambo, Mudhanyana, Mangukela and Bota or (Bota's uncle) Ndixe (see map page 117). Before the

that these 'lakes' were no more than marshes. The low lands seemed to have dried over recent years and some areas suffered from salination of the soils [transect of Ndixe, 1997].

imposition of colonial rule at the end of the 19th Century, these chiefs held political authority over specific lineage groups and the territorial area in which they were settled⁵².

The colonial authorities grouped the five former land chiefs under one 'sub-chief', Ndixe (see below), responsible to the Régulo of Nhongonhane. The sub-chiefs as well as the Régulos lost their formal status when Frelimo assumed power in 1975.

At present, the village or *bairro* of Ndixe falls within Nhongonhane Locality. According to the current system of state administration, Districts are divided into Administrative Posts, which in turn are sub-divided into Localities. Nhongonhane Locality comes within the central Administrative Post of Marracuene District. Government authority in Ndixe is loosely represented by the *Grupo Dinamizador*⁵³ (GD) and its Secretary. Despite the formal separation of powers between the Frelimo party and the State, at village level in Ndixe there is no real distinction between one and the other. The Secretary and GD follow directives from the President of Nhongonhane Locality (a civil service position) who also sits on Frelimo's District Committee in Marracuene (a political party position). The President of the Locality is responsible to the District Administrator.

In the late 1990s, the current Secretary was a locally born man, elected before the war. According to the Secretary and other GD members, he worked with the GD and the *Madodas*: a council of elders, which they claimed to include "more or less all the elderly men in the village" [interview with GD Ndixe, 1996]. The GD itself included the Village Secretary, a Deputy Secretary, a Secretary for Social Affairs and for Political Affairs (all men). According to the GD, two local women could be counted "as part of the structures [authorities]", namely the local OMM representatives. According to their own testimony, however, these women were excluded from meetings on most issues, including land. The village authority structure was thus heavily male dominated.

⁵² I held interviews in all five areas of the village.

⁵³ The *Grupos Dinamizadores* were local committees ('dynamising groups') created to replace the Régulos after Independence (see Chapter One).

Since 1994, under instructions from the District Administration, the GD is supposed to work closely with the former chiefs. Some of the heirs to the five former land chiefs in Ndixé were already members of the GD or group of *Madodas*.

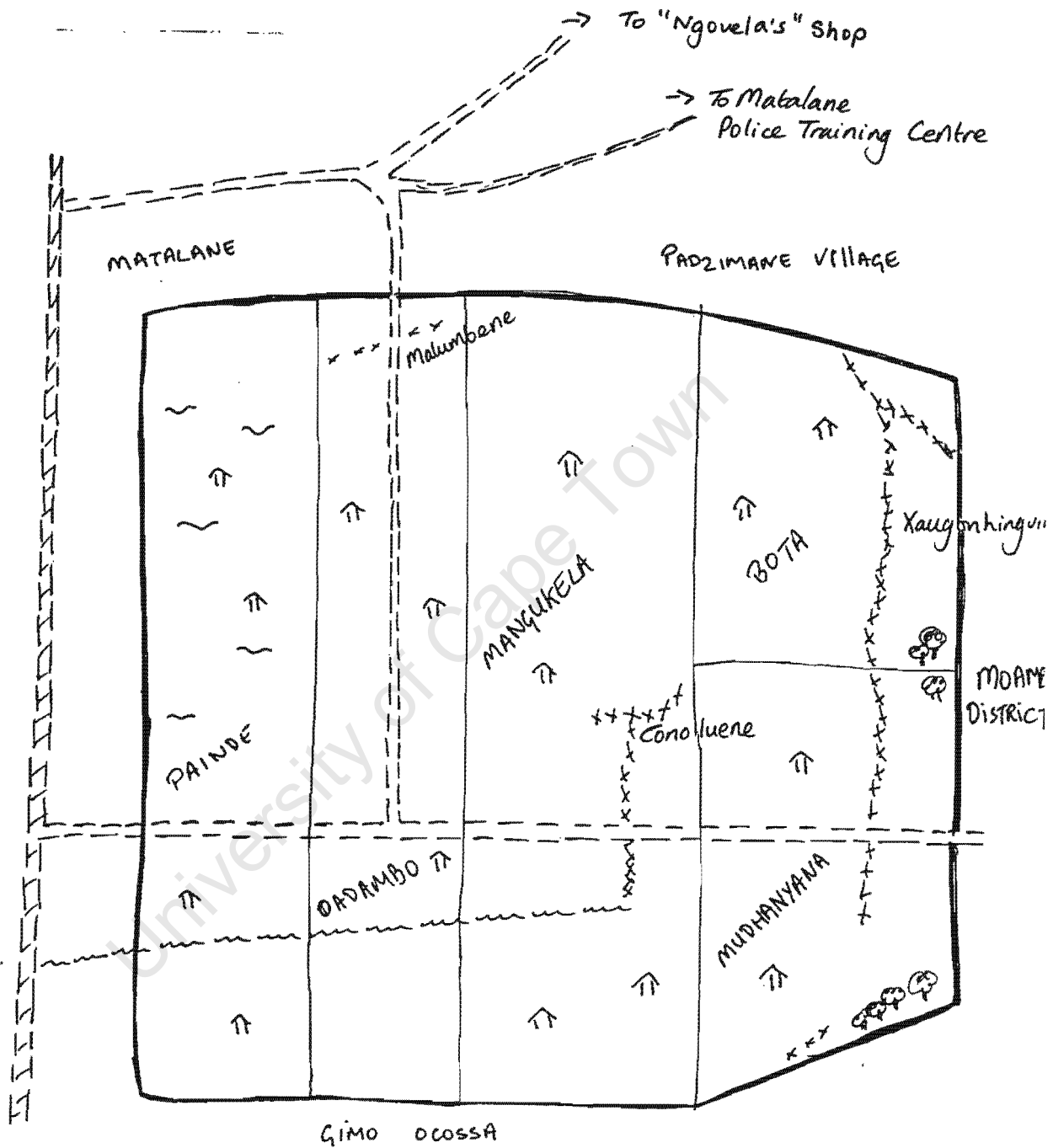
Besides responding to Government / party directives, the main functions of the village leadership appeared to be representing the village to outside institutions, keeping the peace and solving internal conflicts. Unofficially, they were also involved in organising and controlling land distribution within the village.

At an official level, all requests for land titling and concessions must pass through the District Directorate of Agriculture and Fishing (DDAP)⁵⁴ in Marracuene, which (unlike many districts) has its own surveying department. Such requests have to be approved by the District Administrator, before being forwarded to Provincial level authorities. State officials therefore have considerable power in the allocation of land. Not surprisingly, where land is contested this has often become a source of conflict (see Chapter Eight).

⁵⁴ Since 2000, renamed the District Directorate of Agriculture and Rural Development (DDADER)

COMMUNITY MAP OF NIDXE

[Source: community mapping exercise 1997]



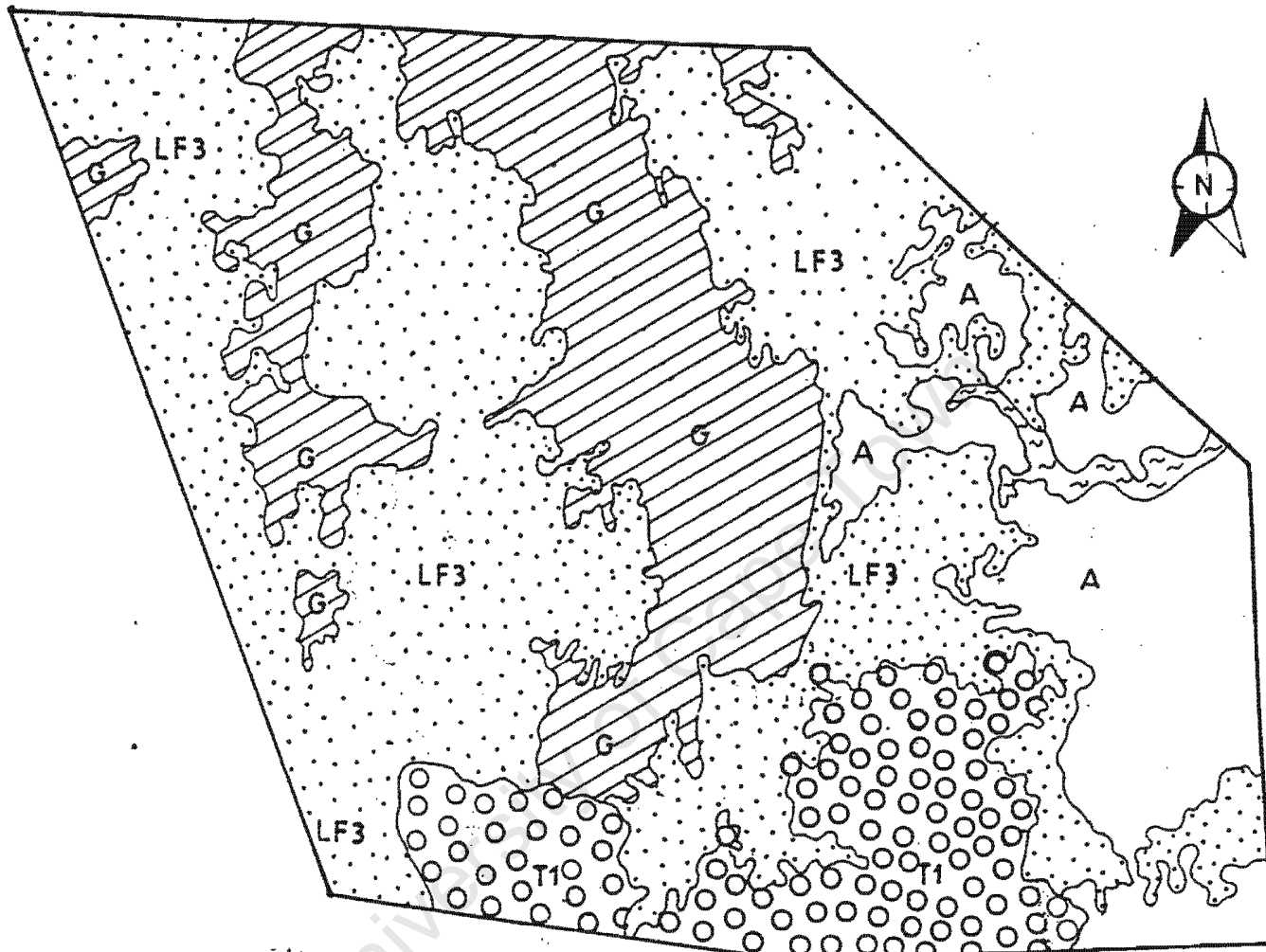
KEY

- | | | | |
|-----|---------------------------|----|---|
| == | Tarmac road | — | Village boundaries |
| == | Dirt road | — | Former chieftancy boundaries |
| ~ | Bobomwine River | ☐☐ | Area of "chanfuta" hardwood trees |
| xxx | 'Zona baixa' or marshland | ↑ | Residential area and rainfed cultivation / 'Zona de Sequeiro' |
| ~ | Preferred grazing land | | |


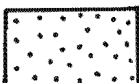

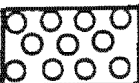

VEGETATION IN NDIXE

[source: Brouwer et al 1999]

32°35'



KEY

- G  LEVEL GRASSLAND
- LF3  LOW OPEN WOODLAND
- A  AGRICULTURE
- T1  DENSE LOW BRUSHWOOD
-  BOBOLE RIVER

25°
40'

25°
40'

32°35'

ESCALA 1/50 000

Household composition in Ndixe

Interviews and observation reveal that most households in Ndixe are two to three generational, generally including one or more adults and their children, sometimes including a man's parents or siblings. A significant number of households consist of an elder woman, a daughter or, more often, a daughter-in-law and the younger woman's children. There is a marked physical absence of younger adults, generally, and men in particular. Although I was not able to obtain precise demographic data for Ndixe, my enquiries and observations suggest that this picture quite closely reflects the 1997 census figures for Marracuene District overall. These showed a population of 41,677 people (less than the pre-war, 1980 census figure) with significantly more women than men (c.55% women in total), particularly in the 16 to 40 age groups⁵⁵ [INE 1997].

Of the 50 households selected for individual interviews in Ndixe (1996-97), 24 (48%) were principally managed by women, including five households headed by widows and seven headed by divorced or unmarried mothers. Of 25 men I interviewed individually, 14 were in monogamous marriages, five in polygamous marriages and six were bachelors or divorced. Of the 25 women, nine were in monogamous and four in polygamous marriages, seven were single or divorced and five were widows. Of 46 women interviewed in 1999, 59% were principal managers of the rural homestead.

For the purpose of this study, I categorised Ndixe households in various ways, enabling me to compare them according to different variables. Since the information obtained is based on qualitative data, these were not subjected to statistical analysis. Nonetheless, key features emerge in the relationship between household composition and structure, wealth and rights over the land.

⁵⁵ For the District of Marracuene, the 1997 National Census [INE 1997] consistently recorded more boys than girls in the under 16 age group, but this changes suddenly and dramatically in the 16-20 age group, from when on there are consistently more women than men. The sex ratio is particularly high in the over 40 age groups. This seems likely to reflect continued male out-migration, starting as soon as boys reach working age, and possibly women's longer life expectancy.

Based on a total of 96 life history interviews, I classified households into four groups, according to the number and sex of adult members involved in daily management of the rural household, including those:

- ◆ managed by women and men together,
- ◆ managed by men only,
- ◆ managed by women only (no adult male contributes regular labour or income) and
- ◆ generally managed by a woman / women, but with regular labour or cash inputs from a residentially absent member(s), usually male.

Table 4:1 Household management in Ndixe, 1997 & 1999

Category	1997*		1999◆	
	Number	Percentage	Number	Percentage
Male & Female	21	42%	19	42%
Male only	4	8%	0	
Female only	12	24%	16	36%
Principally Female	13	26%	11	24%
Total	50	100%	46	100%

* Interviews with equal numbers of women and men ◆ Interviews with women only

Questions asked around household composition, including full and part time residence in the village and participation in household income and expenditure, led to a further question around the rural / peri-urban divide. As shown above, some households have members both in Ndixe and in the peri-urban areas (mostly of Maputo). In terms of urban-rural distribution (or structure) of the household I distinguished between three groups according to the following criteria. Those having:

- 1) a mainly urban base, but staking a claim and making some investment in rural land;
- 2) those attempting to balance urban income and access to services with the use of rural resources (often reflecting a gender and generational division of labour and roles - see above);

3) those with no alternative access to land or income outside the village (generally headed by one adult alone and most often, by a woman).

Both of these groupings bring out the continued predominance of women in local agriculture. Of 50 people I interviewed in 1997, 24 of them said it was mainly women who managed the household economy. Of 46 women interviewed in 1999, 27 were the sole or principal managers of the rural homestead. This included single women heading households alone and those whose husbands were urban-based. This information broadly reflects the situation at district level.

In the 1997 National Census, people interviewed identified the 'head of family' themselves. Only a resident of an area could be counted as a head of family, although temporary residents were included so long as they had not been absent for more than six months. Based on these criteria, some 41.5% of Marracuene households were classified as 'female headed', of which around half were headed by married women [INE 1997]. These figures may be inconsistent due to different criteria for deciding who is the 'head'. However, given the legal and cultural definitions of men as 'household heads' whenever they are present, this suggests that married women heading households were the wives of long term migrants and, or were co-wives living in their own homestead. Divorced or separated women were found to head some 6.5% of households whilst widows headed some 15% of all households in the district [INE 1997].

This demographic picture of an area predominantly populated by women, children and the elderly and where women often have key management roles in the household economy reflects Ndixe's history of labour migration and the impact of war (see below). Within this broad pattern, however, there was considerable fluidity in household structure. An example may serve to illustrate. In January 1997, after being deported from South Africa, Simeão was living with his sister, a man presented as her husband and their two children. Four months later, Simeão had disappeared and his (pregnant) sister was living with another man.

Simple observation in Ndixe quickly shows that it is principally women of all ages and elder men who work in cultivation. Young men are more noticeable by their absence. Many families farm with the use of only one or two hand tools, commonly a hoe, axe, or scythe [individual interviews in 1997 & 1999]. The principle crops are maize, cassava, sweet potato, beans, groundnuts, some vegetables and a little tobacco. Families supplement their food stock by harvesting fruits (mango, *massala* and cashew⁵⁶) and cashew nuts and by gathering vegetable leaves for cooking. Most households have poultry, the better-off households have goats and sometimes cattle (see below). The wealthiest handful of households use or hire a plough (see Chapter Seven), but most till the land using hand tools. There are no tractors in the village and these are only hired to carry logs away to the firewood market at Bobole.

In Ndixe, I gauged the wealth structure of local households by two different methods. Drawing on the techniques of 'participatory rural appraisal', separate focus group interviews with women and men from 10 local households were used to elicit local views on what constitutes a 'rich', 'middle' and 'poor' status family, in the relative terms of Ndixe (see table below).

⁵⁶ The fruit of the cashew tree is used locally to make a strong-smelling beverage. The nut, which grows on the end of the fruit, is roasted and eaten or is ground into a flour and used as the basis for a savoury sauce.

Table 4:2 Characteristics of rich, middle and poor households, according to Ndixes residents

	According to men	According to women
Rich:	Have car, tractor, cattle, watches, radio	Have big fields, good harvest, eat well with fish and peanut sauce, have cattle + goats Have brick house with corrugated iron roofing sheets
Middle:	Have fairly large fields Trade and make things, like mats Have small livestock: goats, poultry	Hire ploughs and labourers Sometimes eat well with fish and nuts Have houses of poles and corrugated iron roofing sheets Have shoes, stove, bed
Poor:	Live alone with no support Have small fields and till only with hoes	Have nothing to cook, have houses made of poles with straw roofs, no mat, no blankets

In these interviews, men showed greater concern with material goods, including capital goods (car, tractor) and consumption goods (radio, watch). Women showed more concern with other aspects of well-being and its source; such as fields and other means of production, food, warmth and shelter.

Using the criteria identified by the focus groups to classify interviewees, individual interviews with a further 12 households were used to assess household food stocks, according to how many months food supply was stored at the end of the harvest. Grouping households according to these criteria produced very similar results about which households were better off and which were considered poorest, to those arrived at through the use of a 'possessions score' [Pincus 1996; Sender & Smith 1990] (see Chapter Three).

It should be noted that, although this classification includes social aspects of wealth, such as diet, shelter and food security, it is biased towards more easily measurable items and

excludes factors such as health, education and personal freedom. It cannot be assumed that wealth status reflects quality of life [Sen 1993], nor that all household members share the same wealth status. Furthermore, women's comparative lack of material assets does not necessarily reflect lower output or income: research from elsewhere in Africa suggests that women tend to invest relatively more in family welfare with the resources they have, compared to men [Quisumbing et al. 1998].

Comparing the assets of different households in Ndixe suggested that the material circumstances of women with an absent (wage-earning) partner are likely to be very different from those of women in 'female only' households with no remitting partner. My data from Ndixe showed that women in the latter group tended to have smaller fields, poorer housing and fewer material assets than women with partners who remit money or goods. This signals the importance of distinguishing between different types of 'female-headed households', as noted above.

I further classified households in Ndixe according to their access to cultivated land (fields), including those which were lying fallow or not in use at the time of the interview. These categories were of households with:

'D': two or more *sequeira* fields (on the rain-fed plateau) and two or more plots of land in the *zona baixa* (the more fertile, low-lying valley or swamp)

'C': two or more *sequeira* fields and one *zona baixa* plot, or vice versa

'B': one *sequeira* and one *zona baixa* plot

'A': one *sequeira* plot and no land in the *zona baixa*.

The data obtained on household access to cultivated land from 50 life history interviews is presented in Table 4.3 below. This table clearly shows that women (or men) living alone and without a remitting partner are likely to have smaller and fewer fields than other types of household. It also suggests that women who manage the household alone, but obtain remittances from an absent partner, are just as likely to have relatively more and larger fields as those where women and men manage the rural homestead together.

Table 4.3 Household management, land and wealth in Ndixe according to 50 life history interviews (1997)

Household manager	No of households (HHs)	No of HHs per land holding category				No of HHs per wealth group		
		A	B	C	D	rich	mid	poor
Widow	5	1	2	2			1	4
Woman only (unmarried, separated or divorced)	7	4	3					7
Man only	4	1	2	1			1	3
Married couple (monogamous)	16	4	5	3	4		11	5
Polygamous marriage	5		1		4	2	2	1
Woman manager (with absent partner)	13	3	4	2	4	3	6	4

Overall, the field data obtained through these various methods suggests that, in the late 1990s, a distinction could be made between relatively 'rich' and 'poor' local households. 'Rich' households were those with access to non-manual means of production (oxen, plough, grinding mill), that could hire labour within the village, had large fields (more than two hectares, including rain-fed and valley land), a brick house and food reserves throughout the year. According to group interviews on wealth categories, in 1997 only five Ndixe households fell within this group [group interviews on food security, Ndixe, September 1997]. These households included either an urban-based, male wage earner or a man with high status in the local political hierarchy.

'Middle' status households, almost half of those interviewed in Ndixe [1997 & 1999], were those which might hire seasonal labour within the village (paid in cash or in kind), own small-scale livestock such as goats and poultry, farm more than half a hectare of

rain-fed land and have a small plot in the valley. Households in this category generally had well-built, wooden huts with iron roofing sheets, and often had another residence in an urban or peri-urban area. Such households often reflected a gender and, or generational division of labour, with women and, or elderly people based in the rural homestead producing food, whilst wage earning men or younger household members were urban based or only part-time residents in the village. This is reflected in the relative wealth of households with both male and female adults present and those with a female resident manager, compared to those headed by women or men alone.

'Poor' households, in Ndixé terms, also nearly half of all households interviewed, relied solely on family labour for cultivation, sometimes hired out their own labour within the village, had no livestock beyond poultry and were only able to cultivate small plots of land, rarely more than half a hectare. They often had no access to valley land. Generally they had huts made of poles and mud, with straw roofs. Most such households were managed solely by one adult, in the vast majority of cases, by a woman.

Focus group interviews with women and men and individual interviews with 12 households in September 1997 suggested that only the relatively rich households produce sufficient food to provide for their own consumption needs the whole year round. Middle households produce food stocks to last for five to six months of the year whilst poor households have stocks for only four months or less, supplemented with small-scale marketing and *xitoco* (farm labour paid in cash or kind).

Comparison between wealth status and access to land suggests that, whilst rich households tend to have more fields and poor households tend to have fewer, there is no necessary link between wealth status and the extent of land holdings (see Table 4.3 above). Some of the richer households had only one or two fields and agriculture made only a small contribution to household income. Some of the 'middle' status households had several fields, but most were lying fallow. From this evidence, land appears as an asset of wealthier families in the village, but not a guarantee of wealth.

Despite these variations, virtually all 'poor' households had little land and, especially, little or no valley land. Almost all households headed by women alone fell into the 'poor' category (11 out of 12 women heads of household interviewed in 1997, and 15 of 16 interviewed in 1999). The majority of these households fell into the weakest land categories, 'A' or 'B' (10 out of the 12 women mentioned above, interviewed in 1997).

What this picture reveals is a pattern of rural differentiation, which is intimately linked to a history of wage labour, especially male migrant labour, and to colonial alienation of the land. This differentiation occurred in the context of a specific gender division labour, sanctioned by custom, local authorities and religion.

Historical overview: female farmers, male migrants

The gender division of labour

According to custom in Ndixe, the gender division of labour in agriculture begins at an early age⁵⁷. The principal duty of young boys is to pasture livestock, including cattle, goats and sheep. They might help their parents on the fields and fetch water for irrigation. In cattle-owning families they would also learn how to plough. As young men grow up, they are expected to learn a number of skills before marriage. A man should know how to cut poles and make thatch, how to build a house, a chicken-coop and a coral for larger animals [interviews with elder women 1997 (a) and elder men 1997 (a)]. In agriculture, it was a man's job to clear the land of tree trunks and to plant fruit trees such as cashews, mangoes, tangerines, oranges and lemons.

⁵⁷ The mythology of the Tsonga peoples of southern Mozambique, including the Ronga sub-group of Marracuene, reflects the belief that women and men are born with different characteristics and are suited to different tasks [Junod 1927:21; Young 1977:68]. In the Tsonga story of creation, the first woman was "Nsilambawa", "the one who grinds vegetables" and the first man, "Likalahumba", "the one who brought a glowing cinder [fire] in a shell" [Junod 1927:349]. This belief in natural difference is mirrored in a marked division of labour and responsibilities between women and men in Ndixe, evident today, but with its roots in pre-colonial history [Junod 1927; Young 1977; Penvenne 1995].

When a boy has herded cattle for some time, he earns the right to keep one cow for himself: the first step to building up his own herd. Thus young men had direct means to acquire cattle. Alternatively, men's access to paid employment enabled them to buy cattle. Neither options were open to women. Generally, Ndixé people still see cattle keeping as an exclusively male prerogative.

Traditionally, the main duty of young girls is to help their mothers in the field and in the home. They should learn household duties such as washing, preparing food, fetching water for household use, cooking and caring for smaller children and "how to take care of her husband, prepare his bath, please him in bed and wash his penis after sex" [interview with women 1997 (a)]. As they get older, they should help their mothers in cultivation. Eventually, they receive a small plot of their own to farm, which reverts to their mother when they marry.

Historically there were certain crops that only men were supposed to sow. These were sorghum, rice, cotton, wheat and tobacco. Nonetheless, both men and women were involved in the weeding and harvesting of these crops, with the exception of tobacco, which young women were not allowed to harvest. Notably, men's responsibility pertained to the main crops grown for cash, whilst women were responsible for food crops including cassava, groundnuts, maize and beans [mixed group interviews 1996(c), (e); group interviews with elder men 1997(a) and elder women 1997(a)].

Documentary evidence suggests that this 'customary' division of labour has a long history. In the 16th century, European missionaries claimed that women in southern Mozambique carried out all the work in cultivation [Young 1977: 69]. Men were involved in cattle-keeping, hunting, long-distance trade and small-scale warfare, or raiding [Young 1977:68-69; Harries 1994: 7; Junod 1927].

Whilst women's activities have kept them close to the home, men often travelled far afield for long periods of time. Throughout southern Mozambique, it was men who first became involved in long distance trade, involving beads and cloth, shipped in from the

Indies (by Europeans) and exchanged for copper, hoes, ivory, rhino horns, and cattle – also raided from neighbouring communities. The possession of cattle became an important symbol of wealth, power and military prowess for men and a key means through which they secured marriage, through lobolo (bridewealth) payments [Harries 1994:91-99]. These days in Ndixé, few if any local families can afford to use cattle for lobolo.

With relatively abundant land but low technological development and a seasonal demand for labour, access to labour power was at a premium in the pre-colonial Ronga economy [Harries 1994: 4]. Harries argues that marriage was a key means for men to mobilise labour, through rights to the labour of wives and sons. He notes that: "Contemporary observers⁵⁸, proverbs and folklore portrayed marriage as the engine of accumulation" [1994: 93]. (See Chapter Five for a discussion on the role and importance of marriage). For men, access to land was controlled through the land chiefs, whilst women's access to land was generally mediated by men (see Chapter Six).

Between the Nguni invasion of the 1830s and prior to Portuguese colonial occupation after 1895, political organisation in Marracuene was characterised by chiefdoms (*tiko*) dominated by a ruling clan and sub-divided into homesteads (*muti*) with a male homestead head or patriarch (*numzane*)⁵⁹. The *Hosi* (king) delegated to the *Mutwana* (Chiefs) and *Xifunda* (sub-chiefs). These were advised by the *Madodas* (elder men / *numzane*) and aided by the *Ngekwa* – henchmen or police [Lopes 1995].

Harries contends that in 19th century southern Mozambique, "[T]he dominance of the chiefs and *numzane* rested on their control of access to wives, land, tools and social knowledge" [Harries 1994: 91]. Through ties of kinship and patronage, young men were dependent on the *numzane* for their access to land, tools and bridewealth to secure a

⁵⁸ Junod for example argued that in Tsonga society "to possess many wives is to have succeeded, to have made one's fortune, to have become someone" [1927].

⁵⁹ Whilst some scholars have seen evidence of a stable, redistributive socio-economy, Harris and Harries contend that hierarchical divisions based on age, gender, lineage and kinship status created considerable tensions within the homestead and community, leading to frequent fissure and migration [Harris 1959; Harries 1994:6].

marriage. Lineage hierarchies, kinship and marriage were the key institutions in organising the distribution, use of and benefit from economic resources, including the land and its produce [Harries 1994; Penvenne 1995]. This issue is discussed in detail in Chapter Six.

Today, the chiefs have no formal political status with the Government, but Ndixe settlements still reflect the former division into sub-chieftaincies. Local residents know who the chief of the area is or was and know his heir. The sub-chiefs have social authority to allocate land within their domain (see Chapter Six). Moreover, as noted above, the GD is now supposed to work closely with the former chiefs.

