

Tanzanian Policies Perpetuate Unequal Gender Participation in Agri-Food Value Chains

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Key Messages

- The agri-food sector in Tanzania is characterized by strong gender inequalities in agri-food value chain participation.
- We conducted a gendered review of four United Republic of Tanzania (URT) legal documents, namely the Customary Law Declaration Order (1963); the Law of Marriage Act (1971); the Women and Gender Development Policy (2000); and the National Strategy for Gender Development (2005). This review evaluates how these legal documents enable or limit gender participation in agri-food value chains.
- The gender mainstreaming agenda has often been misinterpreted, diverting from an intended focus on gender to give attention specifically and only to women.
- We recommend amendment of the four legal documents reviewed here; periodic review of gender-related policies to account for emerging issues; gender awareness training for policy makers and key stakeholders; gender mainstreaming of academic curricula; and systems that facilitate the collection and collation of gender-disaggregated data.

Introduction

The agriculture sector remains the main source of livelihood for a majority of Tanzanians. However, the sector is characterized by strong gender inequalities in agri-food value chain participation. Men tend to dominate high-profile value chains, such as fish and tomatoes, while women dominate lower-profile value chains, such as green leafy vegetables (GLVs). Women face obstacles in accessing and/or controlling assets, inputs, technology, knowledge, markets, and extension services, and they claim less intra-household bargaining power than men. When they allocate labor to engage with agri-food value chains, they receive fewer benefits than men.

We conducted a gendered review of four United Republic of Tanzania (URT) legal documents, namely the Customary Law Declaration Order (1963); the Law of Marriage Act (1971); the Women and Gender Development Policy (2000); and the National Strategy for Gender Development (2005). This review evaluates how these legal documents enable or limit gender participation in agri-food value chains.

The Customary Law Declaration Order (1963)

In Tanzania, the Customary Law (1963) governs customary land ownership within land tenure systems. The law strengthens customary norms which are most intensely prevalent in rural areas, and it reinforces women's inferiority, particularly in land rights, rendering their access to land indirect and insecure (URT, 1963:12). By reinforcing unequal power relations, the law perpetuates gender inequalities in agriculture and agri-food value chains. In addition, the Customary Law limits women's agency in terms of marital freedom. According to the law:

"If a husband is traveling on a long journey, he may appoint a guardian to protect his wife, children and property... In addition, the guardian shall supervise livestock and agriculture activities and all domestic outdoor matters related to the household that would be supervised by the husband. Further, the guardian shall deal with all the problems encountered by the people of the traveler's household and the wife shall not move from her husband's household without the guardian's consent" (URT, 1963: 3).

The law also discriminates against widows on inheritance matters, as explained below:

“The widow has no share of the inheritance if the deceased left relatives of his clan; her share is to be cared for by her children, just as she cared for them” (URT, 1963:5).

A handful of provisions within the Customary Law do foster an enabling environment for women. For example, while the law privileges patrilineal inheritance, it does offer an opportunity for a wife to inherit her husband’s property (URT, 1963:8). However, a woman can inherit clan land if there are no men in that clan. Given that it is very rare for a clan to have no boy child, women’s ability to inherit and control land remains limited—a significant threat for women’s agricultural livelihoods.

The Law of Marriage Act (1971)

The Law of Marriage, enacted in 1971 by the URT Parliament, has been amended by Act 23/73, Act 15/80, and Act 9/96. Over more than five decades characterized by socio-economic, political, and cultural transformation, the law has become quite outdated, losing its practicality and ability to ensure equality, dignity, and respect in marital homes. However, given that it is still operational, it remains key to understanding gender issues in Tanzania.

The law recognizes three types of inheritance provisions, including Customary, Islamic, and the Indian Succession Act of 1865. Yet, these are contradictory to the 1971 Marriage Act, in which women and girls are entitled to smaller shares than men and boys. The Marriage Act also contradicts the Customary Law as it supports married women to access property rights. Section 56 of the Marriage Act (URT, 1971:25) stipulates that *“a married woman shall have the right as a man to acquire, hold and dispose of property, whether movable or immovable of and the same right to contract, the same right to sue and the same liability to be sued in contract in tort or otherwise”* (URT, 1971, Section 56:25). The contradictions introduced by the Marriage Law and the Customary Law ultimately constrain women, given that the Customary Law is dominant in resolving marital conflicts.

