

**CUSTOMARY LAND TITLING AND LIVELIHOOD DYNAMICS AMONG  
AGRO- PASTORALISTS IN TANZANIA: THE CASE OF DODOMA AND  
MBEYA REGIONS**

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**A THESIS SUBMITTED IN FULFILLMENT OF THE REQUIREMENTS  
FOR THE AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY OF  
THE OPEN UNIVERSITY OF TANZANIA**

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**CERTIFICATION**

The undersigned certify that they have read and hereby recommend for acceptance by the Open University of Tanzania, the thesis entitled “**Customary Land Titling and Livelihood Dynamics among Agro-pastoralists in Tanzania**”: The Case of **Dodoma and Mbeya Regions** in fulfillment of the requirements for the award of the Degree of Doctor of Philosophy (Ph.D.) in Land Management and Administration of the Open University of Tanzania.

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**DECLARATION**

I **MacLean Charles Mwamlangala** declare that the work presented in this thesis is original. It has never been presented to any other University or Institution. Where other people's works have been used, references have been provided. It is in this regard that I declare this work mine. It is hereby presented in fulfillment of the requirement for the award of the Degree of Doctor of Philosophy in Land Management and Administration of the Open University of Tanzania in that behalf.

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Signature

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Date

**DEDICATION**

This thesis is dedicated to my parents the late Mr. Charles Mwakilima Mwailubi Mwamlangala and the late Matilda Cosam Mwangama Mwakitalima for creating an excellent academic foundation for me and my sisters Ndimbwelu and Gentryne Charles Mwamlangala. I wish you were here today to celebrate my achievement for which you built a strong foundation. May the Heavenly Father bless you with eternal life. Amen.

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## ABSTRACT

The dilemma of Customary land titling to improve rural livelihood has remained in a grey area with an academic puzzle. This has led to intensive debates among scholars and practitioners in agro-economies. In that case, this study is aimed at investigating the impact of customary land titling and livelihood dynamics among agro-pastoralists in Dodoma and Mbeya regions, Tanzania. The objectives of the study were to examine rural land registration process, assess the perceptions of agro-pastoralists on land titling process, and review the use of the existing rural institutions in enforcing land issues to agro-pastoralists. Also, to evaluate the changes in livelihoods associated with the use of customary land titling among agro-pastoralists in the study areas. The study adopted a cross-sectional research design. Data collection involved household survey, which included 397 respondents, an interview of 28 key informants, and a Focus Group Discussion with 56 participants. For the researcher analyzed, households' survey data through the IBM-SPSS 20.0 computer software. Furthermore, the researcher used content analysis to analyze data collected through Focus Group Discussions and interviews. Study results indicated that 46.2% of the respondents own Certificate of Customary Right of Occupancy, while 76.6% reported that the trend of Certificate of Customary Right of Occupancy's acquisitions is decreasing. Moreover, about 66.1% of the respondents did not know the procedure of acquiring the Certificate of Customary Right of Occupancy's because they were not aware of Village Land Use Planning. In that case, 56.2% of the respondents acquired land through inheritance. About 61% of respondents own land on individual ownership, where the husband was the principal owner of the land property. Moreover, results indicated that 75.3% of respondents had a Certificate of Customary Right of Occupancy misplaced in the offices of the District Land Officer or Village Executive Officer before issuance. Again, 75.6% of the respondents revealed that formal financial institutions do not accept the Certificate of Customary Right of Occupancy. Furthermore, results indicated that 60.0% of the respondents are not aware of the institutions mandated to address rural land issues. Moreover, Certificates of Customary Right of Occupancy contributed slightly changes in improving the livelihoods of many agro-pastoralists in the villages. The study recommends that Local Government Authorities, Ministry of Lands and Housing Settlement Development, and Community Based Organizations and Non-Government Organizations should provide educations and information on land developments. Additionally, formal financial institutions should review conditions of loans in view to facilitating economic use of the Certificates of Customary Right of Occupancy as collaterals.

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## LIST OF ABBREVIATIONS AND ACRONYMS

|           |   |
|-----------|---|
| ANOVA     | Analysis of Variance                              |
| ARU       | Ardhi University                                  |
| CAA       | Contribution Analysis Approach                    |
| CBOs      | Community- Based Organizations                    |
| CCRO      | Certificate of Customary Right of Occupancy       |
| COSTECH   | Commission for Science and Technology             |
| CRDB      | Cooperative and Rural Development Bank            |
| CVL       | Certificate of Village Land                       |
| DFID      | Department for International Development          |
| DLHT      | District Land and Housing Tribunal                |
| DLO       | District Land Officer                             |
| DONET     | Dodoma Environment Network                        |
| FAO       | Food and Agriculture Organisation                 |
| FGD       | Focus Group Discussion                            |
| FINCA     | Foundation for International Community Assistance |
| IBM       | International Business Machines                   |
| IRDP      | Institute of Rural Development Planning           |
| MFI       | Micro Financial Institution                       |
| MKURABITA | Mpango wa Kurasimisha Biashara Tanzania           |
| MoLHHS    | Ministry of Land Housing and Human Settlement     |
| NAFCO     | National Agricultural & Food Corporation          |

|            |  |
|------------|--|
| NGOs       | Non Governmental Organisations                     |
| NMB        | National Micro Finance Bank                        |
| NRM        | Natural Resource Management                        |
| OUT        | Open University of Tanzania                        |
| PAS        | Private Agricultural Sector                        |
| PELUM      | Participatory Ecological Land Use Management       |
| PPP        | Public Private Partnership                         |
| RAS        | Regional Administrative Secretary                  |
| RRI        | Rights Resource Initiatives                        |
| RUNAPA     | Ruaha National Park                                |
| SLA        | Sustainable Livelihood Approach                    |
| SUA        | Sokoine University of Agriculture                  |
| UDOM       | University of Dodoma                               |
| UN         | United Nations                                     |
| UNDP       | United Nation Development Programe                 |
| UN-HABITAT | United Nations Habitat Organisation                |
| URT        | United Republic of Tanzania                        |
| USAID      | United States of America International Development |
| USANGONET  | Usangu Non-government Organisation Networking      |
| VCP        | Village Chairperson                                |
| VEO        | Village Excutive Officer                           |
| VLA        | Village Land Act                                   |
| VLUP       | Village Land Use Planning                          |

|     |                         |
|-----|-------------------------|
| WCF | World Conservation Fund |
| WEO | Ward Executive Officer  |
| WWF | World Wildlife Fund     |