Ndixe elders recount that the Mahlangwane family, purportedly the first to settle in Ndixe area, was deposed long ago by the Mabajias (Mazvaya or Magaia), said to have arrived in Ndixe area around the time of the "Mfecane" Nguni invasion (early 19th century). The Ngunis shattered Tsonga control over trade, subjecting most of southern Mozambique to their rule [Lopes 1995]. In his autobiography, Raúl Honwana notes, however, that the Ronga chiefs of the Majaia family never became subjects of Nguni rule; although Mahazule, the Majaia Chief from 1892, considered himself an ally of Gungunhana, the Nguni Emperor [Honwana 1989:30].

According to oral tradition in Ndixe, the Mabajias launched a 'coup d'état' against the Mahlangwanes. At the time of the coup, there were two brothers, Nongonhane and Honwana Mahlangwane. Whilst the youngest brother, Honwana, was away, the Mabajias tricked and killed Nongonhane and took control of his lands. Hearing the news, Honwana fled to Manhiça [interview with village elders, 1996]. Comparative evidence suggests that the Mabajias led their victim into a trap, by pretending to offer him two virgin girls as a present [Lopes 1995]. This story would incidentally seem to illustrate the low political status of women, especially unmarried women, in Ronga society at that time.

Given the role of local chiefs in allocating land, it seems likely that the transfer of power from Mahlangwane to Mabjaia also had significant implications for access to land and labour amongst the local population.

Many Ronga people found themselves impoverished by economic crisis and military instability under Nguni rule. Land is explicitly mentioned in the Zulu war songs that commemorate the Nguni conquest of southern Mozambique and are still sung on ceremonial occasions in Marracuene:

“Let’s kill the Ronga
We will kill them and take over their land”
[Lopes 1995 – my translation].

Some historians argue that the Nguni invasion and interruption of the cattle trade combined with the rapid depletion of elephant, antelope and wildebeest herds disrupted traditional male economic activities amongst the Tsonga. They argue this contributed to the later trend for Tsonga men to migrate (see Chapter One) [Harries 1994; Young 1977:73; van den Berg 1987:3781]. This trend began with migration to the sugar plantations in Natal and the Kimberly diamond mines from the 1850s and 1860s and intensified with migration to the Witwatersrand goldmines from the 1880s [Harries 1994:xi].

Land alienation under Portuguese colonial rule

The Portuguese colonial state consolidated its hold on southern Mozambique at the end of the 19th century, in a victory marked by the 1895 ‘Battle of Marracuene’. Here they wreaked a massive defeat on the joint forces of Chiefs Mabjaia, Nwamatibyana and Mahazule, who then fled to exile in Gaza⁶⁰ [Honwana 1989:32].

⁶⁰ These events eventually led to the capture and forced exile of Ngungunhana, last Emperor of Gaza [Lopes 1995]. Thereafter, the colonial state usurped the existing system of land chiefs and either co-opted,

As the Portuguese colonial regime expanded its administrative control, Ndixe's current boundaries were roughly drawn. In the 1940s, colonial officials in 'Vila Luisa' (now the town of Marracuene), called together five local chiefs from the area and placed them all under the authority of a single Chief, Ndixe. As a former employee of the colonial police force, Ndixe was favoured by the colonial administration. He was subordinate to the Régulo of Nhongonhane locality, the Régulo Majaia [interviews with village elders 1996; group interviews with women & men 1996(b), (c)].

The marginalisation of Ndixe land was confirmed from the mid 20th century when Portuguese settlers began to alienate the best land of Marracuene in the Incomati Valley, displacing indigenous farmers. From then on, both commercial and state sector investment in the district were concentrated in the valley area. Colonisation intensified in the 1950s and '60s and by the eve of Independence in 1975, the entire valley as well as extensive wetland areas in the district interior had been taken over by colonial settlers [Lopes 1995; Interviews with DDAP officials 1997, DINAGECA officials 1998]. Within Ndixe itself some of the best land, along the small Bobomuine river tributary, was also taken over by colonial settlers [community mapping exercise 1997].

Settler farming in Marracuene was heavily subsidised by the State. This provided a number of technical and extension services to assist them with production of rice, vegetables and bananas for the urban market in Lourenço Marques and cotton for export [interview with DDAP officials, 1997]. Indigenous farmers in Ndixe had no such benefits.

coerced or replaced local chiefs with Régulos, who were placed on the civil service pay roll (see Chapter One).

Labour migration from Ndixe

The majority of men I interviewed in Ndixe said they felt it was a man's role to bring money into the household. Since there was no wage employment in the village, that inevitably meant migration⁶¹.

According to local testimony, out-migration before Independence led to the permanent loss of many Ndixe-born men. Interviews with men in Ndixe suggest that migrant labour gained the strength of a tradition, linked with male identity. Men were expected to and aspired to migrate. With its offer of relatively high wages compared to those available within Mozambique, the ideal was migration to South Africa.

"In our land, there isn't much work, so the youth go looking in South Africa. We practically grew up in South Africa and, even though it's hard, the young men want to follow, so they risk it. South Africa is a huge country - you always find some kind of job to help you survive"
[interview with Ndixe GD, 1996].

This ideal in Ndixe was shaped in the broader context of labour migration from southern Mozambique, discussed in Chapter One. Official records show that from 1908 to 1976, the labour force drawn from Southern Mozambique to the South African mines rarely dipped below 80,000 men and in the peak year of 1956 reached 182,900 Mozambican men employed on the mines [First 1983: 33,34]. In 1976, total mine wages paid out to miners from the three southern provinces of Mozambique were worth over eight times more than the value of marketed agricultural produce from the peasant sector in the same region [First 1983:184].

⁶¹The only kind of paid labour seasonally available within the village has been *xitoco* (farm labour paid in cash or kind), but most men felt this to be beneath them and no men with whom I met admitted to performing this kind of work.

Mine contracts were generally 12 to 18 months long, at the end of which the migrant had to return home before starting a new contract. The fall in mine labour recruitment from the late 1970s was followed by rising wages for those who did secure a contract [de Vletter 1998].

Although the ideal was to work in South Africa, in practice many Ndixe men found work in Lourenço Marques, on the ports or railways, in construction work or domestic service [life history interviews 1996/97; O'Laughlin 1984]. Often this was voluntary. Beyond the attraction of wages, however, a further factor 'persuading' men to seek employment outside the village was the threat of forced labour. Penvenne argues that Lourenço Marques was largely built by *xibalo* labour [Penvenne 1995:1]. Ndixe elders recalled that:

“There were two types of forced labour: *xibalo*, six months, and *faixe*, 15 days.

The head of the family – the man – was supposed to pay tax. If the husband didn't pay, or was away in South Africa, then the wife was taken off for *xibalo*”

[group interview with Ndixe elders 1996].

This trend to male out-migration continued throughout the 20th century. Thus the 1980 census figures for Marracuene showed over 65% of economically active men were wage workers (mostly in Maputo). The same census showed that 97% of women in Nhongonhane locality were principally engaged in agriculture.

Of 50 women and men I interviewed individually in 1997, almost all said their fathers had spent some time working in South Africa. Of the 25 men, 10 had worked in South Africa themselves, six worked or had been employed in Maputo and four were ex-soldiers. Of the 25 women, 10 said their husbands worked or had worked in South Africa and seven that their husbands worked in Maputo⁶².

⁶² The apparent contradiction between the previous importance of employment in South Africa, yet the recently predominant importance of employment in Maputo, probably reflects the dramatic decline in recruitment of miners from Mozambique after 1976 and the Frelimo Government's commitment to maintaining employment, prior to introduction of the PRE in 1987.

Although no figures for district level were available, 1997 census data for the rural population of Maputo Province suggest that some 45% of men and over 90% of women were principally engaged in small-scale agricultural production at that time (and are therefore classified as 'peasants') [INE 1997]. This also illuminates the predominance of women in local agriculture. Comparative statistics from the Ministry of Health meanwhile suggest that in the same period, wealthier rural families in Marracuene District almost all depended to some extent on contributions from waged labourers; sometimes within, but mostly outside the district [MinSau 1997].

The consequences of male migration for rural production

The initial motivation for Mozambique's colonial Government to try and maintain the links between migrant labour and a rural base on the land had been to ensure cheap labour for the mines and other colonial employers. Indeed, the existence and usefulness of a peasantry tied to the land was explicitly recognised by the South African Chamber of Mines (the largest employer of migrant labour in Southern Africa). In its report to the Mine Native Wages Commission in 1944 it noted that:

"It is clearly to the advantage of the mines that native labourers should be encouraged to return to their homes after the completion of the ordinary period of service. The maintenance of the system under which the mines are able to obtain unskilled labour at a rate less than ordinarily paid in industry depends upon this, for otherwise the subsidiary means of subsistence would disappear and the labourer would tend to become a permanent resident on the Witwatersrand, with increased requirements... "

[Mine Native Wages Commission 1944, cited in Meillassoux 1981:118]

Over time, however, the migrant labour system contributed to growing rural impoverishment. Generally, it led to declining yields from agriculture, due to the absence

of male labour and the conflicting demands on women's labour time. Men's frequent absence from rural production in the South, throughout the Twentieth Century, meant that women's agricultural labour burden increased [Harries 1994:93; Isaacman 1996:97; Davison 1997:90-92]. In Ndixe, women took over many agricultural tasks and decision-making roles formerly ascribed to men. Ndixe women explained how they could not afford to wait for husbands to come home at the end of 12-18 month contracts, to help on the farm. So they used to clear fields, fell trees and handle ploughs by themselves [interview with elder women 1997(a)]. In the colonial era, state officials conscripted female as well as male labour to mend roads, work on settler farms, or cultivate the forced crops of cotton and rice [Isaacman 1996:98]. As women in Xihlale, Marracuene, recall: "If your husband failed to come back from South Africa or failed to pay the tax, then you the wife were recruited for *xibalo*" [group interview with women in Xihlale 1997].

Wolpe argued in theoretical terms, and First and Wuyts empirically showed in the context of Mozambique, that wages paid to migrant workers rarely took account of the reproductive labour or food production carried out by women, at home in the rural areas. Wages also failed to account for welfare provision in the case of sickness or death, as Ana, a widow from Ndixe, bears witness:

"My husband worked in the mines in South Africa. When he was there, he used to send back money, clothes and school-books. He was still working in South Africa when he got ill. He came back sick in 1983 and I took care of him until he died here in 1984. He had paralysis. Since he died, I've been selling chickens, goats and pigs to survive. I have two goats left. I had three pigs, but I just sold one for 110,000 Mt (c.US\$10.00). I paid 80,000 Mt for ploughing my fields and then I used the rest of the money to buy flour"

[Ana, age 60, 1996].

Under the general conditions of low wages combined with a rural labour shortage and little technology in agriculture, the migrant labour economy left many Ndixé households trapped in poverty, as the experience of Ana-Isobel helps to illustrate:

“Whilst my husband was away, I grew food for us to eat. My husband worked in South Africa, but he never managed to send much. When he came back, he didn’t bring anything special home; just clothes, like he always used to bring”

[Ana-Isobel, 60+ 1997].

There was a torrential downpour when I conducted this interview with Ana-Isobel, grandmother and farmer. Her straw shack was drenched, so we sat in my car. She began farming in Ndixé long before Independence, yet she still farms by hand. In another interview, middle-aged widow Joana said that she too was disappointed when her husband finished his last contract: “All he brought home was a couple of blankets” [Joana, c50, 1997].

Ndixé, then, shared the experience of many rural areas in Southern Mozambique and, indeed, in other labour reserves of Southern Africa where peasant agriculture became heavily dependent on male migrant wages.

Yet, as First (1983) and Wuyts (1978, 1989) have shown in the case of Mozambique and Bundy (1983) has shown for South Africa, the picture of rural impoverishment was not homogenous. The peasantry itself was differentiated, whilst households went through different phases of existence. At certain points, the availability of more labour provided a boost to household production, whilst the loss of labour or relative increase in the number of dependants would have the opposite effect. The returns on migrant labour itself varied widely, according to the type of employment, wages earned and male investment or not in the rural household [First 1983; O’Laughlin 1995:82; Penvenne 1995:131]. In the many cases where migrant men never came back, women faced particular hardship.

After wage rises on the mines in the early 1970s, there was a brief moment of prosperity in southern Mozambique. The decline in the number of miners recruited adversely affected the majority of peasant households [Wuyts 1981]. For the few men who still gained employment, however, higher wages meant that they could consolidate agricultural production [Manghezi 1983].

In the inter-dependent urban-rural economy described above, land was a crucial fall-back resource; the key thing that migrants had a secure hold on, the place they would go back to at the end of their contracts. It was also women's principal domain in terms of production, daily management and life experience - until the war waged by Renamo led to an exodus from the rural areas, including Ndixe (see below).

The consequences of male migration for women

One consequence of the male migrant labour system for women in Marracuene, as in much of southern Mozambique, was that women generally stayed on the rural homestead, where they took care of their children and secured agricultural production. In Marracuene, this in turn meant that many women seldom left the District, if at all.

Reflecting this close association of women with the land, both women and men interviewed in Ndixe almost invariably described their mothers as peasant farmers (of 50 interviewees, 48 described their mothers in this way) [50 life-history interviews 1996-97]. Interviewees often referred to women's previous lack of mobility. Amelia, for example, said her mother moved across the valley from neighbouring Gimo Ocosa before Amelia herself was born and spent the rest of her life in Ndixe:

“My mother was a farmer - she never worked outside Ndixe. Before, there was none of this selling food crops, only selling animals (and that was men's business). So no, my mother never travelled out to market, either”
[Amelia, age 60, 1996].

Carolina, who runs a busy trade in home-brewed beer and breeds pigs (an activity financed by her husband's wages), speaks dismissively: "My mother was a peasant farmer and never left Ndixe" [Carolina age 34, 1997].

The comparative literature on migrant labour in Southern Africa confirms considerable social pressure on women to stay put in the rural areas [Walker 1990]. It also indicates a widening gap in life experience between women and migrant men. Whilst men were exposed to urban and 'modern' living, women remained comparatively isolated in rural areas, more closely tied to the land, with less access to formal education or skills training [Roesch 1986]. My interviews in Ndixe suggested the mystique of migrant labour for women who stayed at home. Many women told me that their fathers, husbands or sons were living, or had lived away, but could not (or did not want to) say what work they did, where they lived or how to contact them⁶³.

A second consequence of male labour migration was the sheer hard work that fell to women. Isaacman argues that the extreme demands on their labour meant that "[w]omen in southern Mozambique...felt the weight of colonial capitalism perhaps more acutely than those anywhere else" [Isaacman 1996:98]. Women's fulfilment of these labour demands, however, was not financially rewarded. Instead, the monetary value attached to men's labour increased men's economic power relative to women [Young 1977; Arnfred 1989; Harries 1994; Negrão 1995: 118].

Nonetheless, a passive view of 'women forced to labour' under colonial rule belittles women's strategies for survival and resistance [van den Berg 1987, Young 1977, Harries 1994, Isaacman 1996]. In Xihlale village, Marracuene, for example, women told me:

⁶³ Beyond mystique, there could also be a political side to this, namely not revealing the whereabouts of men who might be considered as illegal immigrants in South Africa.

"The colonial farmer who occupied our land tried to force us to grow cotton, but we showed him that cotton just wouldn't come up in our area. What he didn't know was, we used to boil the seeds before planting them!"

[Group interview with women in Xihlale 1997].

Isaacman argues that women in southern Mozambique used great initiative in adapting to changing circumstance:

"[Women] organized labour exchanges, disregarded prior taboos and gendered notions of work and bent colonial rules, [demonstrating] that women were the principal architects of coping strategies --- "

[Isaacman 1996:101]

Furthermore, women's increased responsibilities created new spaces for decision-making and economic management on the homestead. Although men were seen as 'bread-winners' and women's work was not remunerated, many women in Ndixe spoke positively about their contribution to the household, whilst their husbands were away [life-history interviews 1996-97, 1999]. In the present day, this is reflected in the testimony of women who said they had returned to Ndixe after the war because they felt "useless" in the city, whereas in the village they knew they could contribute to family welfare (see Chapter Seven). It is also reflected in women's memories about their life before the Frelimo-Renamo war. Cristina, for example, now a widow in her 50s, swung her hoe with an air of pride. She told me: "Whilst my husband was away in the mines, I worked in the fields and that way I could feed my family" [Cristina, age 50, 1997]. Angelina, a petite but muscular woman in her late 50s, looked on the scant pickings of this year's harvest and reminisced about the old days: "When my husband was away, I used to clear the fields myself and even take hold of the plough. When the rains were good, I could grow anything!" [Angelina, age 57, 1997]. This suggests that their farming activities constituted a source of positive identity for women.

In sum, prior to Independence Ndixe was caught up in the broader processes of colonial intervention that altered relations to the land, reinforcing the interdependence between male migrant wages and women's labour in reproduction and agricultural production on the rural homestead. Throughout the colonial era, gender divisions underwrote broader patterns of accumulation. Women's (mostly unremunerated) role in reproduction and production allowed men to migrate and earn a wage. Gender divisions and the devaluing of women's role facilitated colonial capital accumulation. The relatively greater entitlements that men acquired through their labour exacerbated gender difference, limiting opportunities for women. Yet, women constructed a sense of self worth around cultivation.

Changes at Independence, Frelimo policy and responses to it

The conditions governing land tenure and peasant production in Ndixe altered radically after national Independence. The Régulo Mabjaia and Chief Ndixe, were deposed. Officially, at least, power was promptly handed over to a younger generation of Frelimo officials and enthusiasts, through the *Grupos Dinamizadores*.

Almost immediately after Independence, Frelimo officials mobilised or ordered people to start work on collective fields. Without inputs and a reorganisation of the division of labour, however, the collective fields were no more productive than the family fields people were used to working, often closer to home. The Ndixe collective fields were abandoned after only one or two seasons, as they were in the rest of the district [Lopes 1995; Community mapping, Ndixe 1997; Interviews with DINAGECA officials, 1997, UNAC officials Marracuenc, 1996]. Village elders say:

"We resisted the communal villages. For the valley people it was fine - they were used to living in groups and when the floods came [1977] they had no problem to live in communal villages; but not us. We're used to living in our

own place, not crowded up. The only way they got us into a village, in the end, was because of the war"

[interview with village elders 1996].

In the Incomati valley, the larger colonial farms were taken over by the newly created state farm, 'Marracuene Agrícola'. In Ndixe, however, local officials took their own initiative to redistribute land from the ex-colonial farm in Bobomuine valley. This land was divided into small plots and handed out to more than 50 households – much to the chagrin of the families who laid claim to that land before its colonial occupation. Eventually, they would seek redress (see Chapter Eight).

For the most part, however, Ndixe remained marginal to the new Government's agricultural policy. As before, all major investments in Marracuene were concentrated in the Incomati valley, where some 328 hectares of prime arable land were given either to the single state farm, or to co-operatives [interview with DDAP-Marracuene 1997; Lopes 1995]. From 1977-1980, much of the remaining Incomati valley was occupied by a new wave of commercial farmers, some of them Mozambican, but others of Indian and Chinese origin [interview with DINAGECA officials, 1997]. Principally they produced rice, vegetables, bananas and a little maize for the Maputo market. In the mid-1980s, MONAPO, a rural development project financed by Swedish aid, set up a series of peasant associations in the demarcated lands of the valley, supplying them with tractors and other equipment. It also established a central union to co-ordinate the activities of the peasant associations [interview with UNAC officials, Marracuene, 1996]. MONAPO also began a forestry project, 'FO2', on an area of 13,513 ha, meant to provide firewood for the domestic fuel market in Maputo.

In the valley, many women joined agricultural co-operatives (some 90% of co-op membership was formed by women [UNAC, Marracuene 1996]), thus gaining access to co-op land. For the first time, here, many women had access to land (co-op land) that was not subject to the rules of patrilineal inheritance. Perhaps more significant still, at that

time of acute general shortages, they gained access to rationed food and other goods that were channelled through the co-ops [O'Laughlin 1984]. Generally left out of these development projects, 'family sector' farmers in Ndixé were left to fight their own battles for survival.

Recent studies on migrant labour suggest that after Independence (when the removal of colonial restrictions on urban residence coincided with rural decline), some of the better off migrant and urban workers often sought to invest in trade and transport, or to move their whole family into town, rather than invest in farming [Covane 1996; de Vletter 1998]. My interviews suggest a similar trend in Ndixé.

Manghezi, on the other hand, shows that rural crisis and decline also allowed some farmers to consolidate their land holdings and agricultural production [Manghezi 1983]. In Ndixé, there were a number of relatively well off farmers, whose wealth could be counted in such things as cattle, ploughs, and brick houses. Interviews suggest that their success derived from two principal sources: wealth acquired as a result of their status in society as former chiefs or recently dubbed officials, or migrant wages used for investment in agriculture [group interviews on wealth categories, with women 1997 and men 1997; life history interviews 1996/97].

Whatever their sources of income, most Ndixé households were soon to see their wealth shrivel, with the onslaught of economic crisis and war.

Economic crisis and war

The retrenchment of migrant labour from South Africa and the capital city rudely severed the cash life-line supplying migrants' families with inputs for agriculture and sometimes even for daily food. Ex-miners in Ndixé lamented:

“We weren’t at all happy when they cut the number of miners because we men, from here, used to work in South Africa and that’s where we earned our living. There’s no work for us here!”

[Interview with ex-miners in Ndixe, 1997].

As unemployment hit hard and parallel market prices spiralled out of control, insecurity swept towards the village, in the form of Renamo aggression.

Renamo had its stronghold in central Mozambique where it operated in a manner similar to feudal war-lords, exacting taxes in the form of labour and food supplies from the peasant population, through the mediation of local chiefs co-opted or chosen by them [HRW 1992:73; Vines 1991]. Although it established several military bases in the south, including three in Marracuene, Renamo acquired little acceptance in the southern provinces. Here, it often operated a burn and retreat strategy, relying on kidnapping and forced recruiting to supply its ranks.

The first Renamo attack on Ndixe was launched in 1984. Sitting in the shade of a cashew tree on a quiet winter's morning, elderly brother of the former Régulo, Damião, still vividly remembers the traumatic events which so dramatically altered life in the village: "The first sign of war arrived at my own house. They killed my brother and stole my goats. It was on the 12th April 1984" [Damião, 1997].

As attacks on the village intensified, Frelimo officials pressurised for the creation of a 'communal village'. Initially an element in its strategy for 'socialisation of the countryside', with the onset of war the communal villages had more to do with security considerations. Ndixe village was created on the outskirts of the police training centre at Matalane. The six resident families saw their land parcelled up and handed out to accommodate the many dozens of other families, who were by then crowding into the area. Ana, a widow and now a member of the village council, lamented: "I had planted trees, but they cut them down when they were measuring the land and my land was

reduced because many people were suddenly brought in” [Ana, OMM representative in Ndixe, 1996].

However, the move was short lived:

“When the bandits began to attack, people were moved to the communal village; but the very next year, there was a massacre on New Year’s Eve. After that, everyone had to leave, even those who didn’t want to go. The soldiers pushed us to leave. They said ‘look, the others are going, you have to go too, you can’t stay here’. They sent us off. Then they came in and robbed our remaining things which the bandits hadn’t taken. Like they took the iron roofing sheets on my house. Now I have no roof. When it rains, I sleep standing up!”

[Ana, 1996].

In my interviews with district officials in Marracuene, some argued that the local population had mixed sympathies during the war. Whatever the individual sympathies and compromises made by local people, however, the story of war told within Ndixe is of powerlessness and loss during that time. Everyone I interviewed in Ndixe told their story from the viewpoint of people caught up in violent events beyond their control. This was reflected in individual life-histories as well as in group interviews, where people told of loss, flight and the death of their relatives. (Similar experience is reflected in Azevedo’s video film on the impact of war in Marracuene [1991]). It was also striking in informal conversation how often, so many years after the attacks, people would recall the events and fears of the war days.

A few examples illustrate this:

“On the first day that Renamo came, we were all here. It was on that day that they murdered my brother. Then they took the clothes and other belongings from the houses. I fled to Matalane to call the police force and to see if they

could come and help to bury my brother; but they refused. They said 'you do it: we can't go there'. Even so, with our own efforts we managed to bury my brother. Then we had a meeting and decided it would be best to move“
[Damião, brother of ex-Régulo].

“Before the war I had eight cattle and 32 goats, but all were lost. During the war, we moved to the communal village. When they destroyed the village, I fled to Matalane. We stayed there till the war ended. I lost all my animals, even my *chapas* [roofing sheets]. My mother died in the communal village, and my father died in Matalane, through fright at the gunfire”
[Avertinho, age 50+, 1997].

"What changed everything for us was the war. Many people were killed, some of them right here. Our houses were burned, and the co-op buildings. Many people were captured, sometimes whole families. We had to leave our lands and we lost many cattle. When people abandoned Ndixe, they fled in all directions. By the time we came back there was nothing left, only skeletons"
[interview with Ndixe elders, November 1996].

From 1985 until after the Peace Accord of 1992, Ndixe was deserted by its residents. Only a few daring people ventured back to visit their fields - knowing they were risking their lives. The majority of village households relocated to urban and peri-urban areas in Maputo city, Marracuene town, Bobole (a small settlement with a large military barracks, some 12 kilometres north of Ndixe) or simply huddled around the Matalane police training centre.

War and social dislocation had contradictory implications for women in Mozambique. Anne Pitcher argues that wartime food shortages in Nampula increased the social value of women's food production [Pitcher 1996]. By contrast, research with displaced people suggested that displaced women were often in a particularly vulnerable position. Leaving the land could mean a permanent loss of land rights for women, especially where this was

accompanied by the break-up of a family [Negrão 1991; Baden 1997; Langa 1995]. Women migrating to peri-urban areas alone could find it particularly difficult to stake a land claim. Once security improved, women could find it most difficult to leave camps and resettle [Negrão 1991]. Furthermore, in the absence of economic alternatives, the fact that displaced women could not cultivate had negative implications for a woman's social and economic status. This is reflected in the testimony of women from Ndixe on their motives for eventual return to the village (see Chapter Seven).

Resettlement in a time of conflict over land

On the 4th October 1992, the Government and Renamo signed a Peace Accord and a cease-fire became immediately effective. At first, people were wary of leaving their wartime places of shelter and going back to the countryside. As the cease-fire held, however, hundreds and, gradually, thousands of people made their way back from urban and peri-urban areas to their pre-war, rural homesteads.

Yet, it cannot be assumed that they either returned wholesale to the rural areas, severing all urban links; nor that they returned to the same pattern of socio-economic life which they had left behind, often more than a decade ago.

Between the time people fled Ndixe in 1985 and their return after 1992, the Government had effected the turn around from socialism to structural adjustment, which set the context for post-war resettlement. As ordinary people made their way back from places of war-time refuge, they found their assumptions about returning home (and sometimes even the possibility to do so) threatened by an avalanche of requests for land in Marracuene District. These requests came mainly from the new, urban based elite: for residence, ranching, tourism, speculation, only rarely for cultivation. Some district officials found the pressure hard to cope with. As the District Director of Agriculture told me: "I have had almost everyone in here [my office] trying to get a piece of land, except the President himself" [interview with the DDAP, 1998].

When rural security improved, land conflicts were increasingly reported in Marracuene [Waterhouse 1999] and other regions of the country boasting fertile, well-watered lands near to service infrastructure, roads and markets. Yet peasant farmers were weakly placed to defend their land rights [Cambaço 1990:16,21; Vieira Mario 1996:50; Weiss & Myers 1994]. In theory, peasant occupation rights to land were protected by law: in practice, they often proved to be a dead letter [Tanner 1994:10]. This was partly related to a loophole in the Land Law, referring certain decisions to the Civil Code. This proclaimed that written evidence should always take precedence over verbal evidence, in a court of law. Yet the overwhelming majority of peasant farmers had no access to written documentation (notoriously costly and difficult to acquire) nor lawyers to represent them in the case of conflict.

In an effort to redress this problem, in 1987 President Chissano had launched a land titling initiative in Marracuene for farmers in the Incomati valley. These enabled peasant farmers to acquire 'land use and benefit titles' from the State [Cambaço 1990]. By 1995, however, only a small minority of peasant farmers had ever acquired such rights⁶⁴ [Hanlon 1995]. Indeed by this time, the 'Rural Mutual Aid Association' (ORAM) found it cost between US\$280 - US\$320 to title one plot of three to six hectares of land, whilst the average annual income at that time was estimated at around US\$90. To register land, some 15 bureaucratic steps were involved which could take years to complete [interview with Mothombene 1996].

These themes of wartime loss, political transition, increasing competition for land and international pressure for land reform, in the context of implementing the PRE, are taken up in the following chapters. In these chapters, I follow the story of post-war resettlement

⁶⁴ In 1990, only 1,010 titles had been issued to family sector farmers, for 1,2 % of family sector land [Cambaço 1990:20]. According to Hanlon, by 1995 there were two to five million "properties" in Mozambique of which fewer than 100,000 had a title or certificate. He may be referring to land holdings or

in Ndixé, the attempt at reconstruction and some of the outcomes.