Women and Gender Development Policy (2000)

The Women and Gender Development Policy (WGDP, 2000), the successor to the Women in

Development Policy (1992), was initiated by a paradigm shift from a focus on women in development (WID) to a focus on gender and development (GAD) in which men’s and women’s needs are both given attention. This shift motivated the URT to implement the WGDP which aimed to guide all sectors to mainstream gender in their respective policies, plans, and strategies. The WGDP also supports women’s empowerment in accessing, controlling, owning, and managing resources and decision-making power (URT, 2000:12-16). This ambitious aim was facilitated by the establishment of gender focal points in ministries, independent government departments, and regional and local authorities.

The WGDP (2000) acknowledges that women in the agricultural sector have limited access to capital, skills, and agricultural inputs. However, the policy is silent in terms of heterogeneity among women. Moreover, Chapter Two of the WGDP is dominated by WID rather than GAD perspectives, as women’s issues are highlighted while men’s concerns receive little attention. Given that the WGDP is used to guide gender mainstreaming for all policies in Tanzania, focusing only on women has undercut the stated aim of the WGDP.

The National Strategy for Gender Development (2005)

The Ministry of Community Development, Gender, and Children (MCDGC)—established in 1990 and currently known as the Ministry of Community Development, Gender, and Special Groups (MCDGSG)—designed the National Strategy for Gender Development (NSGD) in 2005 with the aim of fast-tracking gender equality and equity in the country. This was prompted by the persistence of gender inequality despite the existence of the Women and Gender Development Policy (2000). The strategy identified key stumbling blocks related to gender discrimination, gender inequality, gender capacity, and institutional factors such as patriarchal systems, customs, and traditions.

In addition, the strategy identified priorities for promoting gender equality and equity as: empowerment of both women and men equally on the basis of merit; ensuring that policies are gender sensitive; ensuring that the legal framework is gender sensitive; strengthening

institutional mechanisms for gender development; ensuring sustainable partnerships and collaboration; ensuring that adequate resources are available to address gender inequalities; and building adequate capacities for coordination, monitoring, evaluation, advocacy, and follow-up (URT, 2005:2).

The NSGD identified twenty areas of concern in regard to gender (URT 2005:5-6). Among these, agriculture is not explicitly highlighted despite its significance in the country's economy. The NSGD is clear on the roles and responsibilities of each relevant institution (i.e., the responsible ministry, central ministries, sector ministries, local authorities, the private sector, the community, and development partners). However, the coordination mechanism to follow up on progress made and challenges encountered in ensuring gender equality in such institutions is not well defined, making it difficult to discern the effectiveness of the implementation process.

In addition, the NSGD is explicit on how the implementation mechanism would be monitored, evaluated, and researched (ME&R) which is coordinated by the ministry responsible (i.e., MCDGSG) in collaboration with government structures. The Ministry is also accountable to incorporate gender-related research from the Bureau of Statistics and various research and academic institutions and civil society organizations (CSOs) to support the monitoring, evaluation, and reporting process. Nevertheless, there remain challenges in accessing gender-disaggregated data for M&E. Irregular gender impact research at Ministries, Departments, and Agencies (MDAs), Regional Secretariats (RSs), and Local Government Authorities (LGAs) results in a lack of up-to-date gender-disaggregated data with which to engender the planning and budgeting process (Koda & Mtasingwa, 2021; FAO, 2023a).

The gender focal points (GFPs) positioned in Ministries, independent government departments, and Regional and Local Authorities are expected to both monitor and evaluate the process and report on progress to the Ministry. However, GFPs have limited power to challenge gender bias, for example, during

planning and budgeting (Koda & Mtasingwa, 2021). Budget constraints also restrict the function of the GFPs and limit the provision of gender trainings for policy makers and stakeholders (Ibid; FAO, 2023a). Overall, the coordination mechanism has not been as successful as intended.

Gender Inequality in Agri-food Value Chains

Agri-food value chain participation is influenced by gender norms, ideologies, power relations, and a socialization process that positions men in the productive sphere and women in the reproductive (and less valued) roles (Njiraini et al., 2018; Kini, 2022). This disparity results in an unequal division of labor, access, and control over productive resources. In particular, women are under-privileged in decision-making and concentrated in undervalued agri-food value chains and value chain nodes (Njiraini et al., 2018; Fischer et al., 2020; Kini, 2022; FAO, 2023a; Pyburn et al., 2023). In contrast, men are more likely to engage in more profitable value chain activities that necessitate larger capital investment, higher mobility, and large-scale trade (FAO, 2023c).