## CHAPTER ONE

### INTRODUCTION

#### 1.1 Overview

This chapter explains the background of the research problem, statement of the problem, objectives of the study, research questions, significance of the study, scope of the study, limitation of the study and organization of the study.

#### 1.2 Background to the Research Problem

Customary land titling in the world is a topical, contentious, and debatable issue among planners, policymakers, and academicians (Bryan, 2019; Chigbu, 2019; Estifanos *et al.*, 2020; Notess *et al.* 2020). It might be due to the status of land rights documentation, which shows that 70% of the world's population has not documented land rights, while only 30% has documented land rights within formal land administration systems (Koeva *et al.*, 2020). The land which has documented through the use of Certificate of Customary Right of Occupancy (CCRO's) in most agrarian economies leads to a dilemma to many scholars whether it improves agro-pastoralists livelihoods or not. Some scholars indicate that customary land titling through the use of Certificate of Customary Right of Occupancy (CCRO's) are collaterals for accessing loans from financial institutions (Desoto, 2006; Kansanga *et al.*, 2019; Jiang *et al.*, 2020; Shimwela, 2018; Zhang *et al.*, 2019). In that case, customary land titling transforms land from dead capital to live financial capital through the transaction (Desoto, 2006; Geiner, 2017; Huggins *et al.*, 2018). Moreover, customary land titling increases the value and market of land for which

agro-pastoralists can sell the property to investors through money transactions (De Soto, 2006; Ontonio *et al.*, 2019). Other writers report that customary land titling does not achieve the positive benefits related with security of land, such as access to credit (Sanga, 2009; Williamson and Kerekes, 2010). On the other hand, other scholars condemn the customary land titling as it ignores power relations through social exclusions that affect agro-pastoralists livelihood (Fraval *et al.*, 2017; Giger, 2019; Haule *et al.*, 2013; Makota and Haule, 2017; Mcpeak and Little, 2018; Melubo, 2019).

The emerging debates on the impacts of CCROs among scholars might be due to the challenges that customary land titling is facing today. Again, studies suggest that in 2030 about 46% of agro-pastoralists without CCRO will live under land disputes due to land insecurities, poverty, social exclusion and environmental degradation (de Haan, 2015; Djurfeldt, 2020; Huggins *et al.*, 2018; Ontonio *et al.*, 2019; World Bank, 2017). Experience shows that in Brazil, the land value had decreased because many agro-pastoralists own land without CCRO's, which can be used as collaterals for loans from formal financial institutions (Talabis, 2017). Again, in China, 40% of agro-pastoralists evicted from their land by investors due to lack of CCRO's had their livelihood affected (Dawson *et al.*, 2015; McKay *et al.*, 2016).

Given the economic and social importance of land, the desirability, nature, and impact of customary land titling to increase security of land tenure in Africa have long been intensely debated and has always been treated with some ambivalence in the literature on land in Africa (Boone, 2013; Boone, 2017a, b; Wabelo, 2020). This might be due to the close link between customary land titling and challenges facing

African countries, like land insecurity, and 42% of agro-pastoralists continue living with extreme poverty<sup>1</sup> (Collins, 2017; Greiner, 2017; and Kusiluka *et al.*, 2019). Scholars like Comaroff and Comaroff (2018), Chimhowu (2018), Desoto (2006), Dlamini and Masuk (2011), Duvendack (2011), Fitzgerald (2017), Kassa (2014), Ontonio *et al.*, (2019), Sanga and Moyo (2018) and Shimwela (2018) argue that customary land titling contribute to income through access to financial markets for rural smallholder's farmers. For example, ownership of customary land titling made about 57.3% of agro-pastoralists in Uganda to access credit from MFI compared to 47% of agro-pastoralists in Rwanda who had no access to credit due to the lack of customary land titling (Ali *et al.*, 2016; Petracco *et al.*, 2009).

According to Giger *et al.* (2019), Haule *et al.* (2013), Kabote (2017), Notess *et al.* (2020), Shimwela (2018) using CCROs as collateral in accessing loans by agro-pastoralists from formal financial institutions, help agro-pastoralists to promote land-related investments such as tree planting, manuring, fertilizer application, irrigation, soil conservation, mulching and fencing which improves their livelihoods. To the contrary, Haachabwa *et al.* (2014), de Haan (2015), Baldwin *et al.* (2018), Biddulph (2018), and Huggins (2018) reported that customary titling is a source of exclusion to the weaker segment of agro-pastoralists in which livelihood asset is being affected. On the other hand, Duvendack *et al.* (2011) reviewed datasets on microcredit from nineteen countries. They found no reliable evidence of

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<sup>1</sup> Lack of security of land cause rampant land disputes and reluctant of MFI to accept CCROs for mortgages their land as collaterals which can increase income to agro-pastoralists in Africa.

microfinance improving the well-being of agro-pastoralists through the mortgaging land by using CCRO's as collaterals. Besides, Kahsay (2011), who did his study in Northern Ethiopia, found that 67% of agro-pastoralists with CCROs felt no impact of secured land rights on soil conservation.