First, however, because of its' centrality to women's lives and its' centrality in mediating women's access to land, as already implied in this chapter, I now turn to the issue of marriage and changing marriage practice in Ndixé.

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to rural buildings, for which a title can secure the surrounding land, since land is not privately owned
[Hanlon 1995:20]

CHAPTER FIVE

LAND, MARRIAGE AND BARGAINING POWER

“Traditionally, lobolo [bridewealth] is supposed to be a gift to thank the parents of the girl”.

Interview with men only focus group, Ndixie, 1997

“Traditionally, the loboloed woman has more value, because otherwise the husband can send you off, just anyhow --- “

Interview with women only focus group, Ndixie 1997

“Nowadays lobolo is a small [little valued] thing. Even the women can earn money. If you just argue with your wife a little bit, she can go and cut firewood, earn money to pay back lobolo and leave home, if she wants”

Interview with elder men, Ndixie 1997.

My review of Ndixie's political and economic history has shown that the gender division of labour was a significant feature of rural livelihoods. I have noted that production on the land plays a central role in the way that women, in particular, organise their daily lives. I have also noted that marriage and inheritance are key institutions through which access to and control over resources including land, labour and produce from the land have historically been organised.

These factors signal the importance of understanding marriage processes and patterns, in order to gain a better understanding of social relations around the land. Marriage is not a

static institution. Marriage practice and processes of household formation alter with changing socio-economic circumstance. These complex gender issues have specific implications for current land policy, which aims to secure women's land rights. In this chapter, I investigate changes in marriage practice and household formation in Ndixe.

Customary marriage procedures

According to women interviewed in Ndixe, the 'traditional' role for women is based around fertility and production on the land. Around the time of the early 20th century ("in the days of our grandparents"), ideally parents hoped to find a hard working woman to marry their son. She should be able to work well in the field, care for the home, cook, bear children and take care of them. Similarly, women and their parents would look for a hard-working husband, who should "respect his elders", construct a house for his family and provide (material goods) for his wife [group interview with women, 1997(a)].

According to elderly people in Ndixe, marriage in the early part of this century was principally arranged between the elders of different lineage groups. However, a young man could initiate the process by telling his father of his desires. The first, tentative step towards marriage was the 'introduction' or *ku thloma*. The suitor's father would send a delegation from his own household to speak to the girl's family, and gauge their interest in talking marriage. If the girl's family accepted, then a presentation gift was sent and the two parties began negotiations over lobolo, or bridewealth. Elder people interviewed said this stage was called *nthlombe*, involving a 'compensation for loss of the bride'. Paternal aunts, in particular, played a key role in these negotiations. The next step involved collecting the lobolo payment, paving the way for the wedding ceremony itself. On this day of ceremonies, referred to as *ku konissa*, the bride's family would meet at her house, singing and dancing until morning. Next morning, the elder women would take the bride to the groom's house, together with her *loiça* (pots). Here, more singing and dancing would take place, accompanied by exchange of insults between the two families "as

tradition tells them to do" [group interviews with elder women, 1997 (a), and elder men, 1997 (a)⁶⁵].

On the second night of the wedding ceremony itself, the bride would leave her parents home and move to that of her in-laws. Here the couple were expected to consummate their marriage.

"In tradition, when a girl was to start a new home, the aunt went to see if she was a virgin or not. She put a white cloth on the bed. If there was blood, then she gave them 200 Meticais the next day and there would be a party and everyone was happy. The marriage would go well, because the girl was well brought up. But, if she were not a virgin, her family would not be happy. The woman was already 'spoiled'. The parents of the husband went into the house and said 'You must hush all this up. But treat her well. By this they meant that the husband should still give money to his wife and treat her with respect, even though she was not a virgin"

[Ana and Camaria 1997].

This practice, however, has also changed over time and was not necessarily practised by all. Although Ndixe women referred to it, it may have been a relatively recent tradition in the middle of the century, linked to Christianity. According to elder men in the nearby village of Xihlale:

"Long ago, a woman wasn't necessarily supposed to be a virgin when she married. Indeed, people sometimes preferred a woman who already had a child, to prove her fertility"

[group interview with elder men, Xihlale 1997].

⁶⁵ Junod [1927] interprets this exchange of insults as a symbolic representation of loss to the bride's family and of the hard life ahead for her, causing her and her family to mock resistance.

Thus sexual taboos for women would also seem to have followed an historical trajectory of change and, in Ronga society, probably increased with the influence of Christianity and colonial intervention. Young [1977:74], for example, suggests that in pre-colonial times, the Ronga were fairly tolerant of women's extra-marital sexual liaisons. (I return to the issue of sanctions on women's behaviour below.)

During the wedding ceremony, the bride would leave her parental home and the plot she used to cultivate, for the home and land of her husband and his family, to which she now 'belonged'. At first, the young couple would live in the same homestead as the husband's parents, only eventually moving out "when they had gained the parents' trust". Once married, the bride had no further claim on the land she had worked at her parents' place, except for harvesting the last crop. She took this to share with her husband. However, the first concern of her husband's parents would be to show her a new piece of land for cultivation. At first, a new wife would often work together with her mother-in-law, but eventually would be given her own field [interviews with elder men 1997(b) and elder women 1997(b)].

The meanings of lobolo

For as long as people can remember in Ndixé, marriage was confirmed by the payment of lobolo and a woman was only considered to have true status as a wife, once lobolo had been paid. In the perception of Ndixé residents, lobolo "traditionally" signified that authority over the woman was transferred from the father to the husband; but also that the husband was now responsible to provide material support and land access for his wife. It is apparent, then, that although the lobolo payment had economic use value, it also had a key social and symbolic significance.

Anthropologists Rita-Ferreira [1982] and Feliciano [1982] argue that lobolo in pre-colonial Tsonga society was an important survival mechanism, serving to establish wide-ranging kinship networks and social alliances. Through the transfer of women and

bridewealth, strong ties were established between families. The lobolo payment was rarely made in one go, often taking years to complete and thus soldering long term relations of obligation between kin groups. Feliciano argues that lobolo was important to establish social alliances across different agro-ecological zones, thus safe-guarding against the impact of environmental hazards such as drought in one area or floods or pest in another [Feliciano 1998].

The payment of lobolo also secured a father's right over his children. From this account, it appears that lobolo marriage was of particular benefit to men, as was polygamy. In a rural economy where agriculture was based on manual labour, such as that of pre-colonial Ronga society, many wives and children would mean a large labour force and would increase the wealth and status of the male head of household [Boserup 1970; Goody 1969, 1976].

The argument that lobolo signified the husband's rights over the wife, and her fertility, gathers support from evidence that a wife could be 'returned' to her parents if she turned out to be barren (infertility was almost invariably blamed on women). In this case the lobolo would have to be repaid [Junod 1927; Sachs & Welch 1990:89-90]. Alternatively, according to interviews in Ndixe, the bride's family might offer another woman - a sister for example - to fulfil the wife's reproductive obligations.

In the 1960s and '70s, the anthropological literature referring to bridewealth tended to focus on its material and contractual aspects and on the benefits to men. In his analysis of pre-colonial, patrilineal communities, for example, Meillassoux argued that men acquired the authority to control women's productive and reproductive labour through bridewealth payments and patrilocality [Meillassoux 1982]. Lobolo, however, was not primarily a commercial transaction: it signified the reciprocal exchange of women within a community. Bridewealth received for a daughter would be used to bring in a wife for the son.

Although the main benefits from lobolo accrued to men, a number of scholars have pointed out that lobolo marriage entailed some benefits for women. It conferred a recognised social status on the wife and guaranteed her specific rights, including access to cultivable land [Sachs & Welch 1990:385; Loforte 1996:53]. Certain women, particularly paternal aunts, played a key role in lobolo negotiations, which thus gave them a source of considerable social power [interviews with women, 1997(a), and elder women 1997(b); Bagnol 1999].

Welch & Sachs [1987] note that women themselves sometimes engaged in securing wives through lobolo. They recount the experience of Vulande, a woman born in Marracuene in the early part of this century. When her father became a widower, Vulande paid lobolo to secure a second wife for her father, named MiHambene. When her father died, MiHambene was 'inherited' by Vulande's paternal cousin and had a child by him, Babalala. When MiHambene left her second husband, Vulande assumed control rights over Babalala, since she had paid the original bride-price for MiHambene [Welch & Sachs 1987]. In his autobiography, Raúl Honwana confirms that when MiHambene left her second husband, the lobolo was not repaid to Vulande; who thus had the right to receive the 35 pounds lobolo, when MiHambene's eldest daughter was married [Honwana 1989:39].

Experience from Nigeria further suggests that, although it involves a hierarchical system of acquiring rights over women's labour, lobolo marriage should not be simply equated with 'male oppression'. Ifi Amadiume, for example, has noted how Igbo women in Nigeria used lobolo payments to buy wives for themselves, thus increasing their own social status as well as the labour force at their command [Amadiume 1987].

Yet, whatever the earlier rights acquired through lobolo, the advent of male labour migration altered its meaning and apparently intensified gender struggles in Southern Mozambique. Both Walker (1990), reviewing the issue across Southern Africa, and Young (1977), writing on Mozambique, argue that as male migration increased, so did the sanctions on women's mobility and independence.

Walker contends that gender tension produced a "curious alliance" between chiefs, fathers and husbands and the colonial authorities, as these groups sought to control women's mobility [Walker 1990: 180]. One form of control was "a staunchly patriarchal interpretation of customary law", used to shore up male authority and contest women's physical and sexual freedom [1990: 182-183]. Men's interpretations of 'traditional' controls over women - severe punishment of women's adultery for example - were privileged in the colonial courts from whence they emerged as 'the' customary law [Walker 1990: 183; Chanock 1985]. Another method involved pass laws, restricting women's ability to travel without the express permission of their husbands or fathers.

Such evidence not only suggests that 'customary norms' are historically constituted, but also suggests that the colonial State contributed to constructing a discriminatory customary code, which tied women to the homestead at the same time as negating women's control rights over resources.

In the early 20th century, the colonial government began to take an interest in registering African marriages. Although the Government declared that this measure was to reduce lobolo disputes amongst the 'natives', Welch & Sachs argue the real motive was to control the movement of cattle (often exchanged through lobolo), through the registration of lobolo payments [Welch & Sachs 1987:373]. Alternatively, Walker argues that the key intention was to consolidate the monetarisation of lobolo. As Sachs and Welch also note, in 1930 the Director of Native Affairs fixed a stipulated payment for lobolo: 2,500 escudos in normal cases and 4,000 escudos for the daughter of a chief [Sachs & Welch 1990: 92]. According to Walker:

"In setting defined limits to bridewealth...the state was trying to establish a rate that would require men to go out and work, to earn it, without being so high as to become impossible to reach. One of the consequences of this intervention was to commercialise the payment of bridewealth, with negative effects for

women", who thus came to be seen increasingly as objects for barter and trade [Walker 1990: 184].

Similar processes of the commercialisation of bridewealth are described by Beinart for Mpondoland (1982) and Schapera for Botswana (1937).

In Ndixé, too, as elsewhere in southern Mozambique, integration into the migrant labour system and penetration of the cash economy altered the meaning of lobolo as it took on an increasingly monetary value [Arnfred 1989(b); van den Berg 1987; Harries 1994: 89-90].

This had other consequences. Ndixé men argued one advantage of migrant labour was that you could pay lobolo yourself, rather than wait for your parents to do it for you. This meant, as Meillassoux has argued, that young men could, in theory at least, contract marriages that their parents did not approve of or could marry earlier than their parents would have liked. This process meant a weakening of male elders' power over junior men [Meillassoux 1981]. Harris argued that the prospect of earning their own lobolo was a key motive for junior men to migrate (see Chapter One) [Harris 1959; Harries 1994: 90].

The form of paying lobolo in Ndixé has changed through time. According to Junod, before the 20th Century lobolo amongst the Tsonga had been variously paid with reed-mats, copper or iron rings and beads; and from the late 18th Century with cattle [Junod 1927]. Harries notes that in the mid-19th Century there was a burgeoning trade in *beja* hoes⁶⁶, which were specially used for bridewealth [Harries 1994: 87]. In Ndixé, people recall that in the early part of the 20th Century, lobolo may have been paid locally in cattle, but cattle disease and loss due to war resulted in a shift back to payment through hoes. According to interviewees, lobolo was paid in hoes "long ago", but by the middle of the 20th Century it invariably involved money. This was frequently supplemented by other items such as clothing and alcoholic drinks⁶⁷. On the eve of national Independence,

⁶⁶ Iron hoes with a lotus-shaped head used for bridewealth payments [Harries 1994:87].

⁶⁷ As the negotiations and ceremonies became more focussed on lobolo, the whole marriage process became shorter [Interviews with mixed group 1996(d), elder women 1997(b) and elder men 1997(b)].

lobolo in Ndixe was 2,500 escudos according to the official price controlled by the Régulo, plus a variable array of clothes and beverages according to the wealth and status of the two families [interviews with mixed group 1996(d), elder women 1997(b) and elder men 1997(b)].

In his detailed research on migrant labour from Mozambique (c.1860 - 1910) Harries argues that the monetarisation of lobolo substantially altered power relations in the home communities:

"The independence with which young men obtained bridewealth in South Africa challenged the foundations of the political dominance of the chiefs and *numzane* [headmen]" [Harries 1994: 98].

At first, Harries recounts, elder men tried to maintain their control over young men and daughters through inflating the bride-price, but as this became a money transaction such control became increasingly difficult [Harries 1994: 156-157]. Migrant wages gradually altered the process of household formation. Young men able to pay their own bridewealth could more easily set up independent homesteads, contributing to a trend to smaller household units⁶⁸. The balance of power in gender relations also shifted.

The association between migrant labour and a high percentage of so-called women-headed households in Southern Africa has been well-documented⁶⁹. Henrietta Moore and Megan Vaughan note that in 1930s Zambia, colonial authorities anxiously linked female headship with social breakdown in the rural areas. In her classic study of the Bemba, in northern Zambia, Audrey Richards argued that men circulated regularly between mine employment and the rural areas [Richards 1939]. Following her insight, a large body of social research came to see the 'women-headed households' phenomenon as a temporary phase in the 'development cycle of households' in labour reserves areas [Murray 1981].

⁶⁸ The mine companies themselves promoted the idea that migration was a ritual, a kind of rite of passage through which a young man would become independent and return to set up his own homestead.

⁶⁹ See discussion on households in Chapter Four.

James Ferguson writing on Botswana, Moore & Vaughan on Zambia and O'Laughlin in broader reference to Southern Africa, however, have argued that the picture is not so simple. A wide variation in patterns of migration and potential return existed, as men and women followed diverse strategies to make use of the economic and social opportunities in rural and urban areas [Moore & Vaughan 1994: 140-142; Ferguson 1990: 411-412; O'Laughlin 1998].

Despite this diversity, a number of scholars concord that migration had a destabilising influence on households and domestic relations in Southern Mozambique and often meant insecurity for rural women [Young 1977; Arnfred 1989; Harries 1994]. They argue that women who stayed on the rural homestead did not know if their men-folk would return at all, what they might bring back with them (this might include material goods, venereal disease or new beliefs) or how they would treat them on return.

The meaning of lobolo was affected by these processes. Arnfred (1989) argues that as lobolo became less a symbol of reciprocal exchange and alliances between families, more a commercial transaction, its meaning for women shifted from a sign of dignity and respect to a means of oppression. Instead of compensation for a daughter lost, lobolo came to signify compensation for expenses laid out in raising this daughter - as if the daughter were a commodity. Furthermore, Arnfred argues, with the trend towards nuclear households, women lost the security of wider kinship support, becoming more directly and narrowly dependent on their husbands for access to land and other resources [Arnfred 1989(b): 27-29].

On the other hand, as Arnfred also notes, gender hierarchies including female hierarchies existed within larger kin groups. Such hierarchies could be oppressive to younger women and childless women, in particular. Moreover, men also depend on their wives, meaning that even in oppressive relationships women have some negotiating power [Kandiyoti 1997]. As Ndixé women testified, women themselves were often keen to set up nuclear households with their husbands [interviews with women 1997(a)].

By the end of the colonial era, cash payments for lobolo were well established in Ndixe. Not everyone, however, paid lobolo. The influence of Christian missions had made its impression on some families. Ana's story illustrates another motive for non-payment. A middle-aged widow, Ana contends that her husband refused lobolo for their daughter. He had reasoned that should he die first, Ana would not manage to repay lobolo if their daughter divorced.

By the eve of Independence and under the conflicting pressures of 'custom', state and Christianity, some of the better off families in Ndixe used to hedge their bets, making sure that a marriage was recognised by all three institutions. On the first day, lobolo would be paid and this was now enough to concretise the marriage. Next day, the husband would register the marriage with the district authorities (this had to be done by the man, as 'head of the household') and then there would also be a ceremony in church. The responsibility to pay lobolo had frequently passed from fathers to the would-be husband [Covane 1996; Harries 1994]. Whilst some (economically or politically privileged) men could pay an increasingly high price, others had difficulty paying at all and many couples lived together for years before the lobolo was completed. Poorer families might never pay:

"Sometimes you just find your daughter's mat rolled up in the morning, with some money hidden underneath it, and she has run away with her 'husband'" [group interview with women and men, Ndixe 1997 (f)].

With the increasing commercialisation of lobolo, the changes in power relations that this implied and the trend to smaller household units, the marriage contract became less of a mutual bond between kin groups and more of a relationship between husband and wife. Through his lobolo rights, a husband had more power over his wife or wives [Isaacman & Stephen 1980; Arnfred 1989(b)].

Superimposed on the existing division of rights in relation to land, these changes in household formation left women increasingly dependent on marriage for access to resources, especially cash. Cash was often needed to supplement women's agricultural activity under existing conditions of labour shortage and non-mechanised farming on marginal soils [O'Laughlin 1995:82] (see Chapter Four). Whilst male out-migration put a strain on conjugal relations, it also raised the premium of marriage, for women.

Yet the tension ran both ways. Walker argues that whilst the migrant labour system tied the long term security of a migrant worker to his rural home, the prolonged absence of men from their wives and children strained the emotional and economic bonds holding the family together. "Wives accustomed to fending for themselves were less inclined to submit to the authority of their husbands on his infrequent visits home". New, female-centred family forms began to emerge [Walker 1990: 193].

Challenges to 'customary' marriage

After Independence, Frelimo was concerned to stamp out practices thought to be oppressive to women (see Chapter Two). In this endeavour, the commercial aspects of lobolo came under heavy attack. Lobolo was seen as a contract through which men bought wives to serve as child-bearers and unpaid labourers. According to the OMM, through the lobolo system: "The woman is bought and inherited just like material goods, or any source of wealth" [OMM 1983].

Sachs & Welch recall that in Frelimo's view at this time:

"To possess women was to possess unpaid labourers whose entire output would be appropriated without resistance by the husband, who was lord and master"
[Sachs & Welch 1990: 94]

Based on this perception, and in line with its 'emancipation' policy, in the mid-1970s the Government launched a heavy political attack against 'customary' forms of marriage. Frelimo banned polygamists from holding public office and further mounted a widespread campaign against the practice of lobolo. As suggested above, however, this view of customary marriage neglects the historical construction of custom and the role of the colonial state in shaping that construct. It neglects the social and symbolic significance of lobolo, women's participation and the potential benefits to women of customary marriages.

In the late 1990s, Ndixé women expressed the view that lobolo had both disadvantages and some benefits for women [interviews with mixed group 1996(d); women 1997(a), elder women 1997(a), younger women 1997(a)]. Despite a subversive view that men wished to lobolo their daughters for their own financial benefit (see p.168), women interviewed also argued that a loboloed wife was accorded more social value and status than a woman who was not loboloed. Some, especially elder, women now blame 'modern' changes and Frelimo for corrupting a system involving lobolo which once signified 'respect' and showed that the wife was valued [interview with elder women 1997(a)]. In the 1990s, these women lamented the demise of arranged marriages, obligatory lobolo payment and "respect". In their version of the past, lobolo meant security for the wife and respect between the two families, within a network of supportive kinship relations. Furthermore, there were spiritual aspects of lobolo which, Ndixé women argued, it was difficult to ignore. Lobolo was a way of presenting a marriage to the ancestors, for their blessing. Failure to pay could incur the ancestors' anger. This might mean that the wife remained childless, or that her children sickened and died.

Inevitably, this version of events is idealised (see Chapter 2) [Hobsbawm & Ranger 1983]. The way in which elder people now (re)present past traditions is likely to reflect their own specific situation and interests in relation to that tradition, at this stage in their lives. And when young women challenge 'traditions' it is the elder women, whose status and security often depends on their continuity, who are most likely to resist. The account of these elder women leaves out the many tensions involved in making lobolo marriages

and the heavy constraints implied for women. The dependence on a husband and his family for land, a home and resources for cultivation, which generally went alongside lobolo marriage in the past, generally meant that women could only retract from such a marriage with great difficulty. A woman's own parents, in particular, might oppose separation, especially if they were unable or unwilling to repay the lobolo [Arnfred 1989(b): 33; Isaacman & Stephen 1980:7; Teixeira 1987].

The recent accounts of Ndixé elders suggest that, from their perspective, long term changes in marriage practice have become conflated with Frelimo policy. Elder people interviewed focussed their discontent on two aspects of that policy: its challenge to the elders' authority and also its emancipation doctrine, including the attack on lobolo. Elder men gave this bitter opinion:

“Times have changed. When FRELIMO came in, they said 'power is now with the youth', and told the former leaders, 'you are old and out-dated'. Now, tradition is not followed any more. Young people become lovers out there, away from the home. They are already involved before the parents know about it. Now, if you try to influence young people at home, they just say you are old fashioned”

[interview with elder men 1997(a)].

Elder women had a similarly disdainful opinion of young people's behaviour:

“Today it's not the parents who choose a marriage partner anymore. Since Frelimo came in, respect has gone. The young women agree with the boys amongst themselves. It's not the parents who decide. The young people no longer bother to look for good qualities in a partner. Now, they don't chose: Machope, Ma-Inhambane⁷⁰, whatever, they don't care. They don't ask if that man has respect or money; they just go with him”

[interview with elder women 1997(a)].

⁷⁰ The reference is to Chope speaking people or people from Inhambane.

It is not necessary to take these opinions either as an accurate reflection of Frelimo policy, or of youthful behaviour in Ndixe, to agree that they denote anxiety amongst village elders that things have changed and that these changes have undermined their position. In their view, kinship ties have loosened, the marriage process has changed and elders' authority has weakened during their lifetime.

Unintended effects of Frelimo policy on marriage

Reading from the testimony gathered in Ndixe, Frelimo's early policies on marriage had two particularly tangible effects. Firstly, although the practice has far from disappeared, women's attitudes to polygamy are ambiguous. This is illustrated by the view of two elder women, one a widow and the other the first wife of a polygamous man:

Ana: "When we say things are worse nowadays, because people don't follow tradition anymore, we are not really saying that polygamy is a good tradition."

Camaria: "It's true that people have done this for a long time, but it's not because we like it. Actually, we have tried to tell our husbands not to do this because we saw our mothers suffering and now we suffer ourselves with this situation."

Ana: "But the men don't listen. Probably, they also saw their fathers take many wives and they learned from their fathers"

[interview with Ana and Camaria, 1997].

Their experience resonates with other testimony from Southern Mozambique reported, for example, by Urdang [1989] and by the OMM [Arnfred 1989(b)]. This shows that polygamy did not end with 'emancipation', but sometimes changed face, into *amantismo* (taking lovers). In other words, rather than marry another wife and be condemned as a polygamist, men would make informal arrangements with other women. These

arrangements, however, were less secure for the women involved than if they had become additional wives. At the same time, although the new national Constitution proclaimed equal rights for both sexes, the Portuguese Civil Code remained in force, reaffirming the male prerogative to inheritance rights and to control over family labour and resources through marriage.

The second influential aspect of Frelimo policy widely referred to in Ndixe was that when the Régulos were deposed, the fixed payment for lobolo was removed and this seems to have contributed to the rising price of lobolo. The main complaint of Ndixe men about lobolo was that it was increasingly expensive and difficult to pay. In their view, the price increase, rather than politics, has done most to ensure that lobolo is often not paid. As a result, they argue, young people often set up house together without a marriage ceremony, or even the consent of their parents.

A number of academics have argued that one unintended consequence of early Frelimo policy was to undermine women's social status through its emphasis on male-headed, nuclear households as the normal model [Davison 1988; Arnfred 1989; Urdang 1989]. Its challenge to customary practices, they argue, to some extent undermined women's power base within customary systems (for example, through the kinship hierarchy), throwing them into greater dependence on husbands.

Despite this critique, ironically it was men in Ndixe who complained most strongly about the results of Frelimo intervention. Their complaints support the view that women are not 'passive victims' of injustice, or of arrangements which don't suit their interests:

"Women no longer want to live with their husband's family and they insist on having their own house; but the result is problems in the marriage. Because when the husband used to go and see his girlfriends, he would come home at night through respect for his parents. But now, the couple lives alone and the wife gets jealous and then there are arguments and it ends up in divorce".

“This very thing happened to me. My son’s wife insisted on her own house, so they left. But then there were arguments and she left him and went to live in Maputo. Now my elderly wife has to look after the grandchildren”
[interview with men 1997(a)].

War and its aftermath

In local accounts, the impact of war and exile from Ndixe had a long-term impact on gender relations and the ways in which marriage is negotiated. Again, elder men had the most disparaging things to say:

“This change [away from ‘tradition’] began even before the war started, but when we all had to leave the village, things got much worse. Nowadays, young men don’t bother to select a wife. Any kind of woman will do, even one who maybe doesn’t know how to get the bath ready. You can find a boy with five girlfriends and vice-versa and you will not know if any of them are going to marry in the end”
[interview with elder men, Ndixe 1997(a)].

War had a contradictory impact. On the one hand, some men left the village to join the army or were forcibly recruited by Renamo, the fighting created widows and military insecurity in the village removed women from a key, traditional source of female identity and power – work on the land. Five years after the end of war, there was still an enduring perception amongst women and men of a lack of young men and of female competition for marriageable men. Half way through my fieldwork, one woman tried to explain the common view that it is generally men, not women, who commit adultery. She explained this in terms of a shortage of men: “You’ve been coming here for months, but have you seen any men yet?”

On the other hand, the disruption of war clearly exposed women to new, often urban environments, social networks and commercial activities, as they looked for new ways to survive. I discuss these issues in more detail, in Chapter Seven. However, I also discuss them briefly here, because of their significant impact on attitudes to marriage and on marriage arrangements.

Contemporary attitudes towards marriage and marriage practices

As noted above, the war had a contradictory impact on women's lives. However, one change that has had profound consequences has been women's movement out of the rural world bounded by their own village. The physical dangers of war brought displacement from the village. With the loss of livelihood caused by war, of necessity women have had to engage in new forms of income generation, typically petty trade. Women who took refuge in Maputo during the war, as well as their daughters, have been exposed to the environment of city life, to television, to aspects of hegemonic Western culture and to Western social and sexual norms. These influences, as well as the influence of Frelimo's campaign for women's emancipation (see above), are reflected in contemporary attitudes to marriage and marriage practices.

In 1997, life history interviews with 25 women found that of 18 married or widowed women, only one had a formally registered marriage. The same woman had also been loboloed and married in church. Of the other 17, the nine women over 40 had all been loboloed. Of the remaining eight married women under 40 years old, only one had been loboloed, although two said their husbands intended to pay lobolo in future.

During my fieldwork, however, an interview with a mixed sex focus group revealed the strongly different opinions that women and men currently held about 'customary marriage' and the practice of lobolo:

RW: *Can you tell me how marriages used to be made, in the time of your grandparents?*

Men: Lobolo used to cost 2,500 Meticias.

Women: It cost 15 Escudos

Man 1: First it was 3,000 Meticais; but as the families couldn't manage to pay, it was reduced to 2,500 Meticais.

RW: *OK, but let's start at the beginning: when two people were going to marry, who would decide about it?*

Woman 1: At that time, the girl's father would go to the boy's father and say "Here's my daughter: Give me the money!", so he got to eat the money while he was still alive.

Woman 2: Then they would register the marriage with the Government authorities. That was in case of divorce, because then the bride's family would have to pay back.

Man 2: What the women are telling did sometimes happen; but that was not the norm, the tradition.

Men: Normally what would happen is, the boy would like the girl and so he would explain the situation to his father and then the boy's father sent someone to talk with the girl's family.

Women: The fathers were selling their daughters.

Woman 1: The daughters were being sold, in those days. But they stayed in the house of their husbands; they obeyed their fathers' wishes.

Man 2: Were you women sold, or were you loboloed for 2,500 Meticais?

Women: We were loboloed for 2,500 Meticais.

[interview with mixed group of women and men 1996(d)].

This brief encounter with conflicting views of lobolo suggests that attitudes to marriage are changing and may also indicate that gender roles are an active site of struggle and reinterpretation, in post war Ndixe.