For example, men dominate the tomato value chain, given that it is a high-value crop (Khasa & Msuya, 2016; Fischer et al., 2020), while women farmers dominate the production of green leafy vegetables with limited price negotiation power (Fischer et al., 2020). Women account for over 50% of the fisheries workforce; however, they engage heavily in post-harvest activities, such as processing and trading, which yields lower earnings than engagement in fish capture/production (EMEDO, 2017). In addition, men tend to dominate the wholesale nodes of agrifood value chains, whereas women engage in retailing, most commonly in informal markets (Pyburn et al., 2023; FAO, 2023c).

Women's limited access and control of resources, skills, and technology weakens the development of value chains (Njiraini et al., 2018; FAO, 2023a). Conversely, equitable participation in agri-food value chains would increase household income, food and nutrition

security, and women's empowerment (Pyburn et al., 2023).

Engendering Statutes and Research: Opportunities and Challenges

The engendering of statutes gained its impetus during the third United Nations World Conference on Women, held in Nairobi in 1985. A lack of progress over the subsequent decade inspired the Beijing Declaration (1995) which reinforced the importance of gender mainstreaming and women's empowerment as significant for achieving social, political, economic, cultural, and environmental security (Moser & Moser, 2005; Rawluszko, 2019).

Nevertheless, the gender mainstreaming agenda has often been misinterpreted, diverting from the intended focus on gender to give attention specifically and only to women (Mitchell, 2004; Smith et al., 2023). For example, value chain analyses have tended to focus on women's constraints (treating women as a homogenous group), rather than women's and men's heterogeneous constraints (Njiraini et al., 2018; Koda & Mtasingwa, 2021; Smith et al., 2023; FAO, 2023b). Such a framing perceives gender inclusive value chains as those that are inclusive of women. Yet, a more comprehensive analysis would recognize the gender roles of diverse actors, assess how they benefit and how they are challenged, and examine how power relations affect participation of both men and women (Njiraini et al., 2018; Ihalainen, 2020; FAO, 2023b). A more holistic framing would acknowledge that both men and women face development constraints even as they experience them differently (Koda & Mtasingwa, 2021).

As most policy makers are men and their masculine traits shape their worldview, they tend to be unaware that some categories of men are also vulnerable, and they tend to be unable to distinguish women's concerns from gender concerns. An entrenched socialization process, which affects both men and women policy makers and analysts, has equated gender concerns and women's concerns.

Obstacles to gender mainstreaming include a lack of data on men's perspectives (FAO,

2023a; 2023b), a lack of measurable outcomes, a lack of political will, and a shortage of funds to monitor and evaluate progress (Mitchell, 2004). Rawluszko (2019:73 & 78) noted a low level of literacy in regard to gender equality issues, gender stereotyping, and entrenched patriarchal patterns that shape the priorities, norms, and values of policy makers.

Conclusion

Gender sensitive legal frameworks and gender aware policies, strategies, and laws are critical for ensuring equal bargaining power which facilitates economic, social, cultural, and political transformation towards gender equality and equity (Mitchell, 2004; FAO, 2023b). The current level of gender inequality in Tanzania harms the agri-food system through decreased function of agri-food value chains and greater overall food insecurity. Various factors explain the underperformance of efforts to promote gender equality through statutes, including misunderstandings of the concept of gender mainstreaming, a lack of political will, a lack of funding, limited knowledge or experience in gender analysis, gender stereotyping, patriarchal norms, a lack of gender disaggregated data, and a lack of measurable monitoring and evaluation outcomes.

Policy Recommendations

To ensure practical gender mainstreaming in policies, strategies, and programs to enhance equal participation in agri-food value chains, a multi-pronged approach is necessary:

- Amendment of the Customary Declaration Order, Marriage Act, WGDP and the NSGD;
- There should be a periodic review of gender-related policies to ensure that they incorporate new and emerging issues;
- Secure funds to support regular gender awareness training among policy makers and key stakeholders;
- The Ministry responsible for Gender Affairs should advocate for gender mainstreaming within academic institutions' curricula, specifically those with a focus on agriculture;
- The ministry responsible for gender affairs should encourage academic and research institutions to gather gender-disaggregated data and conduct gender impact research;

- The ministry should also build an easy online system to periodically collect gender-disaggregated data from different institutions and establish an online data bank to support the timely review of agri-food policies.

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