The government of Tanzania decided to introduce customary land titling through the use of Certificate of Customary Right of Occupancy (CCRO's) under the Property and Business Formalization Program known in its Swahili acronym as MKURABITA in the 2000s. To address the agro-pastoralists livelihoods related challenges in rural areas (Fairly, 2013; Greiner, 2017; Myenzi, 2010) the program of land titling was governed by among others the Land Act 4 and Village Land Act 5 of 1999. But, Mwamfupe (2015) found the agro-pastoralists related challenges like land disputes and poverty were still rampant in many areas like in Mbeya, Morogoro, Manyara, and Dodoma regions. According to Haule *et al.* (2013), Moyo (2017), Ngairo (2011), most agro-pastoralists areas in Tanzania do not have village land use plans (VLUP) which are vital in the land titling and the CCRO's preparation process. For example, between 2006 and 2007, the heavily armed police, the anti-poaching unit and game wardens, ground and air patrol teams forcibly removed up to 70,000 agro-pastoralists and 300,000 livestock from the fertile grasslands of Ihefu in Mbeya Region since they do not have CCROs. Thus, CCRO is a legally binding justification and a right to own a piece of land in the villages (Cleaver *et al.*, 2013; Sorongwa *et al.*, 2010; Kansanga *et al.*, 2019).

According to Cleaver *et al.* (2013), Haule (201), land-use conflicts in Dodoma and Mbeya regions in Tanzania are still rampant. Despite the evident government efforts to scale out the customary land titling in many rural areas in Tanzania, yet, many



village dwellers do not have adequate knowledge on the impact of customary land titling on their livelihoods. Therefore, this study aims at assessing the implications of customary land titling on livelihood dynamics among the agro-pastoralists in Dodoma and Mbeya regions.

### **1.3 Statement of the Research Problem**

The importance of customary land titling in enhancing farmers and pastoralists benefit from land resources in Tanzania is an undeniable truth (Lyatuu, 2013; Talabis, 2017; Ontonio *et al.*, 2019; Djurfeldt, 2020). The objective of the government in the introduction of customary land titling in Tanzania was to address challenges facing farmers, pastoralists and agro-pastoralists such as land-use conflicts, food insecurity, environmental degradation and increased poverty in regions like Dodoma and Mbeya (Angelsen *et al.*, 2014; URT, 2016; Agheyis, 2019; Chigbu, 2019; Kalabam, 2019). However, since the establishments of customary land titling in Tanzania, there is inadequate information about its impacts on community livelihood at the regional level (Mwamfupe, 2015; Massay, 2017; Gilbert and Begble- Clench, 2018). Furthermore, there is scanty information on the impacts of customary titling on social, financial, and physical asset, especially at a regional level (Ngairo, 2011; Steven *et al.*, 2017; Notess *et al.* 2020).

In Mpwapwa and Mbarali districts since 2006, the government under MKURABITA program and other key players such as CBO's/NGOs have been in the forefront in implementing customary land titling through issuing CCROs (UNDP *et al.*, 2011; TFCG, 2015; URT, 2016; Schreiber, 2018), to increase land security as a collaterals for reducing poverty among agro-pastoral communities (Ngairo, 2011; Kassie, 2017;

Giger *et al.*, 2019; Ontonio *et al.*, 2019). Nevertheless, the programs have failed due to inadequate resources and low awareness and education on land formalization to local communities, which have made them reluctant in formalizing their village's lands (Boone, 2018; Okorji *et al.*, 2018; Melubo *et al.*, 2019; Notess *et al.*, 2020). In that case, in rural areas, there are frequent land disputes, social exclusion, food insecurity, and poverty (Masay, 2017; Kansanga *et al.*, 2019; Kusiluka *et al.*, 2019; De Oliveira *et al.*, 2019; Djurfeldt, 2020). Many scholars investigated the effects of agro-pastoralists livelihood challenges (Walsh, 2008; Msigwa and Mvena, 2014; Abdallah *et al.*, 2014; Giger *et al.*, 2019; Wabelo, 2020). Despite, few have documented and shared with the rural community on how customary land titling affected the livelihood of the agro-pastoralists hence, leaving it as an unsolved academic puzzle. The proposed study intends to investigate this educational puzzle in Dodoma and Mbeya regions.

### **1.3.1 General Objectives**

To investigate the impacts of customary land titling on livelihood dynamics among the agro-pastoralists in Dodoma and Mbeya regions in Tanzania.

### **1.3.2 Specific Objectives**

- i. To examine the rural land titling and registration process among agro-pastoralists in the study areas
- ii. To assess agro-pastoralists perceptions on land titling and registration process in the study areas

- iii. To examine the use of the existing rural institutions in enforcing land issues to agro-pastoralists in the study area; and
- iv. To evaluate livelihood's changes associated with the use of customary land titling among agro-pastoralists in the study area.

### **1.3.3 Research Questions**

- i. How are rural land titling and registration process undertaken in the study areas?
- ii. How do agro-pastoralists perceive land titling and registration process in the study areas?
- iii. Do rural institutions enforce land issues to agro-pastoralists in the study areas?
- iv. What are the livelihood changes associated with the use of customary land titling among agro-pastoralists in the study areas?

### **1.4 Significance of the Study**

The study outcome aim at informing and/or influencing decision-makers, policymakers, planners, and practitioners on customary land titling and community livelihood by integrating findings into new land policies and plans. The study generates new knowledge on livelihood aspects, specifically on income changes and physical assets due to the use of Certificate of Customary Right of Occupancy (CCRO's) as collaterals by agro-pastoralists and to the academia. Likewise, the study contributes knowledge to the theoretical and conceptual discussions on Property Rights, Institutional Economic Theories and Sustainable Livelihood Approach (SLA)

modified from DFID model on national land governance principles, like participation on land development, transparency on information, equity and equality, accountability, inclusiveness for sustainable rural development.