An illustration that male power is, to some extent, contested in contemporary Ndixe, is apparent in the contradiction between women's alleged nostalgia for 'tradition' and their attitudes to marriage that suggest a challenge to norms which discriminate against women [c.f. Walker 1994]. This is illustrated by the interview with Ana and Camaria, cited above. They and other, elder women lamented a modern 'loss of respect', but their opposition to lobolo and polygamy shows that, in some ways, they support an erosion of relationships based on gender inequality. Furthermore, their nostalgia for 'respect' might, partly, be attributed to the erosion of supportive kinship networks which customary marriage entailed, leaving elder women, in particular, socially and economically vulnerable. Based on my discussions with women about their attitudes to 'tradition', I interpret what they meant by 'respect' as a symbol for security. It would seem to represent the recognition of elders' authority, fulfillment of reciprocal obligations, and a resulting sense of relative security which women in Ndixe, especially elder women, currently feel has been undermined by the lack of respect for traditional norms.

Through the male migrant labour economy, elder women invested in a system through which their main, immediate support was through the labour of daughters in law. This is often still crucial. A large number of households in Ndixe have predominantly female members (see Table 4.1 above), as where an elderly mother lives and works with her daughter(s)-in-law and grandchildren. When young women contest this system, it is elder women who have most to lose.

Older women whom I interviewed bore witness to tense relations with young women, in their complaints that daughters in law fail to respect them, "They eat alone instead of sharing", "They even beat us", some claimed [interview with elder women 1997(a)].

Young women, in contrast, have actively and purposefully contributed to the dissipation of kinship networks and reciprocal obligations where, sometimes, these no longer seem to offer a return on investment. In their own words, some young women were bold enough to say that "We prefer to live in our own house, not be slaves for others [in-laws]" [interview with women heads of household 1997(a)].

This challenge to customary norms extends to marriage. Some young women did not mince their words in mentioning the economic aspects of marriage:

"Nowadays, it's true, we don't easily accept polygamy any more – why should I accept to be a second wife if he can't even buy a capulana [cloth] for his first wife!"

[group interview with women, Ndixe 1997(a)].

Despite the impression of turbulence and instability in marriage practice, however, marriage remains a key goal and crucial factor in securing economic status and stability for the majority of Ndixe women. The conscious connection women make between marriage and economic stability was clear in this discussion of arranged marriages:

"Parents don't choose a partner for their children any more because the children won't listen. If the father chooses a wife for his son, some of them will say 'I didn't chose her – this wife is yours! I will find my own wife'. The results are not good. Younger women choose alone, get pregnant and then the husband will not take responsibility. Women will suffer alone".

"There's no result, because the man gets you pregnant and leaves you".

"The men don't have success, they just get the women pregnant and don't care for their children. They behave like this because they are afraid of the expense"

[interview with women 1997(a)].

Although marriage remains an important goal for women, men in Ndixe made an explicit link between women's greater mobility and access to cash, since the start of the war, and a relative loss of male power in domestic relationships. Their comments on lobolo offer a clear illustration:

“Traditionally, lobolo is supposed to be a gift to thank the parents of the girl. The lobolo increased respect between the two families that are related through the marriage. The loboloed wife has value because the marriage has been properly recognised. When she is not loboloed, she is not counted as married. She is just a lover, a wild goat.

But nowadays, lobolo is not to increase respect anymore. Now, it's a kind of business! It's a small [little valued] thing. The parents of the wife can say 'we still have your money and we can give it back'. Even the women can also work [i.e. in petty trade] and earn enough money to pay back lobolo and leave if they like. If you just argue a little bit, the women can go and cut wood to earn money and leave home if they want to”

[interview with elder men, Ndixe 1997(a)].

In a further, mixed sex, discussion group on family planning, Ndixe men complained that local women prefer policemen from Matalane (the nearby police training college) to local farmers. Some women present argued that this was true; after all, they said, policemen earn wages. One woman even suggested that such relationships are helpful at times and "maybe even necessary" [mixed group interview 1997(f)].

Looser sexual and social mores may offer greater freedom to women in choosing a partner. The corollary, however, is often vulnerability. Young women in Ndixe said that, given the choice, they would look for a caring husband, whether rich or poor [interview with women 1997(a)]. This testimony resonates with O'Laughlin's argument that although women often do deliberately chose to head households alone, this is often a poor

compromise that women make because of the limiting circumstances. Autonomy often comes at the price of poverty and carries the emotional cost of living alone [O'Laughlin 1998:12,24].

Changing marriage practices and access to land

The above findings suggest that marriage practice and household formation are historically constructed processes, influenced by broader economic processes and state intervention. Long term processes of accumulation and impoverishment in the wider economy have contributed to and continue to inform patterns of household formation in Ndixe, as well as the types of negotiation over gender roles that go on within households. It is in the playing out of these negotiations, through co-operation, compromise and conflict, that households are formed and pulled apart.

Compared to accounts of the pre-war era, contemporary views on marriage in Ndixe suggest that there are three principal trends occurring in gender relations within the household. These are:

- 1) Women's increased economic independence from men
- 2) Young women's apparent wish for greater social freedom
- 3) Despite the above, the continued central importance of marriage as a factor in women's economic status and security.

Marriage continues to be important for women and men because it offers emotional support and greater economic security than living alone. For women, it also guarantees access to land and resources to work it with. This fact is likely to limit women's ability to challenge unequal gender norms currently inscribed within the institution of marriage.

Gender inequality and women's dependence on men for access to land in Ndixe are closely linked to the inheritance norms of patrilineal southern Mozambique. These dictate

that men are the privileged heirs of land and property. It is this issue of access to and control over land, and the role of inheritance, that I turn to in the next chapter.

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CHAPTER SIX

CHANGING LAND TENURE PATTERNS IN NDIXE AND THE ROLE OF INHERITANCE

Mozambique's revised legislation on land [Land Law 1997, Regulations 1998 & Technical Annexe on Community Delimitation 1999] departs radically from the former legislation in recognising 'customary' tenure rights to the land. These norms are said to be practised by 'local communities', which may apply for a collective 'community title' for 'use and benefit' rights to the land. In debates around land reform, peasants' organisations and women's interest groups approved these measures since most rural communities see customary tenure rights as legitimate and have little access to formal law courts [interviews with UNAC, ORAM, Forum Mulher 1996]. However, they raised concern that the formal recognition of rights acquired through a tradition that has historically discriminated against women would undermine women's interests [interviews with ORAM, Forum Mulher, CEA 1996]. In response, the revised Land Law of 1997 specifically recognises women's equal rights to land. Official policy thereby seems to assume that women are disadvantaged in rural production by a discriminatory customary law and that formal land rights for women offer a solution⁷¹.

In this chapter I investigate the above assumptions. I investigate the ways in which women and men acquire land rights in Ndixe through customary, formal and informal channels and what kind of rights they acquire. I look at inheritance as a key mechanism for the transmission of rights over land.

Historical accounts of Ronga 'customary' land tenure

According to Ndixe residents, "tradition" or customary tenure norms still guide access to land for most people in the village. For many, "tradition" provides a sense of tenure security, which seems threatened by Government policy. This was suggested by people's reactions during my first meeting with elders, in Ndixe:

"This land problem is very worrying for us. People come here who want to take our land. They come with Government officials. We have complained to the District Authorities, but we heard some of those people may be coming back again..."

"This thing of land titles is heavy for us because now, lots of people are getting land titles, but we don't know if this will fit in well with our tradition. People are paying for titles, but this land is ours. We are asking the Government not to sell our land"

[mixed group interview, Ndixe 1996(c)].

Over 100 adults participated in the first community seminar I organised in Ndixe in February 1997, when we discussed the (then) Land Bill. A vocal group of men expressed anxiety that land titling, even of community lands, would eventually lead to its appropriation. Elder men said:

"We would like the traditional authorities to start again, because now it looks like the land will be sold, and where would we live?"

[group of elder men, community seminar 1997].

⁷¹ The debate around customary law has different dimensions in the south and north of Mozambique, under different kinship and inheritance systems. In the matrilineal, matrilocal north, the tensions between custom and the formal law have their own complex dynamics [Arnfred 1989; Waterhouse & Braga 2000].

Tradition, however, is not a static but a living institution, informed by historical precedent and also the current interests and perceptions of those who defend it [Hobsbawm & Ranger 1983; Walker 1994:349]. As Spiegel & McAllister argue:

“The traditions evoked to stress particular practices and beliefs... are under continual revision, just as are the images of the past that they bring to mind... Tradition is thus used as a constantly reworkable resource” [Spiegel & McAllister, 1991, cited in UNDP 1998].

It is important, then, to contextualise the concept of tradition around the land.

Elder women and men from Ndixe gave the following account of customary tenure [focus group interviews elder men 1997(b), elder women 1997(b)]. 'Traditionally', the Chief (or in colonial times, the Régulo) had authority over land distribution within the community. He was responsible to designate the area where each family could live and farm. Furthermore, he designated communal areas such as grazing land and was responsible to manage the environment, for example through sanctions against excessive tree-felling. Authority over the land was decentralised from the Chief through headmen to male heads of households, who thus stood in hierarchical relationship to each other⁷².

Inheritance in Ndixe is traditionally patrilineal and marriage is virilocal. According to custom, young men would initially receive land from their fathers. When they married, their wives would typically move to join them at their parents' home. Only after some years, when the marriage was mature, a father might authorise his son to set up his own household. At this point, the man's father would consult his own father about which piece of land to allocate to the young couple.

⁷² Documentary evidence suggests that the chiefs, their headmen and favoured subjects had priority access to the best land [Junod 1927]. In the case of Ndixe, this would include access to the limited wetlands of the river valleys and lake-sides.

The eldest son would receive the best of his father's land. Once a son had his own household, he kept a separate granary. In times of shortage, a father could call on his son to shore up supplies. If a man wanted more land, he could ask his father, his male relatives or eventually the Chief. When a father died, his land would be divided up between his sons. His widow retained the right to live on and work the land, but this depended on the levirate. This meant that to retain access to her husband's land, a widow was required to marry her late husband's younger brother or another one of his close male relatives.

Girls worked beside their mothers in the fields. As young women, they received a little land from their mothers; a plot to practice farming on their own. This land reverted to her mother when the daughter married and, according to custom, moved to her in-laws' homestead. Her family would harvest any crops still growing and send them to her at the new husband's house.

A married woman would receive land from her parents-in-law, via her husband. Initially she was expected to work together with her mother-in-law, and only eventually on her own fields. Women were not entitled to request additional land directly: only through their husbands or male relatives. However, this is a moot point, since the resources needed to work a large piece of land were generally under men's control.

If a husband expelled his wife, custom dictated that all their belongings, including livestock, should be divided up (although, by being thrown out, a woman would lose her access to the land). The Chief would divide the children between their parents. If, however, a widowed or abandoned woman decided to marry again (outside the levirate) she would have to leave her former home. Should a wife decide for any reason to leave her husband, she would automatically lose her rights to any conjugal property, including access to the land as well as the right to live with her children.

This description of customary tenure in Ndixe closely corresponds with written testimony, including one of the earliest, written accounts of land tenure arrangements amongst the Ronga, set down by Junod in the late 1920s.

As a proselytising missionary with Protestant morals, Junod had an evolutionary view of society and sought to capture the details of 'traditional' life, before it transformed in the encounter with a 'civilisation' represented, for him, by the Christian church and Western models of Government [Sachs & Welch 1990:89; Harries 1994:xi]. His account - largely based on information from a small number of African men - should thus be seen as a static and male-biased description of actually changing norms.

As Junod presents it, Ronga custom was based on a patriarchal male authority, kinship relations and gender difference. Ultimately, authority over land, property and resources was vested in male elders. Inheritance was patrilinear. Rights to allocate land were attributed by the chief to the *numzane*, who in turn attributed land to male household members [Junod 1927, II].

The extent of chiefly authority should be contextualised, however. In contrast to the Western concept of a kingdom, where the monarch has absolute authority over the land, research suggests that in Africa the chief ruled over a lineage, rather than a territory [Colson 1962]. The chief was not the owner of the land, but guardian of the community's territory with power to allocate and redistribute land [Colson 1962; Berry 1995; Bruce 1988; Platteau 1996]. In Marracuene, once a plot of land was allocated to a family, that family had continuing use and succession rights to that land and only if they abandoned it would it revert to the Chief for reallocation [Junod 1927,II:6,7].

According to most written accounts of Tsonga custom, a woman acquired land rights indirectly through her parents or husband. Her rights to use her husband's family land and its produce were, in turn, conditional upon success of the marriage and this was linked to the fecundity of the marriage - seen to depend entirely on fertility of the woman [Junod 1927 II; Coissoro 1964].

Both Ndixe oral history and Junod's account suggest that, under customary tenure rules, before Independence women generally had no direct control over land at community

level. As community members, they had access rights to common lands, such as forests and scrub. Through male relatives, they had access rights to cultivated land⁷³, yet their authority over land was usually subordinate to that of men and confined to the intra-household sphere. Whilst a man would generally reserve the best of his land for his sons to inherit, the best chance for a woman to access good land was through lobolo marriage.

Women's authority over land was largely confined to a sub-household level, according to a female hierarchy based on age and status within the kinship network. Women in Ndixe said that within this hierarchy mothers-in-law had authority over daughters-in-law, a wife had authority over second and subsequent wives and the first sister-in-law to join the household was afforded greater respect than the second and subsequent sisters-in-law⁷⁴ [group interview with Ndixe women 1997(a)].

Some scholars, however, have contested the male bias of this 'standard' account [Gengenbach 1998], arguing that it leaves women's active role in decision-making out of the picture. They argue that women's occasional role in leadership and their prominent role in rituals linked to fertility of the land suggest that Ronga women had significant status and influence, linked to reproduction and agricultural production [Young 1977: 74].

Whilst male elders dominated public spaces of power, limited documentary evidence makes it difficult to assess individual women's social or political influence in the early 20th century⁷⁵. Yet the view expressed in Ndixe was that, although control rights over land are traditionally vested in men, men are obliged to protect and defend the interests of their wives, sisters and daughters. Hence the norm, for example, that any woman expelled

⁷³Lastarria-Cornhiel [1995, 1997] argues that women have generally had limited, but nonetheless, significant access rights to land in African customary tenure systems.

⁷⁴This would seem to support Karen Sacks argument that whilst women in many societies have low status as wives, they may wield considerable influence in other roles, such as sisters, mothers--in-law and aunts [Sacks 1982].

⁷⁵Such an assessment is further impeded by the tendency of many historical texts to cast women as the passive objects of male designs. Penvenne, for example, claims that "[e]lder males were responsible for social control, resource management, organisation of agricultural production, and product distribution through their control over ritual, trade, military activity and ideologically legitimate sexual and reproductive relations" [1995: 22], thereby writing women out of any meaningful role.

by her husband had a right to land from her father. From this perspective, the disadvantage of customary tenure norms for women is not that they gain access to land through husbands or male relatives, but that they lack control rights over that land and lack alternative channels to access or control land.

One should, then, be wary of contemporary accounts of custom, when these are mobilised to oppose or undermine women's land rights. In this vein, Gengenbach criticises a scholarly "insistence on the oppressively patriarchal character of...society" in Southern Mozambique. In her own interviews with women and men in Magude District, they strongly emphasised "the flexibility and situationally-specific character of customary practices and the extreme unlikelihood that women...would (ever) be left completely landless" [Gengenbach 1998:12].

Further evidence suggests that the strong bias against women in customary law under colonial rule was, in part, a colonial construct. Junod himself notes earlier evidence of matrilineal inheritance in Marracuene, from maternal uncles to nephews [Junod 1927, I:267-274]. Matrilineal inheritance is advantageous to women, especially when associated with matrilocal marriage. Since the land belongs to the woman's lineage, she is not likely to be expelled from the land if her marriage ends [Waterhouse & Braga 2000]. There is also limited evidence from southern Mozambique that the norms of succession could sometimes be flexible. In the 19th century, for example, some women assumed the role of chief or head of government, as in the case of Zambi, Queen Mother of Maputo [Young 1977: 70; Davison 1997]. In Ndixé, some elder people recall the time when a Queen ruled Mudhanyana.

Such evidence suggests that Tsonga societies did not necessarily exhibit an over-arching male power to the total exclusion of female power. Even if women were in many ways seen as subordinate to men, it appears that the gender division of roles and authority was to some extent flexible and complementary [Young 1977; Arnfred 1990; Loforte 1996].

The shift from a more flexible to a more exclusively male authority over land by the early 20th century needs further investigation⁷⁶. In the meantime, Young's account of men's increasing power relative to women, through the growth of trade and commoditisation from the 16th to 19th centuries, may offer some clues as to women's relative loss of authority over land. Furthermore, the colonial government deliberately reinforced male authority to the detriment of women⁷⁷ [Loforte 1996; Bowen 200]. Bowen, for example, argues it actively intervened in the indigenous succession process, to prevent women from becoming Régulos and thus from holding positions of power [Bowen 2000:70].

The appointment exclusively of male Régulos contributed to concentrating land rights in male hands [Loforte 1996(b)]. This occurred partly by concentrating the locus of power within the local community and partly through limiting women's rights over land within the regulado. In Magude District, for example, Gengenbach argues that women's 'traditional' ability to negotiate the boundaries between cultivated fields was progressively undermined through bureaucratic attempts by the church and then the state to demarcate fixed plots of land. Once demarcated, these plots were given over to men's exclusive authority as 'heads of household' [Gengenbach 1998].

The Portuguese selection of African male elders to interpret 'customary' laws further disempowered women. Such men sought to impose their own version of what was "customary", according to their own interests:

"At the heart of the process of constructing customary law is colonial law and its administrative machinery on the one hand and, on the other, competitive interest groups, especially the elder members of the male lineages. In the attempt to promote their own positions of power and authority the elders try, by manipulating the norms, to control socially subordinate categories, that is, youth

⁷⁶ Junod interpreted the trend away from matrilineal inheritance as an 'evolutionary' change from a traditional to more modern tenure system. Yet recent scholars have challenged the view that matrilineal systems are backward or necessarily pre-date patrilineal tenure systems [Davison 1997; Braga 2000].

⁷⁷ By way of comparison, Loforte notes that in pre-colonial Zimbabwe, inheritance questions were settled by a family council, which would consider both men and women in determining the division of goods. In

and women”

[Loforte 1996(b):11 my translation].

By the early 20th century, then, women in Ndixe as elsewhere in southern Mozambique⁷⁸ generally did not have enduring control or inheritance rights over their own parents' land, meaning that access to cultivated land depended on their relationship with men, principally through marriage. The rights acquired through marriage were conditional upon continued wedlock and on the maintenance of good relations between the wife / widow and husband's relatives.

Despite these constraints, as community members women maintained access rights to common lands and, as daughters and sisters, they retained rights of access on their parents' land should they not marry or if their marriage ended. Land access also depended on kinship and lineage status and on individual women's ability to negotiate with relatives.

This system, like other 'customary' tenure systems in Africa, was based on the inclusive principles of guaranteed access to land for all community members - a level of security not foreseen under modern tenure systems premised on exclusive rights to private property [Davison 1997; Walker 1994:349; Lastarria 1995:11].

Contemporary accounts of customary land tenure norms in Ndixe

For virtually all households in post-war Ndixe, the land and its resources (trees, shrubs and plants) remain vital factors in sustaining household production. Historically, men have dominated access to these resources, as well as labour and capital, although their use has been particularly central to women's lives. It seems likely, however, that the recent

the colonial version of 'customary' law, the eldest sons were now recorded as first in line for inheritance [Loforte 1996 (b):13].

⁷⁸ See Walker 1994 and Mamdani 1996:39 on British colonial imposition of a strongly male-biased 'customary' law in Southern Africa.

loss of rural wealth and currently high, male unemployment in the formal sector, will have some impact on the negotiation of gender roles, including the ways in which rights over land are negotiated.

In continuity with the past, my research in Ndixe showed that in 1997 a male hierarchy held key responsibility for land allocation in the village. Men born within the village who wished to acquire more land, could refer directly to the Land Chief or his successor. Any outsiders, however, (i.e. men with no inheritance rights in Ndixe) would have to ask the Secretary for permission to settle in the area. If accepted, they would then have to negotiate with a local resident for land access [mixed group interview 1996 (c), interviews with elder women 1997(b), elder men 1997(b) and GD 1997(b), individual interviews with descendants of land chiefs and with immigrants to Ndixe].

The right to request land from the family patriarch, or members of the chiefly lineage, remains an exclusively male prerogative [mixed group interview 1996 (c)]. Thus:

“According to our custom, if a woman didn’t marry but wanted more land, the father might agree to give her some. But it’s not a woman’s place to go and ask the Chief. If she were married, it would be up to the husband to go and ask for it”

[interview with GD 1996(a)].

None of the women I interviewed in Ndixe told of asking for land from a Chief or his representative. Women had, however, directly acquired land from the Secretary. Political changes in Ndixe, in fact, have had considerable impact on women’s ability to access or control land. This is discussed in more detail below.

At the time I conducted interviews in early 1997, the Government was debating whether or not to ‘return’ some power to the so-called ‘traditional authorities’, understood to

mean the former Régulos and sub-chiefs. One motive was the issue of concessions to Renamo, in the interests of maintaining the newly found peace. Renamo championed 'traditionalism' to legitimise the war, as well as its post war political position [Geffray 1989; McGregor 1998:40]. Its influence in the centre and north of the country, its strong showing in the first post-war elections of 1994 and donor pressure to create a Western-style, multi-party democracy, all meant that the Frelimo Government saw some compromises with Renamo to be necessary at this stage.

The participation of former Régulos and land chiefs in organising peasant resettlement after the war was cited to support the idea that 'customary practices' presided over by 'traditional authorities' ought to be recognised⁷⁹ [Tanner 1994:11].

The 'customary rights' option appeared to present further advantages⁸⁰. Recognition of customary tenure rights and the power of 'traditional authorities' to allocate land would take the pressure off a weak Government administration with few resources. In other words, 'traditional authorities' would ensure local land administration at little or no cost to the State. This would not only relieve pressure on a state financially squeezed under the SAP, but would also fit with the decentralisation of state power that Western donors had been pushing for [Carrilho 1993:2, 1995:109-121; Abudo 1995:123]⁸¹.

⁷⁹According to Tanner "...customary land administration procedures are [already] dealing with land administration affecting many thousands of smallholders... Yet without formal recognition of the validity of customary land administration, land rights allocated in this way remain insecure and offer little protection" [Tanner 1994:11].

⁸⁰This solution apparently compromises the liberal view, aligned to the 'dual economy' theory (see Chapter One) that customary tenure arrangements are concomitant with communal tenure, inhibit individual investment on the land and hamper increased agricultural production (this is discussed by Bassett [1993:4] and Bruce [1993:35]). By the 1980s, however, many researchers were arguing that 'customary' tenure does not preclude individual land rights and that customary tenure systems tend to 'evolve', under the pressure of population and markets, towards individual tenure and a concentration of rights [White 1963; Hecht 1985; WB 1989:104; Bruce et al. 1994:254; Platteau 1996]. Following this 'evolutionary' view of tenure, liberal scholars could now accept that it was not imperative to privatise land, since small-holder tenure would in any case move towards increasing individualisation. The current WB approach to land policy in Mozambique reflects this evolutionary view of tenure.

⁸¹The Ministry of State Administration sponsored a series of studies to consider the role of 'Traditional Authorities' in future administration [Lundin 1995]. The Ministry of Agriculture also studied their role in land allocation and control and recommended that they be recognised [Carilho 1995].

At this time (in the mid-1990s), Ndixé residents – both women and men - argued that land Chiefs had continuing local legitimacy and claimed their reinstatement would be welcomed. This suggests certain groups within the village identified their own interests with the institution of chiefs and the ‘customary’ practices which it represents and legitimises. Men in the village, elder men especially, were the most vocal in expressing their support for a reinstatement of the Chiefs and often cited the currently weak authority of Chiefs and ‘custom’ as the main cause of current problems and local disputes.

Women shared this view to some extent, at least in public. Yet, their support of chiefly authority did not prevent them contesting some key tenets of ‘custom’. To give one example, when almost 100 adults in the village met to discuss the possibility of applying for a collective land title under the 1997 Land Law, women defied ‘traditional’ norms by asserting that they wished to be included in a future Land Council [community seminar, May 1997].

This event recalls Walker's study of women's attitudes to discriminatory tradition in rural South Africa. She notes the subversiveness of apparent contradictions between what women say about tradition and their own desires for the future. In her study of the Cornfields community, women said publicly that they approved recognition of the Chief but, in defiance of ‘tradition’, they all said that widows should be first in line to inherit land. Walker argues: “It is often in the gap between what women say about tradition and what they want to improve their lives, that their opposition to patriarchal regimes can best be seen” [Walker 1994:349].

In the event, the Government of Mozambique responded to pressure to recognise ‘traditional authorities’ by playing carefully with the trump card of ‘tradition’. The first draft of the revised Land Law, in 1996, proposed to recognise ‘customary rights’ administered by ‘traditional authorities’, as promoted by Renamo. As peace held, however, the Frelimo majority in parliament eventually over-turned the recognition of ‘traditional leaders’ and replaced it with a vague concept of ‘local communities’. The

1998 Regulations of the Land Law (which guide its implementation) merely state that, in the process of granting new land concessions to commercial sector interests, the Government should 'consult' with a minimum of three and maximum of nine (unspecified) representatives of the 'local community' [Chapter IV, Article 27, Decree 66/98]. 'Traditional authorities' are no longer mentioned.

Intra-household dimensions of customary tenure

I have suggested that the hierarchy of local authority over land distribution in Ndixe continues to be heavily male dominated in the present period. This hierarchy, however, is only one dimension of land tenure arrangements. The status of chiefs or 'traditional leaders' should not be confused with the continuity, or not, of 'customary' practices in relation to land tenure, which are effected not only through village level hierarchies but also at the household level. According to local accounts of 'customary' practice, many of the norms described as valid for the early part of this century would appear to have continuing local validity. These include patrilineal inheritance, virilocal marriage confirmed by the payment of lobolo and the condition that, if a woman is found guilty in the case of divorce, she should leave her husband's home and land and return to her own parents.

For men in post-war Ndixe, as before Independence, the principal means for gaining access and control rights over land relates to inheritance. Every man interviewed who was born in Ndixe had control rights over some piece of land through inheritance from (usually) his father, or other close male relatives. Married women also frequently referred to the fact that their husbands' land had been passed down through previous generations, suggesting the prestige attached to old family land.

A number of men I interviewed who were born in Ndixe, but who now reside and work in urban areas, also asserted inheritance rights to land in Ndixe. They either had relatives in

Ndixe or planned to return themselves. One example is that of Fransisco who left Ndixe, long before the war, to work in Maputo:

“I was born here in Mudhanhana, but I left for the city many years ago. I still have a house in town. Only this year, since I retired from the factory I worked at, I’ve started to farm here and I plan to build a house. This land here used to be my father’s”

[Fransisco, 50+ Ndixe 1997].

Yet the testimony of most men and women interviewed in Ndixe shows that it is ‘present’ wives, residing and working in the village, who often maintain a visible stake on the land, thus securing the inheritance rights of their husbands. This was the case, for example, of Alice whose husband lives in Maputo and yet in 1997 was planning to apply for a title to his land:

“I moved to Ndixe when I married. By the time the war started, my husband had been working for many years in Maputo. The elder children went to study in town, but at first I stayed here to look after the small ones, and to farm.... Now I’m here alone - although sometimes my husband or children come to visit”

[Alice, Ndixe 1997].

Interviews confirmed that male inheritance rights are seen as legitimate and enduring within the village. For instance, when I asked why a large area of prime lowland seemed to be unused, village leaders told me that: “It may look empty, but every piece of land has its owner, even if they haven’t come back yet”.

Women, then, often play a crucial role in maintaining inheritance claims whilst men are absent. This seems to be contributing to a shift in local perceptions of women's authority over the land.

Women's capacity to inherit

As I have noted above, inheritance rights to land in Ndixe are a male privilege not generally conferred on women:

“Whilst a woman was still young or unmarried and stayed at home, her mother would give her a piece of land to cultivate. When she got married, this piece of land would go back to her mother. After the field was harvested, the parents would carry all the produce from that piece of land to the house of the girl's husband. After that, she had nothing more to do with that field”

[interview with elder women, 1997(a)].

Only when daughters fail to marry do they have residual rights of access to lineage land. When an unmarried woman dies (whether she has children or not), the dominant account says the land she had used should revert to her parents. Once women do marry, they normally lose their claim to inherit. The justification advanced is that the woman has now joined a new household. In general, then, the norm that land is inherited through the male lineage reflects current practice.

In contrast, individual interviews revealed that, post-war, a number of married women have also acquired or asserted inheritance rights over Ndixe land. This was the case, for example, with Carolina and with Atalia's sister-in-law:

“My father was killed by bandits in 1984. When I came back from Matalane after the war, I came to this land which used to be my father's. The Secretary

gave it to him at the time of the communal village. I have another small plot in the lowlands, also from my father, and a field at my parent's original house. My husband has another house with his first wife, so I decided to stay on my own land. Both my brothers are working in South Africa. Sometimes they stay here when they come back to visit"

[Carolina (2nd wife) 1997].