Moreover, the study contributes knowledge on national and international policies like Tanzania land policy of 1999 and Tanzania New Draft of Land Policy of 2016, the Universal Declaration of Human Rights of 1948, the African Charter on Human and People's Rights of 1996, International Covenant on Civil and Political Rights ("ICCPR"), the International Covenant on Economic, Social and Cultural Rights ("ICESCR"), and the Convention on the Elimination of Forms of Discrimination against Women ("CEDAW") on the right to own, use and distribute land by considering gender. This gender-sensitive distribution of land enhances the world trade on a multilateral, non-discriminatory basis per international obligations. The knowledge from the study will help policymakers, social, and economic development planners in finding a solution for sustainable development to the marginalized communities.

## **1.5 Limitations and Scope of the Study**

### **1.5.1 Limitations**

The study encountered limitations in terms of both primary and secondary data. The primary limitation during data collection was the language barrier. Many of the respondents only speak Swahili and their native languages, while the researcher used English as the official medium of communication. The language barrier was evident in Mpwapwa District, where six and ten respondents at Pwaga and Lupeta villages

respectively spoke only the native language (Gogo). So it was challenging to fill the questionnaire survey. Thus, village chairpersons in each village had to find an indigenous who was able to provide translation from Swahili to the native language and vice versa.

The second limitation was the statistical data recording regarding the number of farms registered and unregistered. The WEOs and VEOs were unable to provide the data accurately. Therefore, the researcher triangulated the information from different authorities like District Land Officer and Ministry of Land, Housing, and Settlement. Furthermore, the researcher conducted the study during rainy seasons where many agro-pastoralists leave their homes for farm activities. Thus the researcher was obliged to follow them to their farms to get data. This limitation was at a higher level in Mbarali District compared to the Mpwapwa district. The researcher tackled all the limitations encountered and, for that case, did not affect the results of the intended objectives.

### **1.5.2 Scope**

A livelihood comprises many aspects like activities, institutions, vulnerability, and assets (natural capital, financial capital, social capital, physical capital, and human capital). However, the context of this study was limited to financial capital (income) and physical asset only in determining changes of agro-pastoralists livelihood. The reason for selecting these components focused mostly on the aim of the government to introduce customary land titling for addressing agro-pastoralists challenges, including land disputes, poverty, social exclusion, and land security in improving

livelihoods among land users in rural areas. Therefore, placing this study in rural context was significant for this study to contribute to knowledge on how Certificate of Customary Right of Occupancy (CCRO's) changed income and physical assets among agro-pastoralists after using as collaterals in Mbarali and Mpwapwa districts.

## **1.6 Organization of the Thesis**

This thesis consists of five chapters. The first chapter presents the introduction, background of the study, statement of the problem, research objectives, and research questions, significance of the research problem, scope of the study, and limitations of the study. Chapter Two consists of crucial concepts, theoretical, empirical literature, conceptual framework, and research gap. Chapter Three describe the methodology adopted in the study. Chapter Four presents the findings of the research and discusses them in line with other scholars. The last chapter presents the summary, conclusion, recommendation, and areas for further study.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Overview**

This chapter is organized into four sections. The first section defines the key concepts used in this study, while the second section highlights the theories informing the study. The third section presents the empirical literature related to this study. The fourth section presents the conceptual framework, and the last section offers the research gap.

#### **2.2 Conceptualization of key terms**

##### **2.2.1 Customary Land Titling**

According to Greiner (2017) and Sagashya (2012), customary land titling is a process of land reform in which people get formal property rights (land title) to own land. In the context of this study, customary land titling is a way of accessing and using of Certificate of Customary Right of Occupancy (CCRO's) to safeguard land tenure to agro-pastoralists to improve land security and the market for their livelihoods.

##### **2.2.2 Agro-pastoralism**

According to Asfaw (2017), agro-pastoralism is the integration of crop and livestock production; and is practiced amongst settled, nomadic, and transhumant communities. But in the context of this study, agro-pastoralism is being practiced by people (agro-pastoralists) with and without CCRO's in ensuring land tenure security to improve their livelihoods.

### **2.2.3 Livelihood**

A livelihood comprises assets (including both material and social resources) and capabilities (Carney, 1998). It includes complex, contextual, diverse, and dynamic strategies developed by households to meet their needs” (Gaillard *et al.*, 2009; Chambers & Conway, 1991; Petteri, 2014; DFID, 2000). However, according to the context of this study, livelihood dynamics is a change of physical and financial asset after agro-pastoralists own and use CCROs to secure their land.

### **2.2.4 Land Registration**

Land registration generally describes systems by which matters concerning ownership, possession, or other rights in land are recorded to provide evidence of title, facilitate transactions, and to prevent unlawful disposals. Government agencies, departments, state or local authorities, and non-government organizations carry out the land registration responsibilities (Schreiber, 2018; Barry, 2020). In the context of this study, land registration meant the process of the official recording of rights of ownership by issuing CCRO’s to agro-pastoralists for assurance of security of land tenure.

## **2.3 Theoretical Review**

### **2.3.1 Property Right Theory**

Property Right Theory was developed by John Lockean and Thomas Hobbes in 1660. During medieval and renaissance Europe, the term property meant land (North, 1990). This rethinking inspired by at least three broad features of early modern Europe: the surge of commerce, the breakdown of efforts to



prohibit interest (then called exploitation), and the development of centralized national monarchies. Thus, property rights started to be the world scholars' agenda, which prompted John Lockean and Thomas Hobbes to develop the Property Right Theory.

Previously, Property Right Theory was built on the assumptions of equality, property rights, freedom, and legitimacy of government powers of taxation, regulation, and redistributions (Lockean & Hobbes, 1960). The dated assumptions were criticized by various prominent scholars economists and sociologists like Libecap (1989) on contracting for property rights, North (1990) on institutions, institutional change and economic performance, Eggertsson (1990) on economic behavior and organization and Hart (1995) on firm, contracts, and financial structure, Barzel (1989) on economic analysis of property rights. Both scholars have explained Property Right Theory basing on the following assumptions:

Firstly, universality, that someone owns all scarce resources, secondly, the exclusivity that a particular individual has exclusive ownership of property rights. Thirdly, transferability that ensures resources allocation that starts from low to high yield uses (Demsetz, 1967). As observed by Libecap (1989) property rights, the social institutions that grant the right of ownership of land to people, and affects exclusion of weaker group to move to other by selling property for a low price or government confiscation of the area which affect the livelihoods of most of the agro-pastoralists. In contrast, North (1990) reported on efficiency view in the 1970s that rulers or coercive power device property rights in their economic interest and that

favorable transaction costs of land result in the persistence of inefficient property rights. Hence, the decisions made by institutions through rulers or politicians on the use, accessibility, and transferability are there to influence their development and not marginalized groups like women and others. This creates disputes on land between institutions and agro-pastoralists.

In that case, the theory has built a fundamental component of a bundle of rights, including the use of rights on land, control, or decision-making rights and rights to transfer land. Basing on the assumptions of Property Right Theory and the types of reasons or bundle of rights embedded to agro-pastoralists must be defined, their use must be monitored, and possession of rights must be enforced (Pellissery *et al.*, 2012). The following list are property rights being held by agro-pastoralists (Demsetz, 1967; North, 1990).

Open-access property is not 'owned' by anyone. It is non-excludable (no one can exclude anyone else from using it), non-transferable, but maybe rival (one person's use of it reduces the quantity available to other users). No one manages Open-access property, and access to it is not controlled. There is no constraint on anyone using open-access property (excluding people is either impossible or prohibitively costly). Examples of currently open-access property are like the grazing area of the village agro-pastoralists. The government can sometimes effectively convert the open-access property into the private, shared, or public property through the land grant process, by legislating to define public/individual rights previously not granted.

Public property (also known as state property) is a property that is publicly owned, but its access and use are managed and controlled by a government agency or organization granted such authority. An example is Ruaha National Park in Iringa and Mbeya regions.

Common property or collective property is a property that is owned by a group of individuals, and that the joint owners control its access, use, and exclusion. True commons can break down, unlike open-access property, where common property owners have a more exceptional ability to manage conflicts through shared benefits and enforcement. Private property is both excludable and rival. It is the individual owner or a group of legal owners who control private property access, use, exclusion, and management.

Moreover, the property right theory shows various ways which help agro-pastoralists to access and use land (de Janvry, 2001; Mienzen-Dick *et al.*, 1997; De Janvry; 2001) and Mienzen-Dick *et al.* (1997) mentioned examples like inheritance through public partisanship, unofficial and land markets, and access due to specific enforceable policy intervention scheme.

The shortcomings of the Property Right Theory include the inability to explain the strategies to avoid confiscation of the assets from the rulers in power or institutions to agro-pastoralist. Also, it does not tell the process which can be taken by agro-pastoralists to get property rights in rural areas (Pellissery *et al.*, 2012). On the other hand, the strengths of the Property Right Theory include; Insisting on the security of

land both to weaker and influential people through using jointly legal and institutional issues that need to tackle all challenges that would emerge during the process of land acquisitions (Eggertsson, 1990). The study adopted the Property Right Theory as it provides information on the role of land to agro-pastoralists, the capacity of the institution to address land issues, and cost on land registration, land governance. Moreover, the theory explains the way agro-pastoralists can acquire land for ownership.

### **2.3.2 The Institutional Economic Theory**

Two prominent Austrians developed institutional Economic Theory, Paul Lazarsfeld, a sociologist, and Oskar Morgenstern, an economist in 1963, formulated this theory when they were living in exile. These scholars built the argument to have ethical, methodological individualism of both behavioralism and rational choice approaches, which considers processes and trends of social structures (Peter, 2000). These structures include schemes, rules, norms, and routines, which were established as authoritative guidelines for social behavior (Richard, 2004; 2008). Different components of Institutional Economic Theory explain how these elements are created, diffused, adopted and adapted over space and time, and how they fall into decline and disuse (Richard, 2008; Christopher and Andras, 2016).

Moreover, Institutional Economic Theory provides a theoretical lens through which one can identify and examine factors that influence survival and legitimacy of rural people practices like culture, social environment, regulation (Baumol *et al.*, 2009; Brunton *et al.*, 2010; Hirsch, 1975; Lai *et al.*, 2006; Roy, 1997). According to

Baumol *et al.* (2009); Brunton *et al.* (2010); Hirsch (1975); Lai *et al.* (2006) and Roy (1997), the practices also include the legal environment, tradition, and history, as well as economic incentives while acknowledging that resources. Furthermore, Institutional theory is traditionally concerned with how groups and organizations better secure their positions and legitimacy by conforming to the rules, including regulatory structures, governmental agencies, laws, courts, professions, scripts, and other societal and cultural practices that exert conformance pressures (DiMaggio and Powell, 1983, 1991; Meyer and Rowan, 1991; Scott, 2007).

In addition, the Institutional Economic Theory views land in three routes through which secure property rights may influence agro-pastoralists livelihood. The first channel is by encouraging long term land investment ( Roth *et al.*, 1994; Peter and Pierre, 1998; Peter, 1995).

A second assumption is that secured property rights also are thought to improve livelihood because such rights encourage efficient resource use (factor intensity). This factor intensity comes in as a result of the presence of clear ownership of land that lowers the cost and risk of transferring property. As a result of improved factor intensity, land as a factor of production can optimally be reallocated to more efficient producers.