"When my parents in law died, the land stayed with their daughter. Her brothers already had houses of their own so they let their sister have the old family land"

[Atalia 1997].

Another two women interviewed both said that their husbands had abandoned them during the war. Yet, despite their changed civil status, they had reclaimed land in Ndixé. Beatrice told how:

"My husband began working in South Africa a long time ago and he always used to visit, We had ten children and during the war I moved with them to Maputo. I took the roofing sheets from my house and my husband helped me move them. But then he moved to Swaziland and eventually I found out he had another wife!

Life was very hard for me alone in Maputo. When the war ended, I decided to come back here. The house has fallen down but the land is still here. Yes, it used to be my husband's"

[Beatrice 1997].

Customary norms, then, do not always curtail, but can sometimes be mobilised to strengthen women's land claims. According to Beatrice, no-one contested her presence

and indeed, "my husband's family are also sad to see that he has left me and the children".

Women have also contested the norm that widows should marry a husband's brother in order to retain entitlement to the conjugal lands and home. According to interviewees, the levirate is no longer practised in Ndixe:

"In the past, when the husband died, the wife was meant to stay with her husband's brother, or another of his relatives, if she wanted to stay on that land.

This doesn't happen any more - if the husband dies, she can just stay"

[interview with village elders, 1996].

Five widows interviewed in Ndixe all said they had been able to reoccupy their late husbands' land after the war, even though none had remarried. Further interviews in six Marracuene villages in 1999 [Waterhouse 1999] found that no widows had remarried to their husband's brother. Both women and men interviewed argued that the demise of the levirate is a direct result of women's opposition to the practice. This supports the argument that gender relations of power, including those embedded in 'custom', are open to contestation and change [Loforte 1996; Waterhouse 1999].

Nonetheless, gender relations are notoriously resistant to rapid or radical change. The demise of the levirate may be seen as an extension of women's independent rights to conjugal land. It may, however, also reflect a shifting balance of economic power, as men find themselves less able or willing to take on the material obligations concomitant upon taking a second or third wife (c.f. Chapter Five). One case was reported in Marracuene, for example, of a man who refused to inherit his brother's widow [Waterhouse 1999]. Meanwhile, a woman's right to the land as a widow remains a transitory right. Widows interviewed for this research invariably said that after their death, the land they used would be passed on to their sons (not daughters). This was confirmed in interviews with widows' sons and daughters. Similarly, although some women inherit land, there are few

cases in Ndixe. Where this does happen, it would seem to be linked to male absenteeism (i.e. there is no male heir, or sons have emigrated).

Nevertheless, some Ndixe women have asserted their independent right to conjugal lands. This suggests that in some situations, rural women are able to draw on and adapt customary norms (the right to inherit land or access land through marriage) to suit their own needs. Although men are often better placed to adapt customary norms, this need not necessarily reproduce existing gender hierarchies.

Comparative evidence that the gender relations of power inscribed in customary norms may be challenged, can be drawn from Eritrea and Rwanda, where customary tenure is generally patrilinear. Following civil war in Eritrea, many male heads of family decided to transfer land to daughters, not only sons. This has been interpreted as way to maintain land within the family, in a situation where many male heirs were killed in the conflict [Tekle 1998]. Similarly, in Rwanda, a survey carried out by the Government following the genocide of 1994 showed that many rural men, as well as women, were favourable to the idea of accepting women's inheritance rights. The survey found that urban men with a relatively higher level of formal education had the most conservative attitudes to women's land rights [UN 1998].

Additional testimony from Marracuene gives a further indication that attitudes to women's land rights may be changing and that now, there is at least some doubt as to whether or not men should have exclusive inheritance rights. In a group interview with 30 women in Cumbene village in 1999, in three cases women claimed they had inherited their parent's land. One of these women said she lived on her late parents' land with her husband [Waterhouse 1999]. In 1997, fieldwork findings from Ndixe were discussed with local residents during two seminars in the village. In this public context, at least, men were willing to accept the idea that women could inherit land and admitted that they sometimes do.

The continuing centrality of marriage for women's access to land

If inheritance is still the most common way for a man to acquire land in Ndixe, the most common way for women to access land is still through marriage. Of 25 women interviewed in depth in 1997, 18 were married or widowed (the rest being single or divorced). Of these 18 women, only one had not acquired the land she farmed through marriage (see below). The other 17 married or widowed women all emphasised that the land they had been given to farm had been passed down through generations, until eventually assigned to them by their husbands' parents. The testimony of Sandra and Augostinha, married women in their thirties, serves to illustrate this:

“I met my husband in Maputo and after we had married, I came to live here. At first we lived in Matalane, but in 1995 we moved to Ndixe. I am working on the land of my husband's parents, the land where his grandparents were born”
[Sandra 1997].

“My mother in law showed me where to work (my father in law had died, by the time I moved here). Now we live in just the same place as before the war. The graves of my husband's ancestors are here”
[Augostinha 1997].

Evidence from these and other women in Ndixe demonstrates the continuing, crucial link between marriage and land access for women, particularly for women in monogamous marriages.

This link does not necessarily hold for third wives, however, who have not always followed the norm of patrilocal marriage. The interviews revealed two cases in which a third wife did not move to her husband's land at all, but stayed on her parent's land or on land otherwise arranged by herself. This might be the husband's decision. One man had two wives living with him, but a third wife living at her parent's home, because “I found

her when I fled Ndixe in the war, and afterwards I didn't want to bring her here". In Armando's case, however, his first two wives claimed that the third wife refused to leave her peri-urban land and move to the village because she was "afraid of hard work". This comment suggests that the third wife, herself, decided not to move and preferred to maintain independent access to land.

Men's ability to access land through marriage

Marriage continues to be more closely linked to land tenure security for women than for men (see Chapter 5). In contrast, a man's unquestioned right to inheritance means that, for men, tenure security is not threatened by the end of a marriage. It is interesting to speculate whether or not the same will be true for recent immigrants to Ndixe who seem to have adapted customary norms in another, unconventional way. During group interviews, nobody ever suggested that men might also acquire land through marriage. However, four men interviewed [1997 and 1999] had accessed Ndixe land at least partially through their marriage or liaison with Ndixe-born women.

Charton met his wife in Maputo and later they moved together to Ndixe where he makes charcoal. The village administrative authorities ('a delegate of the Secretary') gave him permission to settle on a plot of land; but the land itself was actually that of his mother-in-law. Thus Charton's access to land in Ndixe was legitimised by his marriage. Similarly, Noa is an immigrant to Ndixe. According to his own account, Noa left his home in Gaza Province during the war because of security problems, but found it hard to scrape a living on the outskirts of Maputo city. When security improved in Marracuene, he initially came to Ndixe to cut firewood, but eventually he decided to settle. Through his relationship with Angelina, born in Ndixe, he acquired two plots of land: one in the valley, which she gave him herself, and another which the Secretary gave him on the grounds that he had now settled in Ndixe - as proven by his liaison with Angelina.

In one way, these cases could be seen as a reversal of patrilocal, customary norms. They could, however, be seen as adaptations of custom, since a right to land is legitimised on the basis of marriage. Yet these cases may present an only moderate challenge to unequal gender relation of power. If a man acquires land through marriage, this could be expected to strengthen the position of his wife. In this case, she is not vulnerable to losing her land, house or other belongings if the marriage ends. On the other hand, in the patrilineal context of southern Mozambique, matrilineal movement does not necessarily place men in an equal position to that of women who move to their husband's home. For one thing, at least in the case of Noa and Charton, men who move to live with their wives still retain inheritance rights to their father's land and property. Social norms also allow that, as in the case of Noa, men can still hedge their land access bets, through polygamy. On a visit to Ndixe in 1998, Angelina complained that her hut had blown down in a storm and that she had to rebuild it alone, since Noa was living with 'his other wife'. Nonetheless, these cases suggest that customary norms are adapted in a variety of ways and are mobilised to suit – not always compatible – interests.

Alternative channels of access to land

Apart from customary norms for acquiring land, a number of alternative channels were used to access or claim land in Ndixe. These included legal-bureaucratic channels, friendship networks and also what amounts to wielding political and economic influence within the village.

Under the 1979 Land Law and its 1987 regulations, the only way for a farmer to secure 'use and benefit' rights to the land that could not be challenged in court was through the possession of a 'land use title deed', issued by the Government. Although the law referred to peasant farmers' 'occupation' rights to land, the civil code dictated that written evidence took precedence over oral evidence in the court, thus a written title would always override occupation rights (see Chapter 4).

In 1996-97, only three men interviewed, all with homesteads in Ndixe but employment in the city, mentioned that they had been thinking of applying for a land title [life history interviews 1996,97]. Yet, in public meetings, these men were also the ones who most loudly defended 'customary' law and 'our traditions'. When the idea of applying for a community title for the village was first discussed at public meetings in Ndixe [group interview 1996 (b); Community Seminars February 1997, May 1997], it was these men, in particular, who initially opposed the idea. Thus the few men with economic capacity to gain formal, non-customary, rights over their land through an individual land title opposed the idea of a community title, which confers collective rights to community land on all community members. Instead of mentioning their own interest in individual land titles, however, they called on the need to defend tradition. This suggests, once again, that defence of 'custom' is not a neutral matter but is mobilised by particular interest groups.

In practice, by the time the new Land Law was passed in July 1997, no-one actually possessed a land title in Ndixe. The legal-bureaucratic channels through which such titles are acquired remained beyond the reach of most local residents. Most people who accessed land through other means than inheritance or marriage did so through informal channels; namely mechanisms to acquire land that do not directly follow the formal legal rules, nor the 'customary norms' described above.

One informal means to access land has been through friendship ties. This was the case, for example, of Felix who found land in Ndixe through a former work colleague, when he lost his job on the railways. Calcilda, the second wife of a miner at work in South Africa, acquired a valuable piece of marshland from an elderly couple in the village, whose son worked in the mines with her husband. Another couple from Inhambane Province sought refuge in the 'T3' peri-urban suburb of Maputo, during the war. Here, their neighbours were the children of a woman from Ndixe, and the elder couple helped to keep an eye on them. The Ndixe-born mother later negotiated land for them, with the Ndixe Secretary.

Such evidence suggests that the customary rules of land access through kinship relations can be extended through wider social and economic networks. Research by Heidi

Gengenbach in Magude District suggests that women displaced from their land during the war begged, borrowed and claimed fields on the basis of an expansive interpretation of kinship. This included allies recruited through what Gengenbach calls 'laughing kinship' - alliances built up through the common experience of women going about daily survival, in water queues, in the fields, in the quest for firewood and food [Gengenbach 1998: 22].

The data gathered in Ndixe suggests that both women and men have been able to activate friendship networks in the search for land. Nonetheless, it would seem that men are likely to enjoy wider opportunities than women to enter such networks. This relates to mobility and employment. In the three examples above, typical of such cases in Ndixe, the contact leading to land access was made outside the village in an urban or employment setting. Although women's mobility away from the village was increased by war, men's mobility and access to employment continues to be greater than for women.

Political and economic power have also played a central role in organising land access. High political or economic status at village level have facilitated land acquisition by certain men, principally linked to the Secretary or former Chiefs. A number of such men testified that they had "asked for" and been granted additional land by other villagers. For instance, the Secretary had "asked people in the valley for some land" and of all interviewees, now has the largest number of well-watered, lowland fields. Another member of the Secretary's council found no difficulty expanding his holdings:

"I have plenty of land which my father gave me in Ouadambo area. Then I have another dry land plot where we plant cassava, in Bota area. I found this plot myself. There used to be other people there, but they left in the war, so the Secretary said we could divide it"

[Andre, 1997].

By contrast, women mentioned no examples of using their own political or economic influence to acquire additional land. This suggests that whilst men's access to land can

vary in part according to socio-economic status, women's bargaining position is weakened through a lack of social entitlements.

On the other hand, women have acquired and, sometimes, have lost land distributed on the basis of a political or strategic decision taken by the Secretary. A brief review of politically motivated land redistribution in Ndixe will illuminate this issue.

During the war, the local Secretary aided by higher level party officials redistributed land in the context of the security crisis and formation of the communal village. On return to Ndixe, many people reoccupied land that they, or their families, had acquired at that time. In most cases, interviewees claimed to feel secure on this land. This politically acquired land had escaped the normal rules of inherited land, i.e. that it should pass through the male lineage. Thus when Carla divorced, her mother felt free to give her land that she herself had received from the Secretary "at the time of the communal village" [interview with Carla 1997]. This shows that women sometimes received land in their own names, due to a political decision taken by the local authorities.

Internal conflict and a new power alliance

In the first days of Independence, Frelimo officials in the village did not expel anyone from their lands in Ndixe. However, a reallocation of rights was effected after the departure of a man known locally as 'Machuibutana' ('someone who snatches things'). Machuibutana was a settler farmer who had occupied land in the Bobomuine valley, which runs through Ndixe in the area formerly under Chief Painde's authority. Members of the local families occupying this land before Machuibutana moved in told how the colonial authorities expelled them:

“An order came from the District that we must leave our lands. We didn’t like it and everyone contributed money and we hired a lawyer to defend the area. But it wasn’t possible to do anything. The order came from the Government and we were forced to obey. The lawyer told us it would be useless going to court”

[Felisberto C & José F 1997].

When ‘Machuibutana’ left in 1974, the families originally occupying that land wanted it back. The FRELIMO Secretary, however, had different ideas. Following his party’s ideological commitment to social equity, he refused to give the land back to a class of former petty chiefs. Instead, he had the land marked out into numerous small plots, which were widely distributed amongst the village population. Numerous men who did not belong to Chief Paine’s lineage and also a number of women benefited from acquiring their own plots of fertile land in the Bobomuine valley. Paine’s descendants launched a protest. They claimed the land was rightfully theirs and ought to be restituted:

“We did say at that time that these are our fields, but they were not properly given back to us: for example, I only got a tiny plot. The explanation was that everyone, even the poor, had to benefit a little bit. The former Secretary only saw that the colonial farmer had left and therefore the Government should take control of the fields”

[Felisberto C, 1997].

After the war, the die was recast. Interestingly, the national debate around the future role of chiefs and Régulos, on-going in the mid 1990s, seems to have reinforced an existing local alliance between the party Secretary and supposedly deposed chiefs at village level in Ndixe. Indirectly encouraged by the formal separation of the State from political powers, and the institution of a multi-party democracy under the 1990 Constitution, Paine’s descendants saw an opportunity to relaunch their claim. “We live in a democracy now”,

Painde's male descendants argued, "the land which was ours should come back to us". With this argument, they went to the Ndixe Secretary, who in turn called a meeting with the community. Here, they say, it was decided that the original owners were right, and the land should be returned to them.

The story is differently told, however, by different local sources. Some say it was a peaceful, negotiated agreement. Others claim that fighting broke out between the different claimants before the dispute was settled. Whatever the case, it is clear that a number of people lost out through the settlement; namely those who had received Painde land in the post-Independence distribution: "Suddenly we were forced to leave. We didn't even get chance to harvest the crops we planted there!" [Juliana, 1997].

Women who lost out may have lost the only land to which they had direct access, as opposed to access through their husbands. In 1997, the Secretary and his group of advisors effected a further redistribution of low-lying wet-lands in the Mangukela area, ostensibly to prevent their occupation by outsiders. Data collected for the study suggests that it was in fact the Secretary and influential male friends who benefited most from this move (see Chapter 8).

Gender differentials

The evidence from Ndixe shows that people have used a range of strategies to acquire land rights locally, including social, economic, political and formal channels. However, people's range of alternatives differs according to a variety of factors including gender, kinship status and political and economic power. The findings show that women and men do not stand in the same relationship either to customary or to other mechanisms for acquiring land.

In general, women's best chance of gaining access rights to good, arable land continues to be through patrilocal marriage. Women in Ndixe have depended almost exclusively on

kinship and social relations to gain access to land, reflecting their generally narrower range of economic and political alternatives in relation to men.

To some extent, women have adapted customary norms in their own favour by re-occupying the land of former husbands who left them either widowed or abandoned, or through moving back to their parents' former land. However, it is not clear whether or not women will be able to assert those rights in future, if pressure on the land increases (see also Chapter 8).

Whilst the rights gained through customary forms of marriage continue to be women's key means of access to land, this suggests they may be vulnerable to land tenure insecurity through expulsion in the case of separation or divorce. Furthermore, women's continued lack of direct control rights over land, sanctioned by customary norms, suggests that their position is weaker than men's in an increasingly market based competition for land. This issue is taken up further in Chapter Eight. The post-Independence opportunities for women to acquire land in their own names, as the result of political (re)distribution (as in Paine area) seems to have narrowed, if not reversed, in the political climate of the post-war period.

Nonetheless, women's important role in staking a claim on the land, and in producing from it, would appear to give them significant 'bargaining power'. There are no landless women in Ndixe.

Under the existing statutory law, land access for women and men is nominally 'equal'. Yet women's relative lack of access to wage employment (and to formal education) puts them in a generally weaker position than men, either to acquire a land title directly in their own name, or to use economic influence for getting land. Moreover, women's generally narrower range of political and economic opportunities in relation to men may also restrict their relative ability to access land through social (friendship) networks. It is these power relations, rather than customary norms per se, which particularly

disadvantage women. This raises doubts about the adequacy of 'modern' law to protect the land rights of women in this situation.

The above discussion suggests that the liberal explanation of disadvantage is simplistic and a-historical. It detracts from the ways in which broader processes of accumulation have marginalised women generally. It also detracts from differences among women in terms of their access to land and other resources, either through their own status and activities or through the medium of their male kin.

In practice, the relative marginalisation of women regarding control over land is not merely a question of discrimination under customary law - itself a changing construct which reflects dominant interests. It also relates to the adverse impact of land policies and programmes and to the broader impact of an increasing commoditisation of land, hastened by liberal economic reforms [cf Lastarria-Cornhiel 1997].

CHAPTER SEVEN

LAND AND LIVELIHOODS IN POST-WAR NDIXE

The Frelimo/Renamo war was one of the most traumatic events to mark the lives of people from Ndixe. Residents fled or were forced away from the village by the intruding violence. For the best part of a decade, the village lay abandoned. Some of the very few people who ventured back to tend their fields lost their lives in the process. Yet against this background, of violent upheaval and wartime loss and survival, soon after the Peace Accord many families returned and some came for the first time to live in Ndixe.

It was in this context of post-war resettlement - in Ndixe and throughout the countryside - that the Government formulated its current land policy. Based on the small-holder theory of land tenure, it assumes that improved security of land tenure will lead to increased investment in, and production from, the land. Specific attention to women's land rights in the revised land legislation suggests that these assumptions are supposed to apply equally to women and men.

In this chapter, I explore those assumptions through investigation of why people returned to Ndixe after the war and how land enters into women's and men's livelihood strategies in the current period.

Motivations for re/settlement in Ndixe

As I have noted, in November 1996 an estimated 338 families were living in Ndixe. Local officials claimed this represented about half the pre-war numbers. This begs the questions of who came back to Ndixe, who stayed away, and why?

My interviews suggest a wide range of motives informing these decisions. These can be summarised according to four main themes: security, identity, diversifying resources and staking a claim on the land. Many people cited a combination of factors to explain their return or arrival.

1) Lack of secure access to alternative land

One motive bringing former residents back to Ndixe after the war was the lack of secure access to alternative land for residence, food or income. The testimony of interviewees in Ndixe suggests that, similar to the experience recorded by Gengenbach in Magude (see Chapter Six), during the war displaced residents used informal strategies to recruit allies and acquire access to land outside the village. Such alliances were sometimes long-lasting, but often crumbled with the end of the war as friends separated and people moved back to Ndixe. This situation is reflected in Angelina's story, similar to that of many returnees - particularly of people (over half of my interviewees) managing households alone:

"I married many years ago, but my husband disappeared in the war and I never heard from him again. When I left here, I went to Benfica [on the outskirts of Maputo], where I stayed with my sister and her husband. But I felt useless in the city. There was nothing for me to do. Life is so expensive there, you have to pay for water, fuel, food...After the war, I came back here, where I live on my (ex) husband's land"

[Angelina, 1999].

A number of married couples also saw return to the land as their best chance for survival, as told by Felícia, who now makes her living mainly from charcoal-burning with her husband and co-wife:

"We came back because in the city you need money to survive - here you can farm. To add to the food we grow, we sell firewood and charcoal. The whole

family works together, then we buy maize and rice"
[Felicia c.30 1997].

2) *Positive identification with 'home' and cultivation in Ndixe.*

Like Angelina, many women, in particular, told how they had felt unhappy in the city, unable to make a recognised contribution to family welfare. The story most frequently recounted by those women farming in Ndixe whilst their husband or relatives live elsewhere, is summed up in Alice's story. Nursing her rheumatic legs, she sat awkwardly outside the ruins of her brick house, trying to put a brave face on things:

"My husband works in the city - he moved there long before the war....When the war came to Ndixe, I went to join him. But there was nothing for me to do. I felt really useless. I am not well these days and sometimes I get lonely, but at least when I am here [Ndixe] I can offer food to my children"
[Alice, c.45, 1997].

Salane, a grandmother and a widow known for her traditional healing skills, tells a similar story:

"I decided to come back because it's hard to survive in the city: I had to depend on my children, which is not the same as taking care of yourself. Now when they visit they bring sugar and soap and they take back pumpkin leaves and cassava⁸²"
[Salane, c.60. 1997].

3) *Wish to maintain resources in both war-time area of residence and in rural area.*

The incentive for women to live in Ndixe, even when their husbands live and work outside the village, also has an economic dimension. Married couples try to spread the

⁸² Cassava is a tuber commonly used as a staple food in Mozambique. Pumpkin leaves are used to make a sauce, often mixed with peanut flour, to accompany the staple food.

risk of precarious livelihoods between urban goods and services and the productive potential of rural land. Andre's story resembled what many married men had to say:

"During the war I was called up for military service. By the time I was demobilised, it was not safe anymore to live in Ndixe and all my animals had been stolen. I took my family to stay with my brother in Mavalane [a shanty suburb of Maputo]. But it's hard to depend on other people. After the war we came back here. I was one of the first to arrive. I dug a well and built a house for my wife and kids. When I find work on the docks, I stay with my brother in town. When I can't get any work, I stay here and cut firewood"
[Andre, c. 45, 1997].

4) *Wish to stake a claim on rural land, as a social and economic surety.*

Some of the wealthier couples are principally urban based and only come on a part-time or seasonal basis to Ndixe, in order to farm. Fernando's story is one example of people staking a claim on the land, as a fixed asset for long-term security:

"I was born in Ndixe, but I work on the platinum mines in South Africa and now I only come back once a year. We live in town. But when the war ended, I built a new house here for my mother (the old one was burned by the bandits⁸³). Now I am building a house for my wife. She comes here sometimes to help my mother and this year she's starting her own field"
[Fernando, c. 40, 1997].

Fernando's grandfather was a former land chief. In 1999, Fernando bought a tractor and sent it to his uncle in Ndixe.

Overall, comparison of the 50 life histories I recorded in 1997 suggests that the principal reason for return to Ndixe was the land. Land however has many meanings. Land is

⁸³ 'Bandits' or *bandidos* in Portuguese was a popular name for Renamo.

indeed a key economic resource. Yet, it is also a social resource, in terms of personal identity, status and influence. Some people returned to Ndixe because it was the only place of residence available to them and, or the only resource from which they could make a living. This was particularly the case of people, most often women, heading households alone. For others, land was but one resource amongst others, mobilised to spread risk and diversify household livelihood strategies. This was often the case for households whose members were spread across the rural-urban divide, often with women or elder people securing the rural homestead, whilst youth and men were, more often, based in the city. For other households, investment in Ndixe appeared to be mainly for the future, a fixed form of rural security against the vagaries of urban life. This was particularly the case of urban-based households that included a wage-earning man.

Comparison of the testimony of women and men suggests that they stand in different relationship to these factors. Women more often identified the land as their key area of production and the basis of many daily activities, linked not only to income but also to a positive sense of self worth and identity. Men, on the other hand, more often presented land as one resource amongst others. Their frequent reference to a birth-right to the land, as well as the significance of land in underwriting chiefly lineage, suggests the social, as well as economic, importance of maintaining a continued and visible stake on Ndixe territory.

The post war economy of Ndixe

Several key features characterise the current, post war economy in Ndixe. These, in turn, have influenced the gender division of labour and roles, including men and women's relation to land. These features include: the war time loss of resources, generally not replaced by the end of the 1990s; an intensification of male unemployment in the formal sector but women's increased mobility and engagement in marketing; and the diversity of income sources and types of exchange in local livelihoods.

Before the war, around half the local households owned cattle, ranging from six to 50 beasts. Most families had goats, poultry and often pigs or sheep. Farmers could still open tracts of dry, rain-fed land, using their own oxen, hired ploughs or hired labour [interviews in Ndixe 1997; DDAP-Marracuene 1997]. Yet, rural wealth was decimated in the war years. In 1997, only five local households possessed any cattle at all; none had more than four animals. Only two farmers had ploughs and only one had a cart. All the cattle owners were men. Only one farmer in Ndixe (a cattle-owner) claimed to market his crop: in this case, tomatoes, onion and chilli peppers.

Post war agricultural recovery has been fraught with severe difficulties. These include lack of capital to replace seeds, livestock, tools and other equipment; poor access to markets and environmental degradation, through salination of low-lying wetlands⁸⁴, loss of forest cover⁸⁵, erosion and, in some areas, the rapid exhaustion of poor quality soils [interviews in Ndixe 1997, 1999; Waterhouse 1999; DDAP 1997]. People's response to these obstacles has been forged within a context of weak formal trade networks, a crippling lack of rural credit and a serious decline in wage labour opportunities for the male migrants whose earnings have been so important in sustaining the rural economy [Head 1995:91; O'Laughlin 1996, 2001]. However, women and men confront these obstacles to agricultural production from different positions, in terms of resources, opportunities and entitlements.

Economic stagnation and war in the 1980s, followed by retrenchment under liberalisation policies since 1987, have contributed to dwindling opportunities for men to find waged employment outside the village. In 1998, from Mozambique's estimated active labour force of around eight million people, only some 17% were officially in paid employment [De Vletter 1998:8]. For people from Ndixe, Maputo continues to offer job opportunities, but according to men I interviewed in the village, these are generally in casual work or

⁸⁴ According to the DDAP and National Directorate of Water in Maputo, salination of the rivers in Marracuene has most likely been influenced by long years of drought in the 1980s, coastal erosion, blockage of drainage canals in the Incomati basin and increasing water take off upstream in South Africa.

⁸⁵ Marracuene woodland has been decimated over the last two decades as licensed and unlicensed wood cutters seek to meet the demand for domestic fuel in Maputo.

informal employment [group interview with men 1997(a); interviews on work experience 1997; life history interviews with men 1996/97].

The impact of these trends in Ndixe appears to be two-fold. On the one hand, incentives to cross the border into South Africa have declined, with the decline in official recruitment, heavy patrolling of the border and regular repatriation of illegal immigrants to South Africa. For those Mozambican men who do emigrate but have no formal job to go to, the opportunity to come back and reinvest in the rural home would seem to have shrunk. This is partly because illegal immigrants to South Africa face the risk of not being able to return, if they visit home. It is also partly because the value of wages from casual and informal employment is generally low relative to formal sector wages.

On the other hand, for the reduced number of men who are employed on the mines, wages have increased [de Vletter 1998:18-19] as has the relative economic status of urban employees in the formal sector. This has contributed to a trend for formally employed workers to invest in urban rather than rural areas. In his 1998 study of Mozambican mine workers, de Vletter notes that the majority of 455 miners' households surveyed "were entirely dependent on mine earnings as a source of cash income", whilst a third of wives interviewed did not grow crops [1998:18-19]. Households I interviewed in Ndixe that included a formally employed worker, sending home remittances, were clearly part of the local elite.

Despite unemployment in the formal sector of the economy, my interviews in Ndixe as well as the 1997 National Census suggest that in the mid-1990s, many men still sought work outside the village [life history interviews 1996/97; group interviews with men 1997(a) and elder men 1997(a); INE 1997]. This contributed to a local labour shortage. As suggested in Chapter Four, this phenomenon is linked to the ideal that men should migrate and earn a wage. This is associated with a common male view of agriculture as 'backward' or as being 'women's work' [group interviews with men 1997(a) and elder men 1997(a), individual interviews with men on work experience 1996/97].

Nonetheless, the fact that few men now find formal employment is reflected in the rising number of men with self-employment in the village and an increased number of men engaged principally in cultivation, combined with off-farm rural activities such as woodcutting. According to one younger man who has kept to farming, for example:

"The problem is not getting over the border, that's not hard. The problem is the passport, because when the police find you without a passport [or work permit], all your work is lost. They don't even give you time to go home and get your clothes, they send you back with nothing. For me, it's better to stay here and work on the land"

[Adelino, c 30, 1996].

There is also now some male in-migration to Ndixe, linked with access to land and to trees for the domestic fuel market (see Chapter Six).