The third assumption is that; secured property rights can stimulate efficient resource use as such rights reduce land-related disputes and may contribute to better access to credit if land can be used as collateral (Deininger and Castagnini, 2006; Holden *et*

*al.*, 2008). Thus, institution Economic Theory addresses property rights that involve a relationship between the right holder, others, and a government structure to back up the claim. In contrast, property rights consist of two components: the rule and its enforcement mechanism. The rules may derive from state law, customary law, user group rules, and other frameworks.

Different scholars reported that the institutional Economic theory failed to explain the range of empirical findings in the literature fully and presents several limitations. For example, Institutional Economic Theory suggests that “presumed unidirectional coercive effect of laws and regulations may increase or decrease institutional diversity (Peter, 1995; Morpew, 2009; Morpew and Huisman, 2007). Furthermore, Oliver (1988) suggests that institutions may have a great deal of latitude in determining their internal structures and activities while other aspects of institutions may prove more or less resistant to these pressures on livelihoods of agro-pastoralists in rural areas.

In spite of the weaknesses of the theory, it the best fit guide to this study since it provides information on how institutions manage norms, rules, and structures. Besides, the institution's economic theory provides a guide on land distributions procedures. In addition, it gives information on how to acquiring land, land dispute settlement mechanisms, land tenure forms, land use, and development control and the land market for improving livelihood. Moreover, Institutional Economic Theory informs the study by explaining the issues of deviance, suggesting that those institutions with sufficient resources can afford to risk some of those resources in the

pursuit of change and innovation of technology, which can address digital land registration to rural people in the country. Institutional Economic Theory can be used to explain how changes in social values, technological advancements, and regulations affect decisions regarding agro-pastoral activities (Ball and Craig, 2010; Lounsbury, 1997; Rivera, 2004) and environmental management (Hoffman and Ventresca, 1999; Brown *et al.*, 2006; Fowler and Hope, 2007; Tate *et al.*, 2010).

### **2.3.3 Sustainable Livelihoods Approach (SLA)**

Sustainable Livelihoods Approaches have a long history in livelihood analysis. Chambers and Conway (1992) started the sustainable livelihood approaches in 1990 and gained momentum in the 2000s when practitioners applied in the study of Rural Livelihoods. The approach further presents the linkage between assets, capabilities, and transforming structures for livelihoods that identified five assets characterizing livelihoods. Understanding the livelihoods is vital for the analysis of the implications of customary land titling to agro-pastoralists livelihood. These assets include natural capital such as land, financial capital, human capital, which include skills and knowledge, physical assets like infrastructures, housing for the households, social capital, composed of networks and interactions available for the families (Petteri, 2014). All these assets are essential for households' Livelihoods strategies. They form the basis from which households derive and meet their consumption and economic necessities, coping with uncertainties and responding to new opportunities. Livelihoods are said to be sustainable when they can cope and recover from shocks and stresses and maintain or enhance their capabilities and assets both now and in the

future without undermining the natural resource base (Rakodi, 2002; Chambers and Conway, 1992; Tadesse, 2010).

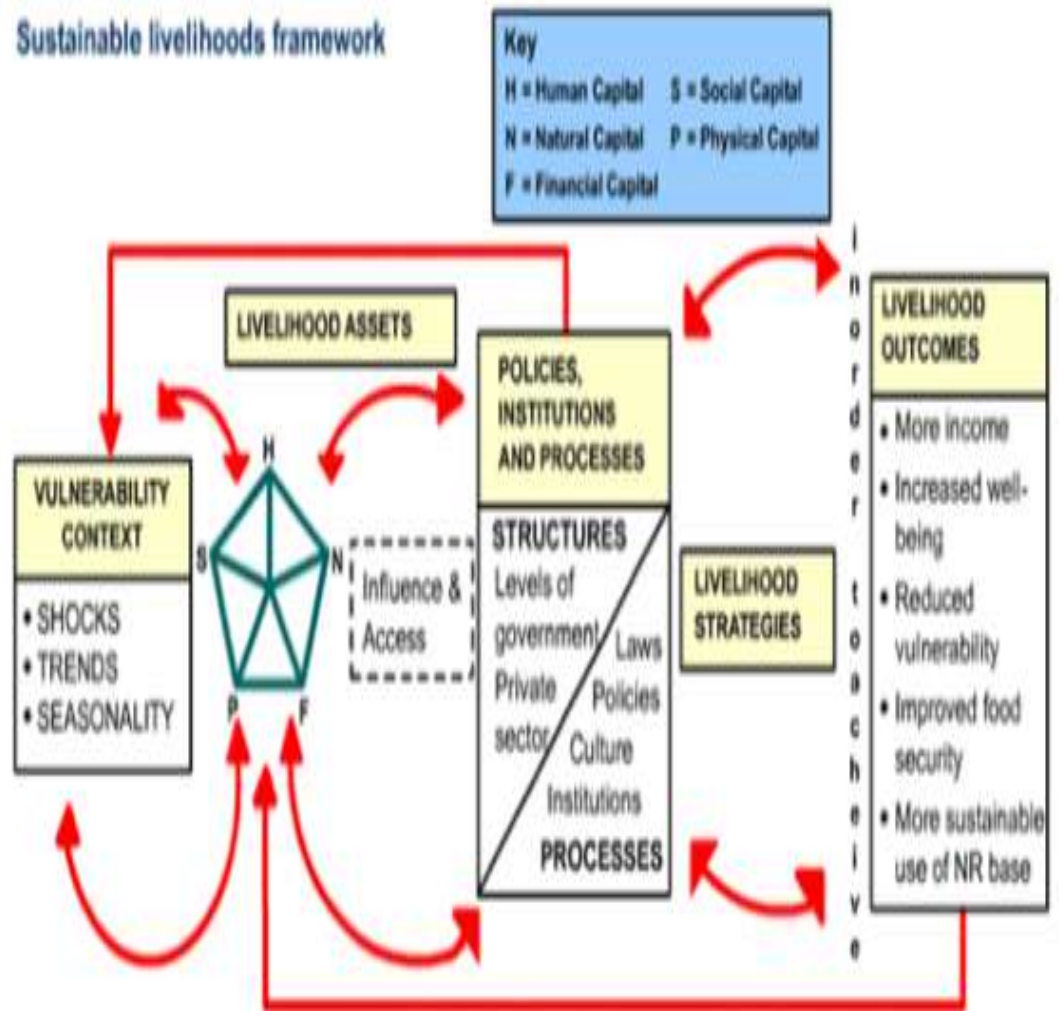
The approach recognizes that policies, institutions, and processes as fundamental in transforming structures for livelihoods that contribute to positive and negative transformation. Access to livelihood assets and strategies are mediated through these transforming structures. Because of their significances, the approach places these at the center. Also, the approach recognizes the presence of external factors which impact on livelihoods. These include shocks, disasters, seasonality of climate factors affecting livelihoods, which is the vulnerability context of livelihoods (Knutsson, 2006; Rakodi, 2002).

Although this approach presents five assets, this study intends to deal with financial (income) and physical assets, activities, and transforming structures of rural livelihoods is useful to assess the livelihood changes after customary land titling through the use of CCROs in the study areas. The study picked these two assets because the objective of introducing CCROs program was to address challenges of poverty, food security, land disputes, and others. Therefore, the study interested to investigate the impacts of land titling among agro-pastoralists livelihoods. It is noted by Rakodi (2002) that natural capital mainly land is essential for rural livelihoods as it supports agro-pastoralist for food production, shelter, income, and social identity. It also provides support for other assets such as water and livestock keeping to develop. Therefore, the transformation of land in terms of access, use, and ownership impact other assets. For example, the use of customary land titling in owning land



increases land value in which agro-pastoralists can generate income (Byamugisha, 2013).

The strength of SLA are people-centered development, multi-dimensional poverty understanding, address the whole range of policy issues, relevant to the poor, emphasize sustainability (social, economic, environmental), strong on micro-level analysis of drivers and maintainers of poverty. However, the weakness of SLA it had failed to address the important aspect of power relation among agro-pastoralists, a historical and culturally unspecific social differentiation within societies not sufficiently emphasized, descriptive that means do not adequately address fundamental questions of 'how' and 'why', macro-micro policy linkages not well conceptualized. Despite the weakness of Sustainable Livelihoods, the study acknowledged it because it guided to analyze information relating to vulnerability context, which is caused by a lack of land formalizations in studied areas. This has affected agro-pastoralists to face challenges like a fragile environment, food insecurity, poverty, land disputes, and others. Furthermore, it had guided the study on accessing information, specifically on changes of physical and financial assets, policies, institutions, process, and livelihood outcomes on the impacts of customary land titling among agro-pastoralists (Figure 2.1).



**Figure 2.1: Sustainable Livelihood Approach (SLA) adopted from DFID's Livelihoods Approach (2000)**

## **2.4 Empirical Literature Review**

### **2.4.1 National and International Policies Guiding Human Land Rights**

The overall objective of the 1995 Tanzania Land Policy is to promote and ensure land tenure security, encourage optimal use of land resources, facilitate broad-based social and economic development without endangering the ecological balance of the

environment (URT, 1995). Among the few specific objectives, the policy aims at ensuring equitable access and distribution of land among all people, ensuring the rights for smallholders, especially the peasants and herdsman, are clarified, recognized, and secured to improve agro-pastoralists livelihood. This principle is replicated in the Land Act No. 4 and Village Land Act No.5 of 1999 (TFCG, 2015). When it comes to access and control over land, early legislation (during colonialism) was biased against indigenous people, while later, the law was biased against women (Makota and Haule, 2017). During colonialism, the bias was simply suppression, while that against women was a combination of economic, legal, social, and cultural factors (Carpano, 2010). For example, Ujamaa Villages Act No. 21 of 1975, provided for allocation of land to the head of the household or family unit (who were usually men). As a result, women remained landless. Scholars argued that married women's access to land in Africa is akin to that of a bonded laborer (Jacobs, 2002; Moyo, 2003; Amanda *et al.*, 2007).

Furthermore, the National Land Policy of 1995 was an aftermath of extensive government consultation. Moreover, the report prepared by the Presidential Commission of Inquiry into Land Matters (Shivji Commission) proposed, among other things, improving the security of tenure for landholders in villages through issuing customary land certificates (Sundet, 2005). Land titling programs have been launched throughout developing and transition economies as part of poverty alleviation efforts (Atuahene: 2006; Domeher & Abdulai: 2012). Implementation of the poverty alleviation efforts is also evident in the vast expenses incurred in implementing these policies and programs ranging from, US\$300m in Tanzania,

US\$20.51m in Ghana, US\$27m in Malawi, US\$106m in Bolivia, US\$140m in the Dominican Republic to US\$195m in Ukraine (URT, 2005; Griffith-Charles, 2004. People who undertook policy review noted inadequacy in the capabilities to protect the tenure security among the rural communities (Kombe, 2005 & Manji 2006). The land policy attaches market value by clearly stating that “land has a value that will be recognized in all transactions involving land and in the assessment of land rent.” It also allows land sales and mortgages. The land policy has, therefore, played a tool role in the intensification of the land market. Moreover, the policy puts customary land rights at par with the granted right but restricts the ability of customary landholders to alienate land to attract foreign investment in their areas; this affects agro-pastoralists livelihoods.