For Ndixe women, the central importance of farming still solders the significance of their relationship with the land. Despite male unemployment, a key feature of post-war Ndixe is the high number of households where women are the principal managers of the rural homestead and farm. Of 25 women interviewed in 1997, only five lived with and co-managed cultivation with their husbands on a daily basis. Twenty of the 25 women were the principal managers of rural production in their households.

Most women interviewed described their own work exclusively in terms of farming. Sometimes they referred to this role in slightly disparaging tones, suggesting the low status of this activity. Benilde, for example, married to a self-employed builder, never studied herself but is proud to have sent her four children to school: "Before I married, I wasn't doing anything, just helping on the fields. I met my husband in Maputo, but when we came to Ndixe, I just carried on farming" [Benilde, 36, 1997]. Ana-Isobel, a miner's widow, was also dismissive of her own work: "We arrived in Ndixe before the time of Frelimo. My work was just farming" [Ana Isobel, 60+, 1997].

Despite the low social status of their work, however, for many women their labour on the land provides a strong sense of self worth and identity. Several women told how, during wartime, they felt useless in the city. Back in the village, they now felt able to contribute to family welfare through food production. Throughout the interviews, only two women were identified as non-farmers. One woman described her mother as a "trader" from Xai-Xai, whilst Carolina described her activities as wood-cutting and beer-brewing.

Although the majority of women interviewed described their main activity as farming, the many difficulties faced in agriculture, as well as wartime isolation from the land, has led women to diversify their strategies for access to income and food. Fleeing to urban or peri-urban areas during the war, many women eked a living from petty trade, selling such things as home-made buns and cigarettes [interviews with women in Ndixe 1996,97]. Post war, they have sought to maintain their links with urban resources, services and markets, through kinship networks and informal marketing.

It hardly seems surprising, given the constraints facing rural production, that the majority of women and men moving back, or into, Ndixe have sought to maintain their contact with urban markets and services, as well as developing a diversified range of rural activities to secure food and income. Not everyone, however, enjoys the same opportunity, as the stories of three Ndixe women, retold below, may illustrate.

Cecilia's story

Cecilia's husband, Fernando, was born in Ndixe, where he attended the mission school before Independence. Now he is a relatively well-paid construction worker in Maputo, to the extent that Cecilia considers herself 'rich'. Cecilia and Fernando live in a brick house in town, where their four children (two girls and two boys) are all at school. Cecilia, meanwhile, has a small-holding in Ndixe on her husband's land. She divides her time between city and country. Fernando's wage means he can help Cecilia overcome the time and labour constraints in cultivation, which many women face: through hiring labour at peak seasons on the field, meeting transport costs to reach the market and through their growing investment in livestock. With their joint earnings, Cecilia can further afford to

transport fruit and firewood to Maputo for sale. Whilst Fernando earns a wage, then, Cecilia's rural management activities helps to multiply their household income both in terms of cash and food.

Eldiana's story

Eldiana was born in 1953 on the outskirts of Xai-Xai, Gaza Province, where she later lived with her mother-in-law, working with her on the fields. When the war began, Eldiana's husband, Gildo, called her, their children and his mother to live with him in Maputo where he had a job on the railways.

Obligated to live in the shanty-suburb of Mavalane, Eldiana made her meagre contribution to household income selling roasted groundnuts and small jars of paraffin by the roadside, along with countless others, struggling to survive. Thanks to his employers, Gildo was able to get her a small plot of land to grow maize, sweet potato and pumpkins.

"It was a very hard life". Eldiana said. "In the city, you had to buy everything, from food to firewood and water". The money from her own income was never enough, but when she asked her husband to help, he had no money either and it always ended in quarrels. Gildo would ask: "how do you expect me to have money every day, when I only get paid once a month?" It was only when the war ended that Eldiana saw a chance to improve things. She had an uncle in Ndixe, her father's brother. She went to talk with him and he agreed to give her land. These days, Eldiana works as much land as she can manage with only her own labour. Meanwhile, she cuts firewood to sell and, when things are bad and she is 'hungry', she hires out her labour on other people's fields. The eldest of her six children have left home, two live with their father and go to school in Mavalane whilst the youngest ones stay with her, in Ndixe. Sometimes, Eldiana visits Mavalane. When he gets paid, Gildo sends her money.

Justina's story

At 34 years old, Justina, recently divorced, lives with the youngest of her four surviving children. A daughter of chiefly descent in Ndixe, Justina was 21 when she married

Albino, a near relative of the village Secretary and, as a construction worker, a man with a trade and an income. According to Justina, everything went wrong when she had her fourth child, who died at birth. Blaming her, Albino kicked her out. Grabbing her children, Justina took refuge at her brother's house in Maputo; but when her brother decided that she must return the children to their father, Justina followed them back to Ndixe. Here, her mother gave her a plot of land where she cultivates alone using only hand tools. "When I left my husband's house, I took only my clothes. I left chickens and a pig: he wouldn't let me have them", Justina claimed.

Although he supported the elder two children, living with him, Albino provided no other form of maintenance for Justina, despite her years of labour on his farm and the fact that she still had one child to support. With no access to wages or any kind of extra labour, Justina's household was one of the poorest in Ndixe.

As the experience of Cecilia, Eldiana and Justina suggest, key issues in determining agricultural output include not only access to land, but also capacity to work it: i.e. the availability of labour, resources with which to hire labour or the ownership / hire of other means of production, such as oxen and a plough. Households without access to extra labour or a cash income and those with a high ratio of dependants (including dependants in urban areas) face the most difficulty in mobilising labour.

These stories also indicate that different members of the household negotiate their livelihood strategies on the basis of different roles, resources, entitlements and opportunities. This can involve both co-operation and conflict between household members, as Eldiana's story illustrates. In Ndixe, men are generally more mobile than women and it is men who find waged work, whether on a long-term, temporary or only casual basis. Generally it is income from this work that is used for capital investment.

What often goes unrecognised, however, is that men's ability to earn a wage and invest it depends on the fact that women, as mothers and wives, secure reproductive labour and

rural production. Women's unquestioned responsibility for reproductive labour impacts on their bargaining position within the household. This position is also compromised by the gendered structuring of employment opportunities. When Gildo's wage was not enough to keep the household, for example, Eldiana did not go out to look for a paid job she probably knew she would never find. She left alone, to employ her own labour on the land.

Both gender and class relations of power are also significantly structured by the relative entitlements acquired through different kinds of labour. Women's reproductive labour brings few social entitlements and no cash rewards. This puts women at a disadvantage relative to men. The relative bargaining power of women and men within different households is also determined by the cost of agricultural inputs (in money and labour terms) and the value(s) of agricultural products, in terms of exchange and in relation to other sources of household income.

Labour and products are exchanged through various mechanisms. Focus group interviews as well as observation revealed a range of alternatives available within the village for recruiting non-household labour at peak seasons. The table below shows the range of alternative methods for mobilising labour to till the land. These include tractor hire, hiring oxen and plough, *xitoco* - labour on another person's field in exchange for cash, or for goods (food, soap or other basic products); *ntisma* - work parties in exchange for locally brewed alcohol, and *xitibili* - reciprocal work on another person's field. From the hierarchy of costs, it is clear that the ability to mobilise labour varies according to existing household resources, including social resources such as kinship networks - for example in the case of *xitibili*.

Table 7:1 Soil preparation methods and costs, Ndixe 1997

Method	Measurement	Cost
Tractor hire	One hour	100,000 Mt*
Plough hire	40 x 10 paces	50,000 Mt
Xitoco for cash	10 x 4 paces	10,000 Mt
Xitoco for food	10 x 4 paces	4 tins of maize flour
Ntsima	One morning's work	One bottle of 'arguadente' alcohol (5 litres / person = 25 l for 5 person work-party)
Xitibili	One morning's work	Rotational

- US\$ 1.00 = c.11,500 Mt 1997

The cash crisis in Ndixe has meant that reciprocal exchange plays a major role in local household economies. This generally takes the shape of rural-urban exchange, usually carried on between relatives and friends. Exchange of goods with urban relatives, such as sugar and salt from town in exchange for maize or groundnuts from the farm, are key to ensuring an adequate diet for most Ndixe households. These transactions are usually based on kinship networks, spanning the rural-urban divide across gender and generations. The most common occurrence is to find men working or seeking work in the city, whilst women secure the rural holding, or elderly parents - particularly women - secure the rural home (often caring for grandchildren) and sons and sometimes daughters, seek a living in the city, or take advantage of schools⁸⁶.

⁸⁶ My interviews in Ndixe showed that there is also often a high degree of mobility within households / kinship networks, with urban members visiting the rural areas to see family and receive food, whilst rural members travel to town for education and health reasons.

This relationship works two ways and is sometimes a mutually beneficial one. However, my research suggested that this type of exchange is uneven and that urban dwellers often benefit more than do those in the village. In many cases, the traffic of goods seemed to be highly extractive, with dependent urban relatives raking off resources produced (usually by wives and mothers) in the countryside. Ana's case illustrates this point. Ana, who is a widow, gives maize, fruits and greens to her grown-up daughter and son-in-law when they come to visit from the city. With no regular source of income themselves, the young couple usually gathers firewood to sell in Maputo. Occasionally they bring sugar and oil for Ana [interviews with Ana, 60 and Linita 25, 1997].

New opportunities, old constraints

A comparison of wealth status, land use and the key economic activities of 50 people interviewed in 1997 suggests a strong correlation between relative wealth and households which included people - almost invariably men - who earned a wage or had property such as cattle and ploughs. My comparison between wealth status and access to land (noted above and see Table 4.3) showed that there was no necessary link between relative wealth and the extent of land holding. Some of the poorer households had access to large areas of land. Yet, the wealthiest five of fifty households interviewed in 1997 all had large fields (group 'D' above) and all included a wage earning or property owning man. This suggests (as numerous analysts have pointed out) that the key factors in social differentiation are not access to land per se, but access to a wage or labour with which to work the land.

It is in this analysis that we find a strong link between gender difference and wealth. It is not the sex of household members, per se, which has an impact on household economic status, but the differing range of reproductive and productive responsibilities assumed by and available to members.

Men have enjoyed historically privileged access to the means of production (through inheritance - see Chapter Six), to labour (through lobolo marriage and polygamy - see Chapter 5) and to cash income (through wage employment). This privilege may have eroded, as a result of the current shortage of wage labour opportunities and the negative impact of war on men's property. My interviewees in the village said that post-war, more men work full time in agriculture or rely on rural activities such as cutting firewood and charcoal-making. Nonetheless, the opportunities for both property ownership and paid employment remain considerably wider for men than for women, whilst men are not obliged to balance these opportunities with responsibilities for reproductive labour.

By contrast, women in Ndixe generally have to balance productive labour with the full burden of reproductive labour obligations. The potential sources of cash income for women are generally limited to informal off-farm activities such as gathering vegetable leaves (which can be sold for cooking with), gathering fruits and firewood, petty trade and selling their own labour to other households in the village, through *xitoco*. As shown in the table above, *xitoco* is usually paid at a daily rate or measured according to 'paces'. The going rate in 1999 was 10,000 Mt (then worth about US\$ 0.75) for 10 paces hoed, or payment in grain. Almost all women interviewed mentioned firewood or leaves as a source of cash, to buy such things as soap, salt and oil. Only the poorest households mentioned *xitoco*: apart from hard work for poor returns, it was seen as socially belittling.

For women who are the sole heads of household, the juggling act required to maintain a wide range of meagre income sources may become extremely difficult, as well as physically and emotionally exhausting. From the 16 out of 46 women interviewed in 1999 who headed households alone, 14 fell into the 'poorest' category. Of these households, five had only half a hectare or less of rain-fed land and no valley land.

Not all Ndixe women face these difficulties to the same degree, and gender is not the only factor in social differentiation. Age, health, kinship status and political power are amongst other factors which play a role in determining labour capacity and economic status. Nonetheless, the gendered organisation of reproduction and production within

households, and the gendered structuring of opportunities in the wider economy, tends to disadvantage women in terms of economic power.

Despite the difficulties, local testimony suggests that since the war, women have moved further into previously male dominated activities, taking time out from cultivation to chop firewood, burn charcoal and trudge to market (around 12 kilometres' walk on foot), carrying their wares on their head. Women are more mobile and, apparently, more involved in financial decision-making than before the war [life history interviews 1996-97].

Loforte's research on gender and power in Laulane suburb of Maputo suggests that when livelihoods are precarious and unstable, people often chose to ensure full employment of all household members. This presents a challenge to the strict gender division of productive labour. Loforte argues that "with the wife's entry in to the labour market, the possibility is opened for her to gain financial autonomy, manage her own time, allocate resources and participate more in decision-making processes" [1996(a):18-19, my translation]. Similarly in Ndixe, greater mobility and involvement in trade seems to have given some women, at least, a greater measure of financial independence and social autonomy. Tellingly, as noted above some men in Ndixe complained that marriage is increasingly unstable, since women can now earn money, pay back their own lobolo and leave their husband, if they wish [group discussion with men, Ndixe, June 1997, and see Chapter Five].

The current challenge to past gender roles presents both risks and opportunities for women. Many women are the effective managers of rural farms, controlling production and use of output. The stories of Cecilia, Eldiana and Justina suggest some of the many ways in which women diversify activities and innovate in order to cope. They also suggest, however, that whilst land and market access are vital to local well-being, key current constraints to production in Ndixe include labour constraints and a lack of access to capital, which women are likely to feel especially sharply.

Women's particular responsibility for reproductive labour and the lack of entitlements acquired through that labour, as well as institutionalised bias in the labour market, all contribute to weakening women's bargaining position within the household, community and local economy. In this context, and given that women's economic activities in Ndixe depend largely on access to the land, women's rights over land take on particular significance.

Wartime losses cut across all social groups in Ndixe. Yet they also served to accentuate economic differentiation. Households with an urban residence and one or more members in urban employment were best able to survive the war period, moving their belongings out of the village and investing in small urban plots or informal trade. Those with access to non-agricultural income have been most able to reinvest in agriculture after the war [interviews in Ndixe 1999; see also O'Laughlin 1996].

Given the historical structuring of gender roles and opportunities, this situation appears to enhance the status and power of wage-earning men. The economically most secure households in Ndixe were generally those where a woman's labour, in reproduction, food production and marketing, was complemented by a man's (urban) wage, or by a husband's ownership of property such as cattle and ploughs. Whilst women with wage earning husbands in Ndixe almost invariably qualified for the 'middle' or 'rich' group of households, the vast majority of women heading households alone were amongst the poorest.

In 1997, no woman interviewed in Ndixe was engaged in paid, urban employment. Only two women owned pigs, none owned goats or cattle in their own (rather than a husband's) name and none owned capital equipment such as carts or ploughs. None of the 46 women interviewed in 1999 had current employment in the formal sector and only one woman had ever been formally employed.

This lack of opportunity and resources would appear to reinforce women's economic reliance on low technology cultivation, informal marketing and frequently on

relationships with men for access to land, property, additional labour and a cash income. Economically active adult men, however, especially with a guaranteed income, were themselves a relatively scarce resource in Ndixe.

In Ndixe, then, land tenure security and market access appear crucial in securing rural livelihoods. Yet, key assumptions informing current agrarian policies, namely that gender is a marginal factor in the organisation of rural production and that reproductive labour is external to that process, cannot be upheld. This has serious implications for the attainment of policy goals (see Introduction). In practice, gender is a central factor in the organisation of rural production and reproductive labour is integral to economic accumulation, which depends on access to labour for both monetised and non-monetised production [c.f. O'Laughlin 2001].

In Ndixe, the capacity to invest in and reap a profit from agriculture largely depends on the ability to access off-farm and urban resources. Men appear to have a broader range of options for accessing such opportunities, predicated on the historical structuring of gender roles, institutional bias and women's fulfilment of reproductive labour roles. In the current economic climate, men's economic activities and the mobility required involve considerable economic risk - risks which women can less easily afford to take. These factors contribute in constituting access to land as a central factor in women's livelihood strategies and, thereby, in raising the stakes for women of secure access to the land. This begs the question of how women defend their rights, in the case of conflict over land. In the next chapter I investigate the issue of land conflict.

CHAPTER EIGHT

SOCIAL DIFFERENCE IN CONFLICT RESOLUTION

A key stated aim of Mozambique's current land policy and legislation is to enhance the land tenure security of smallholder farmers. This is partly to be achieved through recognising 'customary' land rights. Yet the law states that customary norms will only be recognised if they do not violate the national Constitution [Law 19/97, Article 12(a)]. The Constitution enshrines gender equality. This clause in the Land Law is thus meant to mitigate the possible negative consequences for women, of recognising customary norms.

Neither the Land Law nor its regulations, however, clarify how this clause is to be applied in practice. The Land Law does not establish how the 'customary norms and practices' to which it refers shall be identified. It does not state how it will be determined whether or not a decision taken according to such norms 'violates the Constitution', nor who will make such a judgement. From these omissions, existing policy seems to assume that the 'local communities' referred to in the Land Law are more or less homogenous and practice easily identifiable and uncontested 'customary norms and practices'. It would further appear to assume that 'customary norms and practices' inevitably discriminate against women who can, however, be protected by a gender equitable modern law. This suggests a static view of a gender-biased 'custom', which appears in opposition to a supposedly more equitable 'progressive' modern law.

Lastarria-Cornhiel has warned against this simplistic opposition. She argues that in the current African context of liberalisation and increasing commoditisation of land, apparently gender neutral laws can undermine women's interests, through failing to recognise the particular constraints women face:

"...often women come into the market system with no property, little cash income, minimal political power, and a family to maintain. Thus, women now

encounter serious factor market constraints along with a persistent male bias against women owning land" [Lastarria-Cornhiel 1995:32].

This chapter takes up the issue of gender and class differences in land tenure security through an investigation of conflicts which directly or indirectly involve land rights in Ndixe, and of how these are resolved. I look at the norms for conflict resolution, both through 'customary' and 'formal' systems of justice. The findings offer a challenge to the representation of 'custom' as an isolated site of disadvantage for women, and a gender neutral modern law as the automatic antidote. They also belie the view (implicit in land policy) of a static custom, practised in isolation by homogenous communities.

Struggles over land are played out through the interaction between various interpretations, uses and manipulations of customary, informal and formal channels for conflict resolution. I argue that gender, class and relations of power and patronage all play a significant role in determining people's various ability to resolve conflicts over, or involving land, in their own favour.

Types of conflict over or involving land

Land conflicts, or conflicts which involve access to land, can be grouped at three levels, including intra-household, inter-household and community levels.

1) Intra-household or 'domestic' level conflicts

Since marriage in Ndixe is generally patrilocal and women may be expelled from the homestead in the case of separation or divorce, domestic conflict involves access to land. As a widow's continued access to the conjugal land holding depends on good relations with her in-laws, succession and inheritance disputes may also involve access to and control over land.

2) 'Inter-household' conflict between families living in the same area

Conflicts that may occur between households living in the same area include disputes about the boundaries between fields, especially likely in the more fertile valleys, and disputes over occupation rights to the same piece of land. In the latter case, conflict may occur, for example, between pre-colonial and post-colonial, or pre-war and post-war occupants of the land. In Ndixe specifically and more broadly in Marracuene District, I also found cases of conflict and potential conflict between local households and third party interests involving private investors and, implicitly, the State, since all land concessions in Mozambique must be legally granted by the State.

3) 'Community' level conflicts between the local residents and outside interests.

Since 1999, some disputes have also arisen between Ndixe villagers and their neighbours over the demarcation of village or 'community' boundaries. These occurred as Ndixe residents began to seek a collective 'community' title to their land.

Conflict resolution mechanisms

The channels for conflict resolution would appear to be various, but can broadly be grouped into four types: formal law courts, 'community' courts, 'customary' channels and other, informal channels (including social networks, political influence and so on: see below).

Local accounts, recorded in Ndixe and elsewhere in Marracuene, of how conflicts involving land were resolved prior to Portuguese colonial rule referred principally to the authority of the Chief and his delegates [interviews with mixed group 1996 (c), elder men 1997(b), elder women 1997(b), life history interviews 1997-99 in Ndixe; Waterhouse 1999]. In theory, disputes were meant to be resolved through the ascending hierarchy of household heads, sub-chiefs and chiefs. Solutions to domestic disputes were sought within the family; first the husband's family were consulted and if this failed to resolve

the dispute, the wife's family were then consulted. If relatives failed to resolve the matter, the dispute could be taken to the headman and the final resort, to the chief.

In terms of land disputes between households, the rules went according to a 'first come, first rights' basis. The first person to be allotted a piece of land by her or his superiors, or the first person to clear a plot of vacant land, would normally have primary entitlement to the use rights over that land. No-one else could then take it away, unless the original occupier had clearly left the land abandoned (and not merely lying fallow). [Waterhouse 1999]. This relatively equitable system was, however, subject to patron-client relations particularly between the chief and his favoured followers [Junod 1927; Berry 1993].

Under Portuguese colonial rule, local level disputes were solved by the Régulo. Any cases of interest to the Portuguese were solved by the colonial administrator. In this case, the administrator would base his interpretation of 'custom' on the advice of the Régulo and his councillors. This system privileged patriarchal interpretations of 'customary' law, as Régulos and their cronies were in a privileged position to project their own version of custom to the state authorities [Loforte 1993; Davison 1997; Berry 1993] (see Chapters Three and Six).

The unitary justice system set up at Independence differed from several other newly independent states in Southern Africa. Unlike these states, where some exceptions were made on the grounds of adhering to 'customary practice', in Mozambique the Constitution allowed no exceptions to 'equal rights' for all citizens. The 'traditional' courts presided over by the Régulos were abolished and replaced by the 'popular tribunals' run by locally elected lay judges (see Chapters One and Two). These tribunals operated side by side with the formal legal system based on Portuguese written law and inherited from the colonial regime in Mozambique. The 'popular tribunals', however, were meant to be more accessible to the vast majority of Mozambicans who did not speak or read Portuguese and had no access to the formal courts. Their judgements were supposed to be guided by 'common sense' and by the spirit of the new Constitution, which promoted 'equal rights' and 'women's emancipation' [Berg and Gundersen 1990; Sachs & Welch 1990].

The popular courts were meant to be 'experimental'. They sought creative ways to promote a fusion between customary law and the values of the new State, as expressed in the Constitution. It was intended that these would eventually lead to the formulation of new laws [WLSA 1994; Sachs & Welch 1990]. Despite political opposition to lobolo and polygamy, these practices were not made illegal, nor were they punishable. They simply were not recognised by the law [Berg & Gundersen 1990; Sachs & Welch 1990:98].

Formal law and community courts

People I interviewed in Ndixe had rarely taken (or admitted to having taken) their complaints to the formal law courts or the so-called 'community courts', as the popular courts created after Independence were renamed in 1992. At this time, the community courts were removed from the tutelage of the Supreme Court and placed under the Ministry of Justice. This implied that their status shifted from being part of the independent judiciary system to being part of the civil service.

In the late 1990s, the nearest formal court to Ndixe was the District Tribunal of Marracuene. This court had one appointed judge, who served a district population of c.45,000 people. The District Court Judge described to me the conditions under which cases of domestic conflict might be heard in his court. He noted that:

- Divorce hearings may only, normally, be held for registered marriages (thereby excluding the vast majority of conjugal unions in Ndixe);
- Divorce proceedings may be heard for marriages contracted as traditional or 'de facto' marriages, on the condition that they are recognised by the District Administrator and then noted in the civil register prior to the court hearing [interview with District Judge of Marracuene, 1999].

These conditions made it highly unlikely that the vast majority of Ndixe residents would be able to take such a case to the court, particularly in the case of women, who are more

likely than men to lack formal education and experience with bureaucracy and who seldom speak Portuguese - the official language of the legal system.

The cost of divorce hearings made it almost impossible for all but the wealthiest people in Ndixe to dream of resolving such conflicts through the courts. Divorce by consensus costs 750,000 Meticaís (Mt) whilst litigious divorce cases cost 1,5 million Mt (c.US\$60 and US\$120 respectively) [interview with District Judge of Marracuene, 1999]. Costs are meant to be paid by the complainant, but the average annual income in Mozambique was an estimated US\$128 in 1999 [Pontara 1999]. In theory, one can apply to the District Authorities to be recognised as “indigent”, in which case costs may be waived.

Regarding conflicts directly over land, and despite the guarantee of ‘occupation rights’ in the 1997 Land Law, the District Court Judge in Marracuene asserted that:

“This thing of claiming ‘It’s my land because my grandfather had it and my grandfather’s grandfather’ – that is useless to me. If you haven’t got a title, if you haven’t got written proof, you can’t prove your right to the land. That’s why I always advise people to get land titles”

[interview with District Judge of Marracuene, 1999].

He also said that he did not like to get involved in major conflicts over land and would rather push these to the Provincial Level court. No-one I spoke to in Ndixe had taken a complaint to the District court.

In Nhongonhane Locality, where Ndixe is located, there was also a community court with locally elected lay judges. As elsewhere in the rural south, however, this court had suffered from the paralysis of the war years. The President Judge was elected over 15 years ago and some of his colleagues had desisted from the job. This court did not hold regular sittings but only functioned ‘on request’ [President Judge, Nhongonhane Community Court, 1999]. Its decisions did not have legal weight in the formal court

[WLSA 1994]. Interviews in Ndixe suggested many people thought this court was no longer functional.

A study conducted on behalf of the Justice Ministry in 1999 suggested this experience is common in Maputo Province, where remaining lay judges often function on a fairly free-lance basis in mediating disputes [CEA & CES: 2000]. However, one of the two remaining lay judges in Marracuene town, both of whom were women, claimed to solve numerous divorce cases each year. She further claimed to respect the principle of a woman's legal right to half the conjugal property in divorce cases [interview with Penina Nchongo, Marracuene 1999].

In Ndixe I came across two cases of women who had taken a domestic dispute to the Community (formerly 'Popular') Tribunal. They both received a favourable judgement, but met with problematic outcomes:

"The father of my two small children abandoned me and he never sends anything to help us out. I went to the village Secretary, and from there, we took the case to the [community] tribunal, and they ordered him to pay me something from his wages. But he never has and the tribunal said they can't do anything"

[Nadia, 26 year old divorcee, Ndixe, April 1999].

"My husband got a young girl pregnant without my knowing. When I found out, I was angry about it and, from there, we began to argue all the time. So my husband sent me off to live in my own house and, as I was tired of it by then, I went. Things never improved after that. When we got divorced, my husband said 'you go to your own house and leave the children here'. I got nothing at all, not even clothes, because the clothes I took with me, my husband came to fetch them back. Here, when you get divorced, there is no division of goods. The women get nothing. Unless her parents are strong and put up a fight, the women get zero. I never went to my mother in law about the

problem; but I complained to the *Grupo Dinamizador* and they wrote a document and called my husband to the Popular Tribunal in Nhongonhane. They gave me the right to keep the children. But when the war began, I couldn't manage on my own. My husband had a house in Maputo, but I had nowhere to go to get the children safe, so I went to talk to the elders and they wrote a letter to my ex-husband to come and fetch the children and take them to the city. Today the *Grupo Dinamizador* and the Tribunal are not working anymore. If you have a problem, you can go to the Secretary” [Anita, Ndixe 1997].

The stories of Nadia and Anita highlight an important issue. Namely, even where popular courts are functioning, accessible and have made judgements in favour of women, their decisions have proved hard to enforce [WLSA 1994].

Anita's case also illustrates, however, that people seek a range of alternative channels through which to resolve their conflicts. Anita tried one solution through the courts and then she tried another through the elders.

Resolving conflicts within the household

Despite considerable changes in the legal context over the last three decades, group interviews about local norms for conflict resolution in Ndixe suggest that customary channels have continuing social legitimacy and are often still followed, at least as a first step. Domestic conflicts, which involve the question of whether or not wives or widows will maintain access to conjugal land, are almost invariably solved at household level or failing that by the authority structures at village level.

According to Ndixé accounts, there are a number of grounds on which a husband could divorce his wife according to customary norms, including adultery, barrenness, witchcraft and “laziness” [group interviews with women, 1997(a) and men, 1997(a)].

By contrast, in a society where polygamy is broadly accepted, male sexual liberty was seen as legitimate male behaviour and taken as a sign of male virility and status [group interviews with women 1997(a) and men 1997(a); Harries 1994:90-91]. Furthermore, women’s historical dependence on men for access to land, a home and resources for cultivation, as well as the lobolo payment to her parents, would seem to have made it particularly difficult for a woman to motivate divorce.

In theory (according to the common perception of customary norms), the outcome of divorce should depend on who was found guilty of causing the conflict:

“If a couple separates, there are two possibilities. If it’s because the wife doesn’t want to live with the husband any more, the husband keeps the land. The woman must then go back to her parent’s house or, if she has found another husband, move to his house. If it’s the husband who doesn’t want to live with his wife any more – that is, if he throws her out – then they have to divide things” [group interview with men 1997(a)].

“When the husband sends his wife away, they must divide all of their belongings, including animals. If the wife decides to leave her husband, then she is given no right to anything” [group interview with women 1997(a)].

If a woman is judged guilty of provoking the divorce then, according to custom, she is condemned to lose her access to the land, home, property and children shared with her husband. There are some provisos. If, by any chance, a husband was found guilty of failing to meet his own duties to his wife, then the wife would be allowed to stay on the

land of his kin-group and he would have to build her a separate hut [group interviews with men 1997(a) and women 1997(a)].

The chances of a wife managing to prove that she is “not guilty” in a domestic dispute seem slim. People in Ndixe said that, according to customary norms, conflicts between a husband and wife are resolved within the husband’s household. A wife should take her complaints to her mother-in-law, or to her husband’s aunt. Only if the husband’s family failed to resolve the matter, would they consult the wife’s family [interviews with women 1997(a) and men 1997(a)]. If the family or families in dispute fail to resolve the matter, the problem may be taken to community leaders such as the Secretary, Dynamising Group (GD) or *Grupo de Madodas* (council of elders), or sometimes to the church.

Despite the theoretical norm that women who are not guilty in divorce cases *may* retain access to the land and conjugal goods, in such cases, it is often extremely difficult or impossible for a woman to prove her innocence. This is especially so when there is no outside adjudicator. Justina, whose economic predicament was described in Chapter Seven, faced the following problems:

“When my fourth child died at birth, my husband put the blame on me and said I had killed him – even though elder women were there to assist me with the birth and saw everything! He forced me to leave the house, saying he would discuss things with my brother. But the same day I left, another woman moved in. When my husband forced me to leave, at first I ran with my children to my brother’s house in Maputo. But then my husband started to threaten that if I kept them, the children would get sick and he would never help them ---- so eventually my brother decided that we must send them back to their father” [Justina, 34 year old divorcee, Ndixe, July 1999].

In contrast to the experience of ‘abandoned wives’ (women whose husbands had moved away), all the women interviewed who had separated from husbands still living in Ndixe

had been forced, or felt obliged, to leave their 'husbands' land' [life history interviews with women 1996/97 & 1999; focus group discussion with women heads of household 1997(a)]. This reflects the experience recounted by ex-wives in five other villages of Marracuene [Waterhouse 1999].

André's story is another example. I first met André in 1997 when he was living with Susana, his wife. They had had two children, but both died before reaching two years old. André told me that "when my children died, I looked for a solution with the curandeiros [traditional healers]. They said my wife was sick... she has been treated and now she is pregnant again". In André's opinion "If a couple gets divorced and it was the wife's fault, she gets nothing. If it was my fault...but, this rarely happens". In 1999, I met Esperanca, André's present wife. André had no surviving children and Susana had been sent away.

The evidence suggests that women accused of barrenness or witchcraft can find it hard or impossible to prove their innocence. My own findings from Marracuene reflect those of the 'Preliminary Report of the Sub-Commission on Reform of the Family and Inheritance Law' regarding Manjacaze, southern Mozambique, also a patrilineal area. The Report found that cases of separation were often due to the belief that women possess spirits which create disorder in the household:

"Ill luck within the husband's family, sickness, unemployment and female [sic] sterility are all attributed to women and the spirits she carries with her. In these circumstances, it is difficult to prove innocence and women are always penalised. In this context, the husband's family considers that she has no right to claim anything..."

[Pinto et al., 1999:21 my translation].

Even if a woman is found innocent in divorce or separation cases, there may be enormous psychological pressure for her to leave the husband's house and land. Madalena's story illustrates this point. Madalena was born in Cumbene, but moved to Manhiça when she

married some 20 years ago. One day, at the height of the war, Madalena went to Cumbene to visit her parents, bringing them some food, as there was drought in the region. That night, the “bandits” attacked and Madalena was captured along with several other women. For three weeks, she was forced to live at a Renamo military base, before she escaped. During that time, “there was no choice for women: you had to become the bandits ‘wife’ “ - a delicate way of saying that they were systematically raped. At first, it seemed her husband understood the situation and, for almost a year, they lived together in comfort. But then, he began to accuse her of being a ‘bandit lover’. Eventually, Madalena discovered he wanted to marry another woman, but that woman refused to move in until Madalena was out of the house. “She told my husband that I would call the bandits to come and kill them”. Eventually, Madalena could bear the taunting no more, and she fled back to her parents’ land in Cumbene [interview with Madalena, c40 year old divorcee, Cumbene, September 1999].

In group interviews, people in Ndixe claimed that unless a widow married another man from outside the family, she had the right to stay on her husband’s land. However, individual interviews revealed that widows do get expelled, as happened to Persinha. Persinha says she married late, suspecting she must be infertile. She was the second wife of her husband and, for most her life, remained quite independent. When she was young, she left her home village of Ndixe and went to work in a cashew factory in Maputo. Her wages allowed her to build her own house of brick and corrugated iron roofing sheets. When she eventually married, she went to live with her mother-in-law and her co-wife in Moamba, but still maintained the house in Maputo. During the war, she and her co-wife fled the countryside, initially sharing a house in town; but before long Persinha moved back to her old house. Without employment, though, life was hard in the city. Her husband had gone to South Africa and never sent word. Nonetheless, as soon as the war was ended, Persinha was determined to move back to Moamba. It was two years later that he eventually came to join her – and by this time he was ill. Perhaps fearing the worst, he advised her to ask her uncle for land. Sure enough, as soon as her husband died in early 1999, his elder sister threw her out of the house. Persinha blames her misfortune on not

having any children, making her worthless in the eyes of her sister-in-law [interview with Persinha, a widow in her late 50s, June 1999].

This story and further evidence from Marracuene suggests that it may often be elder women, with higher status in the lineage hierarchy, who motivate the dispossession of widows from a husband's land [Waterhouse 1999]. This calls attention again to the fact that elder women may defend an oppressive system, in which they have already invested (see also Chapter Five).

Customary norms, manipulation and adaptations of 'custom'

The testimony presented above suggests that some women in Ndixe and elsewhere in Marracuene may be dispossessed of land and other resources, through conflicts at domestic level [Waterhouse 1999]. Despite the fact that 'custom' may be cited in justification, however, the events recounted here are not a necessary consequence of customary norms and, in some cases, may indeed be seen as a violation of such norms. Thus when a mother-in-law or sister-in-law expels a widow, this does not concur with historical accounts of what is 'customary'. When a woman is forced to leave her husband's home because she fell sick in child-birth or because she was raped, this also does not concur with historical accounts of custom.

These outcomes, then, do not represent the only legitimate interpretations of 'custom', as my discussion of changing interpretations of 'customary' rights above has already shown. Furthermore, the negative outcomes presented above are not the only possible outcomes of custom for women.

The general view expressed in group interviews was that, whilst control rights over land are normally vested in men, men are thereby obliged to protect and defend the interests of their wives or, in the case of domestic conflict, their sisters and their daughters.

In contrast to the above stories, in other cases women and men have made innovative use of 'custom' in ways which enhance, rather than detract from, women's land rights. This is the case of several men interviewed in Ndixe who, as fathers, uncles, or brothers had allocated land directly to their female relatives. One such man is João, who said that "when my wife died, her parents gave me some land and I am holding that land in trust for her daughters". This is also the case with some men who have tried to protect their wives' future interests through allotting them independent parcels of land, by negotiating with relatives, or by leaving a testimony before their death. This was the case with Ana's husband:

"Long before my husband died, I used to say to him, if I live longer than you, I would like to stay here. Since he died, I've had no trouble at all with his family. They didn't ask me to go or stay – they just let me be, respecting his wishes"
[Ana, Ndixe 1997].

Ndixe women who have asserted inheritance rights to the land and mobilised kinship support from other members of their own, or husband's family, bear further testimony to the fact that women are sometimes able to call 'custom' to their own defence. Anita's is one example: when her husband threw her out, she got land from her brother-in-law. Gilda offers another. When she divorced, her sister's husband gave her a plot of land in Ndixe: "I think this was maybe as a thank-you gift, since when my sister's children were small, I took care of them" [Gilda, Ndixe 1997]. Persinha deliberately drew on custom to assert her rights to land. When her husband grew sick and knew that he would soon die, she went to speak to her uncle, the brother of her late father. She asked for a piece of her father's land (now controlled by her uncle), explaining that she wanted "to light a fire, to warm my father's spirit". Her uncle agreed [interview with Persinha, Ndixe, 1999].

Inter-household disputes

According to testimony from Ndixe, there would seem to be considerable confusion over who has what authority in resolving land disputes between different local families. This involves a complex and varied inter-play between the power of the former land chiefs and council of *Madodas* and that of the village Secretary and the *Grupo Dinamizador* (in which a number of the same people participate), as well as other potential actors (see below).

In local accounts of tradition, it was often hard to distinguish between what people saw as pre and post-Independence tradition. The term 'Chefes' or 'Lideres da comunidade' (community chiefs or leaders), often seemed to refer to both the Frelimo and 'traditional' authorities in one phrase. The ambiguity was partially clarified in a group interview with the *Grupo Dinamizador* in Ndixe who noted a government directive they received, shortly after the war [interview with the GD, Ndixe 1996(a)]. This directive stated that 'traditional authorities' should be included in local government. Currently, the brother of the former Land Chief joins the Secretary in local decision making, through the 'Council of Elders'. This council was said to include most of the elder men in the village (women were excluded).

In addition to the village Secretary and the representatives of 'traditional authority', a number of other institutions were sometimes referred to as being called upon to resolve conflicts at domestic or inter-household level. These included the wide array of Christian churches, traditional healers, the Police, and the District Directorate of Agriculture and Fishing (DDAP) in Marracuene.

One case I encountered of inter-household conflict over land in Ndixe involved a border dispute between Ndixe and the neighbouring village of Padzimane [group interview in Padzimane, 1999]. In 1998, with support from an International Non-Governmental Organisation, Ndixe villagers formed a Land Committee and applied to the DDAP to have their land demarcated. Their aim was to obtain a community land title, under the

1997 Land Law. According to the local leaders in Padzimane, in the process of demarcation, a marker was placed inside the village border, thereby annexing part of their land to become part of Ndixe. Local residents complained that they were not consulted. They lodged their complaint with the President of the Locality, who had since given no answer. In the meantime, a district official revealed that a high-ranking Government member had submitted a private request for some 300 hectares of land for cattle grazing within Padzimane, to the local authorities. Local residents said they were unaware of this land claim. Although this claim had not yet been processed, the fact that Padzimane residents had not even been informed about it suggests the relative powerlessness of peasant farmers in 'local communities', in attempting to defend their rights against more powerful class interests.

Within the village, a lack of clarity over who has exactly what authority in determining land rights, or in resolving conflicts, also appears to have opened opportunities for certain people in more powerful positions to assert land claims or acquire decision-making authority that is not legitimated by any written law. This would seem to be the case with Painde land in Ndixe (see Chapter 6), where a group of influential local men claimed back land that was alienated from their families during colonial times, even though it was now farmed by other people. This group of men included the heirs to former sub-chiefs as well as men with relative economic power through employment outside Ndixe. Painde land was of special interest since it is watered by the Bobomiune river tributary and is more fertile than most land in the village [interviews with Village Secretary 1997(b), with men reclaiming Painde land 1997 and individual interviews with women 1996,97]. The village Secretary agreed to 'return' the land to the male heirs of the pre-colonial landholders, meaning that the existing farmers had to move off. This decision had no basis in formal law. It seems likely that the Secretary's own political status and that of the men reclaiming the land may explain why those farmers obeyed the Secretary's decision.

Field work revealed other signs of tension, suggesting that as the number of households grows and pressure on the land intensifies, relationships of power and patronage play an increasing role in determining rights over the land and its resources.

A number of people who returned after the war to homesteads in the 'communal village' area are now moving out. In one case, that of Nadia (the young woman whose ex-husband would not pay alimony) this was because the pre-war land-holder was overtly trying to push her out. In other cases, this was because they experienced other, indirect pressures. Interviewees expressed this through statements like "I don't feel comfortable here" (Augusto), "I haven't got enough room here" (Sergio) and so on. In 1999, three immigrant couples to Ndixe were interviewed, all of whom had found themselves in dependent relationships with the local authorities. Although they were promised valley land initially (two to three years ago), all of them were still waiting for access to be granted.

Environmental destruction and restriction of rights

The amount of cultivated land in Ndixe is a small proportion of total available land in the village and land is put to many uses other than cultivation. The uncultivated bush lands are of crucial importance to many local households. These are used for grazing, gathering leaves and fruit, collecting firewood and making charcoal for domestic use and for the market, amongst other uses. Yet the value of those lands is diminishing.

Before the war, there appears to have been only a low key, sustainable use of the forest. However, the exodus of the whole population during wartime apparently changed that. Once the village was deserted, the villagers claim, local resources were plundered. Armed with its own military protection, the state timber company MADEMO moved in and began felling trees on a heavy scale, to supply the rapidly expanding Maputo markets with firewood and charcoal. Local people alleged that other groups of armed individuals followed their example. By the time the war ended, the Ndixe woodlands were greatly depleted [ActionAid 1995; interviews in Ndixe with mixed group 1996(e), village elders 1996, GD 1997(b)].

Post war, Ndixe residents were first inclined to join the fray, according to the logic: 'If you can't beat them, join them'. Eventually, however, local residents took their own measures to combat uncontrolled felling. Under the Secretary's leadership, in 1996 local people launched a campaign to expel any wood-cutters from outside Ndixe who did not have a licence from the local Government. The Secretary and his council made one exception in allowing immigrant loggers. Anyone who was prepared to settle and farm in the village, rather than simply extract its resources, was permitted to stay. This resulted in several men from outside Ndixe settling in the village [interviews with mixed group 1996(e), village elders 1996, GD 1997(b) and life history interviews with settlers].

These efforts met with some success, in part because some of the major tree-felling enterprises were by then ready to move on. Success was soon compromised, however, by the fact that certain officials in Marracuene continued to issue licenses to outsiders, without any local consultation. Moreover, a number of people within the village had a strong vested interest in continuing to collaborate with outsider loggers who could bring in tractors and equipment. In collaboration, they were able to run a very profitable trade [Brouwer, Waterhouse et al. 1999]. Destruction of the resource continued and by 1999 there was scarcely any 'forest' left, only small trees and shrubs. Even fruit trees and hardwood trees had been pillaged.

As the resource dwindled, residents of the most wooded areas began to place increasing restrictions on the use of 'their trees', applying the requirement that wood-cutters should be resident in the village and even, apparently, that they should be residents of the specific village location where they were cutting wood. These restrictions were increasingly applied to people from other areas (former chieftaincies) within the village [Brouwer, Waterhouse et al. 1999]. Thus people in Painde said its "too expensive" to cut wood in Mudhanyana (the best woodland area left), because a tax was charged on hiring in transport. They alleged that this tax was collected by the Secretary (if so, then without legal basis).

Economic power thus appears to play an increasing role in gaining access to what were once common resources in Ndixe. Yet fuel wood sales are one of the few sources of cash income for Ndixe women [life history interviews 1997, 1999; Brouwer, Waterhouse et al. 1999].

Community level conflict

In May 1997, I called a meeting in Ndixe to discuss my findings on land tenure security in the village, and the current legal context. On that occasion, a number of men were vocal in complaining that "we never had land titles before – why should we have them now?" They suggested that maybe the idea of land titles (issued by the Government) was a trick to take the land away. At that time, there was a sense of insecurity in the village and a sense that there was growing pressure on the land.

The lack of clarity over who has what authority in resolving land conflicts is a significant problem. There is also a widespread feeling that political pressure and corruption enters the picture. This opinion was directly expressed by the Judge of the District Court and reflected in interviews at village level:

“This land issue is really getting us worried. Only a few days ago, there was a Boer here – the same one who visited [the neighbouring village of] Gimo Ocosa and said he would take people’s land away. He spoke a foreign language so we don’t know what he said, but we told him “there’s no place for you here. He was not the first person to visit. The officials from Marracuene have brought others here already”

[Village Secretary in community seminar, May 1997]

In 1997, Ndixe residents faced an external threat to their land tenure security as private competition for land in the District was visibly growing. According to the 1977 Land Law,

in force when my fieldwork began, peasant farmers could not be legally expelled from land they occupied and farmed, even if they had no written documents to prove their entitlement. This was undermined, however, by the fact that the law gave precedence to written over verbal evidence; meaning, in effect, that a written title to land won precedence over verbally confirmed occupation rights. At that time, no resident of Ndixe had a land-use title deed.

Competition for land in Marracuene District has centred on the most fertile areas, which are best served by resources such as water and infrastructure and are within easy reach of markets. Although Ndixe is less attractive in this respect than the Incomati valley lands, it nonetheless has the advantage of being close to the main national highway Number One (EN1) which is about three kilometres away and to Marracuene town, some 12 km away. It is also close to the railway station at Marracuene town and to the markets at Bobole (12 km from Ndixe) and Maputo city (c.42 km away). Limited in extent, there are nonetheless some relatively well-watered wetland soils (though with recent problems of declining soil fertility and salinisation). The upland, rain-fed soils are relatively poor for cultivation but offer good grazing land with available water sources. For those farmers (or entrepreneurs) with sufficient resources and transport, Ndixe land may be an attractive proposition, particularly for cattle-raising.

In 1996/97, the external threat to land tenure security in Ndixe appeared to come from three potential sources: former colonial land-holders, private investors and, indirectly, from the state itself, since it is only the state which may issue private land concessions.

When the Government nationalised land in 1975, it did not formally revoke the land titles taken out by colonial settlers. In the early 1990s, these were still being revoked on a case by case basis, until the 1997 Land Law was passed. This law annulled all further land titles held by colonial settlers who had abandoned that land at Independence and failed to renew the title since then. Nonetheless, in 1999 the local authorities in Marracuene told the Ndixe Land Commission⁸⁷ that a private investor was reclaiming a colonial title in neighbouring

⁸⁷ Established during and partly as a result of the research reported here and feedback of the same to the local community.

Moamba District. This investor was trying to extend the land concession from Moamba into Ndixe, for grazing land. District authorities also noted that a number of interested outsiders had been to visit Ndixe and the surrounding territory with a view to making land title applications [interviews with DDAP-Marracuene officials 1999].

In 1997, Ndixe residents were deeply concerned about the potential for such conflict, based on the incidence of visits, such as that of the 'Boer', and on news of conflicts in nearby areas of Marracuene. In Sibacuse area, for example, on the border with Ndixe, some 17 local households were involved in a sometimes violent conflict with a private farmer of Portuguese origin trying to reclaim a colonial concession [interviews in Ndixe, 1997; interviews in Sibacuse & with ORAM, 1998].

By 1999, land requests had multiplied throughout the district [interviews with DDAP officials Marracuene, 1999]. The central Government was not planning for agricultural development in Marracuene. Instead, this District was increasingly seen as an area of urban expansion and future industrialisation [interviews with the DDAP 1998, Direção de Geografia e Cadastro Urbano (DGCU) 1999]. This increased the high premium on land in Marracuene for residential building and estates, as well as for speculation.

Despite a limited local knowledge of the written law, by 1996, some people in Ndixe had already taken initiatives to protect their land from outsiders. Whenever I mentioned 'land', local leaders told me the story of the 'Boer' who had threatened to occupy their land. According to my informants, they managed to get rid of him through lobbying with sympathetic district officials.

The local Secretary and his group made another attempt to avert outside competition, although this information was given less freely - perhaps because it was strategic. Apart from the valley lands of Painde, the best-watered land of Ndixe is in the area of Xaugonhinguine and Conuluene, both of which appear as 'lakes' on the official government map of the district, though field observation showed that in the late 1990s they existed merely as marshes. After the war ended, this land was only partially resettled. Aware that

unoccupied land was at risk, the Secretary and his council decided that this land should be fully occupied. In 1996 they organised its redistribution:

“There was a white guy who wanted to occupy a certain part of this area. So I organised a redistribution of that land amongst the people who have already returned to Ndixe, to show that this piece of land is being used”

[interview with Village Secretary, 1997(b)].

This response to external pressure, however, may also have served particular interests within the village. It is clear from interviews that a substantial number of people received a small plot of this land. However, it is not clear what the selection criteria were. The Secretary claimed that “anyone who asks can be given a piece of land there”. Nonetheless, there were still a number of households in the village who did not have access to any plot in the rich marshland. According to local testimony, these would appear to include those outside the Secretary’s group and those with no influence over land distribution at community level [life history interviews 1997]. In practice, households headed by women alone were left out. According to the Secretary: “There was no need to inform the district authorities about this redistribution” [Village Secretary 1997(b)].

Remaining ambiguities

The 1997 Land Law and its 1998 Regulations appear to re-establish an ambiguous dualism between ‘customary’ and ‘formal’ systems of justice, raising particular questions around women’s ability to enjoy their rights under formal law. This re-emerging dualism was prescient in the 1992 legal separation between ‘community’ courts (now under the jurisdiction of the Ministry of Justice) and the formal court system (under the authority of the Supreme Court).

Findings from Ndixé show that 'customary norms' in relation to land access and control are widely practised. Customary norms, however, are adapted to new situations. In some cases, 'custom' is used to deprive women of their land rights under the written law. This occurs both at intra-household or domestic level, through conflicts over inheritance or divorce settlements, and at inter-household level, through local power struggles.

Nevertheless, in some cases 'custom' is mobilised to defend women's land rights, as in cases where fathers attribute land directly to their daughters and where women actively lay claim to the land of an ex-husband, who has either died or abandoned them, or to the land of their parents.

In the case where a widow is expelled from the conjugal home, family members of the deceased husband are responsible for this. However, a husband can take measures to protect the future of his wife and family, through leaving written or oral testimony, allocating land to his wife during his lifetime, or acquiring a co-title to the land (although this last option remains beyond the reach of most individual, peasant households).

As I have shown, in the case of divorce a husband may expel his wife. However, according to some accounts of custom, if the wife is not guilty she should be allowed to keep her hut and a portion of land, or at least be compensated. Custom also entrusts fathers (and brothers) with the responsibility of ensuring that their daughters (or sisters) will have land to work if their marriages end. In some existing cases, fathers have taken the precaution of making sure that daughters, as well as sons, inherit land.

In practice, then, a flexible and confusing mixture of channels appears to exist, both for accessing land and for avoiding or resolving conflicts over, or involving land. Despite the flexibility of these generally non-formal systems, however, women would appear to lose out, on two counts. Firstly, women's generally weaker land rights than men under customary law leaves them relatively vulnerable in the case of intra-household disputes. The current legislation does not provide channels for women to strengthen their customary land claims. It merely suggests that if it fails them, they should look for

solutions outside it. Secondly, their generally weaker access to political and economic power, than men, means that women are also likely to lose out in inter-household conflicts over land.

In spite of these problems, by conferring legal legitimacy on their claims, in the long term the Land Law may contribute to establishing social legitimacy for women's land claims. A revised Civil Code, which recognised women's inheritance rights and alimony rights in the case of 'de facto' unions would, likewise, support women by helping to legitimise their claims. Such revisions, however, would have to be accompanied by a clear statement of who is responsible to implement the law. As seen in this chapter, the current ambiguity as to who is to implement the law, and how, is unlikely to favour the more vulnerable social groups in a context of increasing competition for resources.

As the evidence from Ndixe suggests, the outcome of conflicts over land depends on relationships of power and patronage that often stretch beyond the 'community' boundaries. Men as well as women are vulnerable to losing land in struggles between people with different degrees of socio-economic power within the community and in struggles between community members and outside interests.

These struggles take place within the context of a legal and executive vacuum in Ndixe. Formal laws are not implemented and it is not clear who should be responsible to implement them. The ambiguous status of unwritten, customary laws expands this vacuum as well as the scope for these laws to be interpreted differently by different interests and for such interpretations to be contested. The fact that people turn to a variety of different entities in the attempt to resolve their conflicts over land also confirms that a vacuum in legitimate authority exists. It suggests a tendency to rely on the person or group supposed to have most power. When such people form alliances with powerful outside interests, there seems to be a great risk that the less powerful members of the community will be excluded from decision-making and, potentially, from enjoying their rights to the land.

The 1997 Land Law appears to have strengthened the collective voice of those peasant farmers who are organised through associations and unions (such as those linked to ORAM and UNAC) who have – sometimes successfully – been able to contest outside requests for taking over their land [Waterhouse 1999]. However, the protection of land rights through legal-bureaucratic procedures and access to the formal courts still appears remote for the majority of Ndixé households and their members, particularly for women.

The extent to which the current land legislation will really be able to fulfil the stated policy goal of providing land tenure security for land-users including smallholders, as well as declared social equity goals, thus appears to be dubious. That is, it seems unlikely that tenure security and social equity will result, in the current context of increasing competition over land and the implementation of neo-liberal policies which tend to exacerbate socio-economic differences. The evidence from Ndixé suggests that, in this context, the customary rights of peasant farmers are subject to erosion under pressure from more powerful class interests.

CHAPTER NINE

CONCLUSIONS: RETHINKING THE OPTIONS

In this thesis I have investigated the gender dimensions of access to, control over and security of tenure on the land and also the significance of land in the pursuit of rural livelihoods in Ndixé. My research corroborates a key proposition of current land policy; namely that land access is a lynchpin of rural livelihoods. As such, efforts to promote tenure security for the vast majority of small-scale rural producers have broad economic, social and political import. In Southern Mozambique, this proposition particularly pertains to women, whose livelihood options continue to centre more fully on access to the land than do those of men - whose own options, indeed, are often predicated on women's management of the land.

My research in Ndixé throws critical light on some of the key assumptions that I argue underwrite the current neo-liberal approach to land policy. As such, they raise questions that deserve further research in Mozambique.

Specifically, my research challenges neo-liberal analysis of the factors resulting in low agricultural production, widespread rural poverty and a large percentage of women-headed households. Neo-liberal analysis places rural poverty at the door of a backward peasant agriculture isolated from the market which, in turn, has been distorted by state intervention. This analysis sees women as specifically disadvantaged by a discriminatory customary law inhibiting their land claims, their tenure security and - therefore - their market position.

I have argued that this analysis presents an a-historical and inaccurate view of how rural relations of reproduction and production are organised, focused on opposing categories of 'poor' and 'dynamic' farmers, rather than on the processes that create those categories. Critically, I argue that it neglects the gender dimensions of those processes and thereby

fails to adequately explain how women and men enter into and are affected by them differently.

The neo-liberal analysis appears to present a misreading of what went wrong, in practice, with the socialist approach to tackling rural poverty. In reducing the issue of justice to a matter of legal rights, neo-liberal policy prescriptions tend to obfuscate the increasing socio-economic inequalities, which they themselves exacerbate.

The socialist approach, however, quite apart from overwhelming practical difficulties of implementation, was troubled by the conceptual constraints of the modernisation paradigm, which focuses on rapid economic accumulation through technical progress. This vision of development (without the socialist concern for an equitable distribution of economic resources) is now being forcefully reasserted in Mozambique. I have argued that this paradigm is inherently biased against women since it devalues the reproductive and subsistence roles that have been historically constructed as predominantly women's activities. Current land policy continues to ignore this historical structuring of gender inequality in access to and control over resources. It obscures power relations within and between households, and between local communities and the State.

These arguments are supported by a brief review of my findings.

Gender difference, differentiation and land struggles in Ndixé

In my case study, I showed that gender difference in access to land and related resources is not a natural fact in Ndixé, but the historical result of different processes of social organisation, of accumulation and exclusion. The historical evidence suggests that colonial policy particularly undermined women's status through exaggerating and exploiting the existing gender division of labour, reinforcing male controls over women and restricting women's mobility. Women's unremunerated reproductive and subsistence labour underwrote capital accumulation in the wider Southern African economy.

Yet, women are not an homogenous group and were not passive victims of these processes. Faced with the frequent absence of their husbands and other male kin, they adapted their agricultural practice and took over formerly male activities and decision-making roles at household level. They managed household economies, sometimes in co-operation with, sometimes without support from, men.

In spite of women's initiatives and the government's emancipation policy, the evidence suggests that colonial patterns of discrimination against African women farmers were not radically altered after Independence. There was no significant challenge to the existing gender division of labour or distribution of entitlements, whilst impoverishment of the peasant sector continued to undermine women farmers' socio-economic status.

In Chapter Seven, I showed that access to land was a key motivation for people to return or move into Ndixe for the first time after the Peace Accord of 1992. For these people, land is an important resource in their livelihood strategies, to fulfil not only economic but also social and personal satisfaction goals. This belies the narrowly economic value attached to land, in neo-liberal policy prescriptions.

Even within the small rural community of Ndixe, however, different people stand in widely varying relationship to the land and their ability to draw on it as an economic and social resource. Although some of these differences are individual and idiosyncratic, significant patterns of difference can be traced along gender and class lines.

Land is often most prominent in women's livelihood strategies. In the historical context of a male migrant labour economy in this region, it was women who secured reproductive labour as well as food production for consumption and sale on the rural homestead. Since the end of the war, women from Ndixe have in general become increasingly mobile, travelling back and forth to markets and urban centres. Nonetheless, most of their daily activities and sources of income, or exchange, are rooted in the land, which is also a foundation for fulfilling a sense of self-worth and maintaining social networks.

Over a long history of hunting, trade and eventually labour migration, men from Southern Mozambique developed a more contingent relationship with agriculture. Some men have always stayed in the village, but most have at least during part of their lives sought an income elsewhere, generally through migration to South Africa or Maputo, for wage work or as self employed tradesmen. Land constitutes a variable asset: as an alternative or supplementary source of sustenance and, or income (worked either by the man himself or other household members, often a wife); as a surety against hard times; and as a social and political asset - through men's control rights over homestead land and their influence over the allocation of land within the community (Chapter Six).

Men's contribution to investment on the land may vary according to a range of factors, including questions of personal ambition and family commitment. It also depends, however, on their ability to access cash through wages or self-employment and on their ability to accumulate wealth through inheritance, official position or patron-client relationships. Generally, men in Ndixe, as elsewhere in southern Mozambique, have privileged access to all these resources, relative to women.

Within households, women and men negotiate and combine their resources in different ways to meet individual and household needs and goals. Whether these negotiations are explicit or implicit, women and men enter them from different positions and with different resources, not only in terms of the material assets they can draw upon but also in terms of social norms and legitimacy, as well as own self-perception.

The evidence from Ndixe suggests that the households with most resources and opportunities are those where a man who owns property or earns a wage has developed co-operative strategies with a wife or wives, who ensure the reproductive labour needs of the household as well as investing in agricultural production. The poorest households are those headed by one adult alone who has no access to income outside of agriculture. Such households in Ndixe, as throughout southern Mozambique, were predominantly headed by women. However, this does not mean there are no poor men. It suggests, as

O'Laughlin [1998: 2] has noted, that a significant number of men never form domestic units or only enter them in peripheral ways. In the current context of unemployment and the marginalisation of small-scale rural production, the centrifugal forces acting on households appear to be strong, as women and men struggle over different livelihood options.

The evidence from Chapter Six confirms that men have privileged access to land, through inheritance and succession rights as well as political power and economic advantage. Compared to men, women's relatively weaker access to resources through inheritance, employment or political influence reinforces their dependence on the land. It also reinforces the advantage to women of marriage, as the key channel through which they gain access to land as well as cash and labour to work it. Women heading households alone, without male support, face the most severe production constraints.

In contrast to the assumptions of the small-holder model of tenure informing current policy on land, I have suggested that land tenure security is an important but by no means sufficient factor to ensure increased production and benefit from the land, particularly for women.

Current land policy assumes that women are disadvantaged in rural production by a patriarchal customary law, which discriminates against women and perpetuates their insecurity of tenure. It assumes that formal land rights for women are a solution. My study of Ndixe shows that land allocation norms that discriminate against women are still widely practised.

Yet customary norms are flexible and in some circumstances women are able to mobilise them in their own interests. Furthermore, customary norms are based on the principle that all community members have the right to use some land. Men are in a stronger position to manipulate customary norms due to their generally greater economic and political power, which also provide access to alternative channels of access to land. It is these power relations, rather than customary norms per se, which particularly disadvantage women.

This is not an inevitable situation. Historical evidence suggests that customary tenure rules became more rigid and biased in favour of men under colonial capitalism and that these influences did not disappear under the socialist policies of early Independence. In the post-war context of increasing competition over land and the on-going transformation of land from a common good into a commercial resource, it is not possible to revive customary tenure. As Hobsbawm and Ranger (1983) have argued, it is not possible to reinstate but only to reinvent tradition. As in the colonial construction of customary tenure, the formal establishment of customary norms in practice must involve negotiations - power struggles - over what is to be understood as 'customary'.

My case study shows that women do have rights within customary tenure systems and that they make claims to enjoy, protect and even extend their land rights - as in the case of divorced women laying claim to their ex-husband's land. In the context of the historical construction of gender-based inequality in relation to the land and the recognition of custom in the 1997 Land Law, one serious question that policy-makers should address is: 'How are women's interests to be fairly represented in the re/construction of customary rules?'

Contrary to the reconstructed dualism of the current law, power over land is not divided neatly into customary arrangements within 'local communities' and formal or contractual arrangements in an external sphere of market relations. In the ongoing struggles over land, the various contenders not only draw on customary norms but also on formal law and on informal arrangements arrived at through economic or political influence or through social networks. In effect, the legal designation of 'community land' as subject to 'customary norms' places community land rights in a subordinate position to the increasingly commercial relations which surround and encroach upon them.

The national land policy apparently assumes that formal law can guarantee women's equal rights to land. My study of Ndixe shows, however, that gender inequality is not merely a question of legal rights but is deeply embedded in production processes and

social identity. Given men's greater access to resources through inheritance, employment opportunities and political power, marriage becomes a key element in women's livelihood strategies. Marriage provides women with access not only to land but also potential labour and cash contributions from their husbands.

Women's perception of their own interests is likely to be coloured by their bargaining position within households and in relation to broader economic processes and the state. Whilst the evidence presented in Chapters Four and Seven shows that marriage is a central issue in women's livelihood strategies (whether they enter marriages or not), the testimony I record in Chapter Five suggests that household formation is not simply a question of 'free choice', for women or men. Instead, it is strongly influenced by historical norms around gender and kinship roles within the household and also by macro-economic circumstance and state intervention.

Through the long decades of migrant labour and increasingly commoditised relations of production, there has been a tendency towards the dissolution of large, extended family households towards the formation of smaller, three generational or nuclear households. A significant number of these are managed *de facto* or *de jure* by women without the regular presence of adult men. State policy on marriage and also on labour has apparently heightened this tendency.

The evidence I record in Chapters Five and Seven suggests that, in the current context of long-term structural unemployment in the formal sector, insecure income opportunities through trade and poor returns on production in a deeply impoverished peasant agricultural sector, there are contradictory pressures at work on household formation. On the one hand, the pressure to diversify income sources makes for co-operative household strategies, in order to maximise resources and spread risk. On the other hand, the insecurity of urban income and low level of returns on agricultural labour encourage mobility.

In both cases, women are in a disadvantaged position. Since women continue to ensure almost the entire reproductive labour load, the low returns in economic or social entitlements achieved through this work puts them in a weak bargaining position within the household and in the broader economy. This also threatens their well-being. In addition, men's continued mobility is predicated on women's continued guarantee of reproductive labour - a clear disincentive to changing roles for men.

The impoverished state of agriculture, high risk and poor returns on investment means that diversified income is a key strategy of all Ndixe households with sufficient resources to diversify. For women, marriage continues to be the best way of ensuring diverse sources of household income. The 'wealthiest' households in Ndixe terms were invariably those which included a wage earning or property owning man.

Under current land policy, the land rights of small-scale producers are supposed to be protected by law, which specifically guarantees equal land rights for women. Yet Ndixe's experience suggests that women have little access to the formal justice system and that the land tenure security of small-scale producers in general is threatened by increasing socio-economic divisions. Evidence of increasing competition for land and natural resources in Ndixe is testified by conflict over the most fertile soils and by the increasing individualisation of rights over resources such as fuel wood (Chapters Six and Eight).

I have argued that even if women farmers have guaranteed land, tenure security will not necessarily and is not even likely to mean that they will become less poor. The poorest women in Ndixe lack resources to work the land, sometimes resorting to sale of their own labour. However, the option of identifying the poorest women-headed households and 'targeting' them for assistance widely misses the mark of promoting equitable development. For one thing, there are many types of women-headed household and, for another, women in so-called male-headed households may be equally poor or poorer than those heading households alone. The concept of a household head in fact often serves more to obfuscate intra-household relationships than to illuminate social processes. In practice, it is not the sex of a household 'head' which determines wealth or poverty. This

has to do with relative resources and entitlements, household composition and social networks amongst other factors. This suggests that in future research, it will be important to identify 'processes of impoverishment' and of how women and men enter into them differently, whilst avoiding the neo-liberal tendency to stereotype 'the poor' [Whitehead & Lockwood 1999:536-7].

Perceived security of tenure is undoubtedly a factor in the decision to invest or not in the land. However, this is far from being the only issue. The other main factor is capacity to work the land. Further factors include the kind of investment people choose to make and the relative returns expected on different types of investment. Especially when people are desperately poor, they may choose not to invest their minimal resources in attempting to increase agricultural production.

Furthermore, scarce resources (labour as well as cash) must be allocated to fulfil a number of needs and wants, such as health care, education, clothing, and maintaining social relations. These different types of need tend to weigh differently for women and men. In focus group interviews (Chapter Four), women gave more weight to aspects of well-being that cannot be measured by consumption of goods, compared with men's greater emphasis on capital assets. Again, men's relative freedom to invest in capital assets is often predicated on the assumption that women will make the main labour and cash investments in family welfare.

Whatever the incentives to invest on the land, the testimony from Chapter Eight makes it clear that sustainable agricultural production in Ndixe is increasingly under threat and that, given the wider politico-economic environment, Ndixe people do not have security of tenure. As in colonial times, the attempt to shore up 'customary' law is a temporary bulwark against the alienation of land, subject to erosion whenever it suits more powerful interest groups within the state or those who are able to influence state officials in their favour. Whilst the current opportunities for accumulation by the elite include speculation in land, even 'community' land must be seen as contested territory.

In sum, in the current context of increasing competition over, and commercialisation of, land existing policy seems likely to increase gender tensions, exacerbate socio-economic differences and further marginalise the poorest categories of rural women.

Challenge to the smallholder model of land tenure

The NLP and the 1997 Land Law are based on a 'small-holder model' of development, promoted by the IMF and World Bank [WB 1995, 1998; GOM/IMF/WB 1999]. The underlying assumption of this model is that land tenure security and market integration are central pre-conditions to achieving increased agricultural output, which is further thought to automatically imply 'poverty reduction' [WB 1989:90, 104; WB 1995; Cleaver 1993; GOM 1995].

Poverty is seen as a function of exclusion from the market. This is to be addressed by helping those facing structural impediments to overcome these and enter the market, or by providing 'safety net' measures to those who are incapable of competing in the market - for example, due to illness or old age. From this perspective, a legal guarantee of women's land rights is supposed to remove tenure insecurity for women and so contribute to their increased investment on the land and exit from poverty.

This small-holder model rests on a number of further assumptions, namely:

- 1) that reproductive labour is external to surplus production and gender relations play only a marginal role in the organisation of rural production;
- 2) that 'small holder' production is undertaken by homogenous and harmonious households, whose members and units all stand in the same relation both to the land and to the law;
- 3) that rural production by 'small holders' is more or less isolated and autonomous from other sectors of the economy.

This thesis and the fieldwork that supports it suggest that these assumptions are ill-founded. In the first place, reproductive labour is not external to surplus production, either from the land or in the wider economy. On the contrary, reproductive labour is a necessary pre-condition for other types of labour. Both the household organisation of labour, as well as state attempts to structure labour relations and accumulation processes, have historically been organised around this fact. This continues to be true. Failure to recognise the reproductive labour contribution to economic production, through returns in material form or through other types of entitlement, thus contributes to the exploitation of this type of labour and to the disempowerment of those (mainly women) who perform it.

The historical structuring of reproduction and production relationships, from the advent of colonial capitalism onwards, have been based on gender difference. Building on and exaggerating pre-colonial gender differences in rights, labour roles and responsibilities, the colonial capitalist State exploited these differences to the advantage of capital accumulation by European settlers and the mining industry. In contrast, the post Independence State sought to restructure the exploitative relationship between private capital and peasant labour. Yet it did not re-evaluate reproductive labour or challenge the distribution of entitlements gained through reproductive rather than productive labour. In other words, the provision of surplus production continued and continues to be predicated on the assumption that women will perform reproductive labour, for which they are not rewarded with cash or other entitlements. The recent removal of state subsidies and reduction of state services under SAPs depends heavily on this assumption and contributes to enforcing its reality.

Neither women cultivators nor rural households are homogenous. As evidence from the small village of Ndixe shows, different households and their members stand in varying relationship both to land, to resources needed to work the land and to the customary rules, informal channels and formal laws which shape rights to the land and security of tenure. These rights are strongly contested. A policy which assumes that rural households and their members are equal is most likely to advantage those with greater resources and bargaining power in the first place. Indeed, it is well documented through-out Sub-

Saharan Africa that SAP policies in general have tended to exacerbate socio-economic differences and increase the percentage of relatively poor people [Sen & Grown 1988; Sparr 1994: 13-36; Jahan 1995:2].

The idea that rural producers in southern Mozambique are more or less autonomous producers oriented, by their own preference, to subsistence production and able to enter or withdraw from the market at will, is a potent but highly inaccurate myth. The evidence from Ndixe concords with historical data from elsewhere in southern Mozambique demonstrating that for over a hundred years rural production has been closely tied to urban and commercial production through the migrant labour economy as well as through the domestic and international markets for agricultural produce. The question which academics at the CEA raised in the early years of national Independence and which was restated by O'Laughlin in recent years of increasing structural unemployment in the formal sector, still remains to be answered [CEA 1981; First 1983; O'Laughlin 1998:41]. When employers no longer seek to extract male labour from the rural economy, and indeed there are relatively fewer and fewer employment opportunities, what is to be done?

Despite discrepancies between the 'small-holder' development model and actual experience and practice in Ndixe, the neo-liberal theory on which that model is based should not be seen as a 'mistake' or as poorly conceptualised. Rather, it is a theory that serves the specific interests of those institutions which have most strongly promoted it, namely the Western dominated, multilateral finance institutions, particularly the IMF and the World Bank.

A theory which says that security of tenure on the land will lead to increased agricultural production and reduced poverty, and that increased tenure security can be achieved through recognising the 'customary norms and practices' of 'local communities', supports the view that there is little need for state intervention, or spending (as recommended under SAPs). The vision of a rural population whose problems stem from being 'backward' and isolated may be mobilised to justify the argument that agrarian

development can be achieved through 'market integration' and the promotion of private capital penetration.

A theory which focuses on land tenure security places the onus on individuals to provide their own livelihoods and, in the context of long-term structural unemployment, makes it possible for the government, and its financiers, to sweep the troublesome unemployment question under the carpet of 'land rights' [cf O'Laughlin's discussion, 1996]. A theory which sees households as homogenous and harmonious units, obscures the problems of social welfare and social polarisation.

A policy framework which locates gender as a marginal issue and sees equal legal rights for women as the sufficient antidote to gender inequalities, ignores the ideational aspects of gender and the multi-dimensional factors involved in negotiating gender relations. It makes it possible to avoid any real challenge to the male-dominated status quo.

Questioning the precepts of modernisation

Neo-liberal policy is focused on accumulation and not broadly concerned with equity, only with 'poverty alleviation'. In contrast, socialist policy in Mozambique had aimed at an equitable distribution of social surplus. It failed to achieve this through its strategy for accumulation via centralised state planning and control. Part of the problem was technical and managerial, part was the result of foreign inspired sabotage.

Yet the modernisation paradigm of development, focused on rapid accumulation through technical progress and informing both socialist and neo-liberal policies, is also problematic. Casting the peasantry as backward and isolated, it rides rough-shod over local knowledge, interests, concerns and constraints. It fails to adequately account for the gendered structuring of reproduction and production relationships, or the existing integration of rural producers in markets.

If the previous socialist policies failed, neo-liberalism washes the baby out with the bath-water. Yet the goals of social and economic equity continue to be valid and valuable ones and appear increasingly important in the face of intense poverty and related environmental degradation, rural stagnation and social instability. As O'Laughlin notes [2001] given the extreme poverty of the majority Mozambican population, as well as lack of resources at national level, a simple redistribution of resources will not be enough. 'Reducing poverty' in Mozambique must depend in part on an overall increase in output [O'Laughlin 2001:46]. It is unlikely that improved living standards for the majority rural population can be achieved, however, without taking into account non-economic aspects of well-being, rural differentiation and existing power relations. Structurally constituted and institutionally inscribed gender differences run through all these issues.

Based on my research in Ndixé, it seems likely that in order to achieve even the stated goals of land and agricultural policy - to improve tenure security, increase production and also to 'reduce poverty' - let alone to meet a broader concern with social equity, a revision of values is called for. Furthermore, serious attention should be paid to creating / re-enforcing democratic modes of representation, such that different interest groups can be heard in the processes of policy formulation and implementation.

In the first place, there needs to be a theoretical and concrete revision of values and entitlements attributed to reproductive labour. Such labour includes investment in human production, the maintenance and development of human resources - for example through health care and education - and non-monetised investment in the maintenance and conservation of resources such as land. Economists such as Diane Elson have suggested ways of accounting for (principally women's) reproductive labour in national statistics and budgets [Elson 1996]. This can be a first step towards re-defining entitlements. In Western welfare systems, reproductive labour is recognised in such things as the 'family wage' and child maintenance subsidies. Mozambique may be a long way from being able to provide adequate social security through the State, but this should not preclude a search for new ways of valuing essential labour.

The definition of land and agricultural policies needs to take differentiation into account. Different rural households and their members will be affected by and respond differently to changing policies, constraints and opportunities according - among other things - to their existing resource base, household structure and integration in different markets including labour markets.

In the on-going dialogue on 'democratisation' and local government reform in Mozambique, the question of how different interest groups within and beyond the community are to be represented and heard, should be a central concern.

Recognising women's land rights is important and legislation which consecrates women's equal rights to land adds legitimacy to their land claims at local level. But this is not enough to guarantee women's equal land rights to men in practical terms and it is not enough to ensure security of tenure for women in an environment where claims over land are increasingly contested. Other issues that policy-makers should attend to include enhancing women's ability to negotiate their 'customary' rights and their capacity to access their formal ones. A flexible approach to implementing the law might sanction the positive use of 'custom' to protect and extend women's land rights. However, this should be accompanied by clearly established mechanisms for enforcing the law. Customary norms should also be made explicit and decisions taken in this arena be recorded for future reference, to ensure that 'custom' cannot be re-written to deny women their land rights. Attempts to implement the law should be accompanied by extending the legal network, in accessible form, to rural communities.

Although the recognition of women's rights in the formal law is inadequate to achieve land tenure security for women, it may however contribute to increase the social legitimacy of women's land claims [Argawal 1994]. Similarly, a revision of the existing Civil Code (on-going in 2001), such that de facto marriages, women's inheritance rights and rights to alimony after the break-down of a de facto marriage were recognised, could significantly strengthen women's bargaining position. However, mechanisms are needed to ensure that any such changes in the formal law are implemented and enforced and also

that the formal law is made more accessible to women. This might include ensuring that legal proceedings take place in the local language (rather than Portuguese), that legal and bureaucratic proceedings are simplified and that low-cost access to legal advice is made available. Serious attention should also be paid to finding ways of enforcing the decisions taken in court.

Legal rights to the land are important but are not an adequate guarantee of tenure security in the face of commercialisation and increasing competition between socio-economic groups that are ever more widely divided. An effective policy to guarantee tenure security has to take equity considerations into account including the wider distribution of opportunities and resources. Part of the way forward would involve looking again at service provision to the rural areas and their accessibility, in particular, to women. The price structures for rural produce as well as farming inputs should be revised, to start redressing the enormous disadvantages faced by small-scale producers.

State funded social welfare for the elderly and single household heads with dependants, as well as agricultural extension that includes women farmers, could help to alleviate pressure on the elderly and women who head households alone, as well as provide new opportunities for increasing agricultural production.

Land tenure security is an important factor for policies aimed at promoting agricultural development and growth. However, these should also consider the importance of off-farm employment in providing rural incomes (which are likely to feed back in to agriculture as they have done historically), as well as service and credit extension, aimed at women as well as men. This would both ease the strain on rural households struggling to feed urban dependants and would also reactivate a source of potential investment in agriculture.

In a situation where the majority of small-holder farmers in Ndixe do not, or only marginally, produce agricultural goods for the market, the promotion of off-farm

production opportunities and employment, for both women and men, would be essential elements of a development policy which truly aims at 'growth with equity'.

University of Cape Town

SOURCES

Interviews

Mixed Group Interviews in Ndixe (women and men)

- | | |
|--|----------------|
| (a) Explaining research objectives
(meeting with elders) | November 1996 |
| (b) Presenting research objectives and
history of the village
(community meeting) | November 1996 |
| (c) Political structure,
land tenure and tenure norms, traditional
division of labour in agriculture | November 1996 |
| (d) Marriage practice, inheritance
and land rights | November 1996 |
| (e) Local economy and land use | December 1996 |
| (f) Family planning | March 1997 |
| (g) Seasonal calendar for agricultural
activities | September 1997 |

Interview with village elders

History of the village December 1996

Interviews with *Grupo Dinamizador* (GD), Ndixe

- | | |
|--|---------------|
| (a) Political and social organisation in Ndixe | November 1996 |
| (b) Land tenure and land conflicts | February 1997 |

Focus group interviews with men

- | | |
|--|----------------|
| (a) Domestic relations
(marriage, lobolo, polygamy & 'respect') | January 1997 |
| (b) Definition of rich, middle and poor
households in Ndixe | September 1997 |
| (c) Alternative methods of soil preparation | September 1997 |

Focus group with elder men

- | | |
|---|------------|
| (a) Traditional gender division of labour
and domestic relations | April 1997 |
| (b) Traditional land tenure norms
& response to new land law | May 1997 |

Focus group with younger men only

Response to new land law May 1997

Group interview with (six) ex-miners

April 1997

<u>Focus group interview with women</u>	
(a) Domestic relations (marriage, lobolo, polygamy & 'respect')	January 1997
(b) Definition of rich, middle and poor households in Ndixe	September 1997
(c) Alternative methods of soil preparation	September 1997
<u>Focus group with elder women</u>	
(a) Traditional gender division of labour, girls' education, marriage and family relationships	May 1997
(b) Traditional land tenure norms & response to new land law	May 1997
<u>Focus group with younger women</u>	
Girls education, marriage, family relationships	May 1997
<u>Focus group with women heads of household</u>	
(a) Domestic relations and conflict resolution	April 1997
(b) Response to new land law	May 1997
<u>Individual interviews with women heads of household</u>	
Nellie Machiana	
Clara Magaia	
Isabel Mboane	
Lillie Albino	
Beatriz Macandza	
<u>Community seminars in Ndixe</u>	
1st feedback seminar	February 1997
Presentation of preliminary findings on changing land tenure patterns	
Presentation of Land Bill and discussion of implications for Ndixe	
2nd feedback seminar	May 1997
Presentation of research findings	
Discussion of Land Bill and the options for a community land title and criteria for forming an Ndixe Land Committee	
<u>Community mapping: land use and household distribution</u>	
Map by women	14/1/97
Map by men	16/1/97
<u>Group map of community: history of land tenure</u>	
September 1997	

Transect walk through the village
September 1997

Individual interviews on work experience / migration
(carried out between November 1996 and January 1997)

Jose Nhaposa
Augusto Manhica
João Mazive
Raul Fransisco

Interviews with Village Secretary

(a) November 1996 - land tenure and land conflict in Ndixe
(b) February 1997 - land distribution in Ndixe

Group interview with (six) men reclaiming Painde land

April 1997

Life history interviews (two interviews with each respondent)

Interview One: household structure, land access and use, household economy, socio-economic status

[carried out in December 1996 and January 1997]

Interview Two: social institutions and land tenure (tradition, inheritance, marriage, family history)

[carried out in March and April 1997]

Interviewees:

Men

1. Ernesto Mahlangwane
2. Silvester Macandza
3. Andre Macandza
4. Sergio Mahlangwane
5. Armando Nguenha
6. Fernando Mabjaia
7. Andre Mabjaia
8. Fransisco Muchava
9. Charton Chavana
10. Antonio Cumbene
11. Armino Mondlane
12. Artur Mabjaia
13. Nelson Macandza
14. Noa Siteo
15. Carlos Mange

16. Fernando Nguenha
17. Fernando Conuana
18. Nelson Machanguana
19. Augustinho Cossa
20. Daniel Majaia
21. João Mutambe
22. Armando Majaia
23. Damião Mahusse
24. Diniz Munguambe
25. José Cumbe

Women

1. Asa Magaia
2. Christina Mboane
3. Jordina Changule
4. Maria Changule
5. Sandra Siteo
6. Helena Chaque
7. Isabel Muchanga
8. Salina Mazive
9. Flora Chirindza
10. Anita Nsucane
11. Celina Magaia
12. Alice Moamba
13. Matilde Magaia
14. Calcinda Mahungue
15. Maria Mondlovo
16. Maria Nguenha
17. Persinha Machiane
18. Carolina Macaringue
19. Rofina Matlombe
20. Beatriz Macamo
21. Gloria Armando
22. Atalia Machava
23. Alfitrina Magaia
24. Leonor Magaia

Individual interviews on marriage and government policy on women

[March 1997]

Asa Magaia

Calcinda Mahungue

Group interviews on wealth categories

Women (10) - September 1997

Men (10) - September 1997

Individual interviews on daily routine and sources of household income

(September 1997)

12 individual interviews with women and men carried out under my supervision by Andre Mothombene ORAM, Eugénio Ernesto DDAP Marracuene, Alice Chissano UGC.

Individual interviews on food security and problems in agriculture

(September 1997)

12 individual interviews with women and men carried out under my supervision by Andre Mothombene ORAM, Eugénio Ernesto DDAP Marracuene, Alice Chissano UGC.

Interviews with key informers

(November, December 1996)

Roberto Luis, Ivone Pascoal

João Mothombene

Lorena Mangane

Ismael Ossemane

Julia Manhiça

Margarita Mejia

Ximena Andrade

Jamisse Taimo

Celeste Banga

Cristevão Casamo

Vicente Cachaço

Elias Mula & Felix Cossa

Mr Manica

Abdul Faquira

João Palate

Augusto Macheve

Maria Alice Nhantumbo

Inácio Manecas

- ActionAid-Mozambique
- Co-ordinator, ORAM
- Programme manager, ORAM
- Executive Director, UNAC
- UNAC member, Calanga
- Researcher, CEA
- Researcher, CEA
- President of ORAM
- Muleide
- District Administrator, Marracuene
- District Director of Agriculture, Marracuene
- Rural Extension Officers, Marracuene
- Cadastral and Surveying Services, Marracuene
- President of Nhongonhane Locality
- UNAC, Marracuene
- UGC, Marracuene
- ORAM, Marracuene
- World Bank, Maputo

[1998]

Manuel Monterio

Elias Mula

Custodio Zunguze

Ivone Pascoal

- District Director of Agriculture, Marracuene
- Rural Extension Officer, Marracuene
- Rural Extension Officer, ActionAid
- District Programme Co-ordinator, ActionAid - Marracuene

[1999]

Manuel Monterio

- District Director of Agriculture, Marracuene

Elias Mula
Sousa Pinto
Mr Mocumbo
Janet Assulai
Salvador Chauque

- Rural Extension Officer, Marracuene
- Provincial Director of Agriculture, Maputo
- DINAGECA
- Legal advisor, ORAM
- President Judge of the District court of Marracuene (July 1999)
- President Judge of Nhongonhane Community Court
- Lay judge, community court of Marracuene-sede (September 1999)

Penina Nchongo

Comparative research in Marracuene District

Rapid Rural Appraisal: Land tenure and gender relations in Xihlale Village, Nhongonhane Locality, Marracuene [July 1997]

Rapid Rural Appraisal: Land tenure and gender relations in Gimo Ocosa Village, Nhongonhane Locality, Marracuene [August 1997]

Gender difference in the resolution of conflicts over, or involving land, in the communities of Faiftine, Padzimane, Sibacuse, Mali, Cumbene and Ndixe, Marracuene District [September / October 1999]

Seminars on land tenure organised in the course of my research

The following seminars were organised by myself, on behalf of ActionAid, by Scott Kloeck-Jenson of the Land Tenure Center in Maputo, by Joanne Heyink-Leestemaker of the Geography Department, UEM and by Carla Braga of the Land Studies Unit, UEM.

Land tenure in contemporary Mozambique	March 1998
	June 1998
'Gender, land tenure and local communities'	October 1998

Individual interviews on household structure, household economy and possessions score
[Interviews supervised by myself, carried out by Alicia Calane, Arlette Mutola and Elsa Butão - 3rd Year Students, University of Eduardo Mondlane. Conducted in June and July 1999.]

1. Calcinda Xerindza
2. Maria Mahumane
3. Maria Xangule
4. Angelina Mahumane
5. Flora Xerindza

6. Beatriz Xerindza.
7. Bertina
8. Lurdes Augustinho
9. Ilda Mandlate
10. Celina Mahlanguane
11. Teresa
12. Marta Wamba
13. Glória Wamba
14. Jordina Manhiça
15. Josefina Machie
16. Amélia Guambe
17. Celina
18. Rosa
19. Joaquina Mboane
20. Julietta Macandza
21. Salina Mazive
22. Alice Timane
23. Natalia Machava
24. Elisa Manze
25. Clara Magaia
26. Olivia
27. Angelina
28. Alfitrina Magaia
29. Anita Tchucane
30. Celina Manhiça
31. Eva Gumende
32. Amélia Chiconela
33. Helena Xerindza
34. Isabel Langa
35. Leonor Magaia
36. Lídia Mboane
37. Helena Cháuque
38. Elisa Mause
39. Matilde Mazive
40. Asa Magaia
41. Percina Magaia
42. Zeretina Macamo
43. Sandra Armando
44. Elisa Macombo
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