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However, Tanzania faces challenges on land registration procedures and acquisition, especially in rural areas (Mugabi, 2014; Makota and Haule, 2017) hence the need to improve the compelling procedure (Haule *et al.*, 2013). Mwamlangala *et al.* (2019) argued that in promoting and enhancing the operation of CCROs acquisitions in the country, we should take into consideration the current Administrative, Financial, Legal, and Institutional aspects. Also, Mugabi (2014) suggests that there is a need of guidelines and practice development to make the procedure go smoothly. Therefore, it is the responsibility of the government to set up some guidelines and provide support for the land acts through an extensive awareness campaign, training of villagers to process CCROs, facilitation of the District land department, and Involvement of financial institutions. This will improve livelihood to agro-pastoralists and the security of land tenure.

## **2.4.2 International Legal Instruments Addressing Human Land Rights**

### **a) The Universal Declaration of Human Rights of 1948**

The Universal Declaration of Human Rights remains as relevant today as it was on the day of its proclamation in 1948. After that, the United Nations General Assembly adopted the Universal Declaration of Human Rights. The declaration addresses many legal rights on land ownership, for example (Article 17) provides that “everyone has the right to own property alone as well as in association with others” and that “no one shall be arbitrarily deprived of his property.”

### **b) The American Convention on Human Rights of 1969**

Also, it addresses the right to own property which was adopted at the Inter-American Specialized Conference on Human Rights, San José, Costa Rica, 1969 (Article 21 Right to Property): States that:

- i. Everyone has the right to the use and enjoyment of his property. The law may subordinate such use and enjoyment to the interest of society.
- ii. No one shall be deprived of his property except upon payment of just compensation, for reasons of public utility or social interest, and in the cases and according to the forms established by law.

### **c) The African Charter on Human and Peoples' Rights, 1986**

Article 1, First Protocol: “Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a state to enforce such laws as it deems necessary to control the use of property under the general interest or to secure the payment of

taxes or other contributions or penalties”. However, Article 14 states that the right to property shall be guaranteed. It may only be encroached upon in the interest of public need or the general interest of the community and accordance with the provisions of appropriate laws.d) The International Labour Organization’s Convention.

Concerning Indigenous and Tribal Peoples in Independent Countries (No. 169) it sets out in Article 14(1) that: “The rights of ownership and possession of (indigenous people) over the lands which they traditionally occupy shall be recognized. Besides, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them but to which they have traditionally had access for their subsistence and traditional activities.” Many indigenous across the world depend on the rights to access, own, and distribute land to improve their livelihoods. These rights are the basis of their economy and are often the foundation of their spiritual, cultural, and social identity.

Moreover, the land resource base and livelihoods of indigenous peoples have been facing challenges of development projects, population growth, the establishment of national parks, mineral exploration, logging of forests, and the growth of large agribusinesses. Numerous international statements and declarations recognize the rights of indigenous peoples to their lands.

Additionally, the Habitat Agenda, reaffirmed by the Istanbul Declaration on Human Settlements (1996) commits to the following objectives: “Protecting, within the national context, the traditional legal rights of indigenous people to the land and

other resources, as well as strengthening of land management... [and] Protecting and maintaining the historical, cultural, and natural heritage, including traditional shelter and settlement patterns, as appropriate, of indigenous and other people....” (paragraph 40 (m), (r), (s). But despite the guiding laws and policies which address land tenure security to agro-pastoralists still, there are always slight impacts of land titling on livelihoods. Because of the small effect on rural areas, there are numerous emerging land disputes, social exclusion, poverty, environmental destructions, and others (Neef and Touch, 2012; Scriber, 2017; Agheyis, 2019).

#### **2.4.3 Policies Implications and Rural Land Registration Process in Tanzania**

Like many other African countries, Tanzania is continuously under pressure both from internal and international environmental organizations, conservationists, and agro-pastoralists associations to increase areas under conservation and to increase restrictions in areas already conserved (Kaswamila *et al.*, 2009). This is directly and indirectly reflected in recent policies and legislations like new Acts in Tanzania, which also have implications for land rights and land conflicts for all agro-pastoralists in Tanzania (Shivji, 1998; Lynn, 2010).

Examples of these policies are the Environmental Management Act of 2004, the Forest Act of 2002, the Wildlife Policy of 1998 and Wildlife Act of 2004, Draft National Livestock Policy of 2005, Community Based Forest Management Guidelines of 2001. The main concern in relation to these acts, and policies is that they are not harmonized or friendly with agro-pastoralists. For example, the Land Acts 4 of 1999 and its provisions are contradicting each other in the Village Land



Acts No. 5 of 1999, which cause evictions of agro-pastoralists by government and investors (Mattee and Shem, 2006).

Thus, the establishment of these Game Reserves and conservation are frequent sources of conflicts between agro-pastoralists and government in many parts of Tanzania (Kaswamila *et al.*, 2009). Therefore, agro-pastoral people in Tanzania have been the most prominent victims of protected areas and wildlife conservation policies and practices that do not allow transhumant to have illegal migrations in the country (Mattee and Shem, 2006; Mondal *et al.*, 2017).

## **2.5 The concept of Village Land Registration Process**

Tanzania land law categorizes land into three categories, namely: general land, village land and reserved land.<sup>2</sup> Village land includes the land declared to be village land under and in accordance with section 7 of the Village Land Act and any transfer or land transferred to a village.<sup>3</sup> Thus, the characteristics of the village land can be seen in the provisions of section 7(1) of the Village Land Act, 1999. Certificate of Village Land means a certificate issued under section 7 of the Village Land Act.<sup>4</sup> Likewise, each and every village is required to establish its boundaries before being issued with a certificate of a village land (Shivji, 1999). The certification of village land is done by first being demarcated and agreed upon, then commissioner for land issue a certificate of village land to the respective village.<sup>5</sup>

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<sup>2</sup> The Land Act, section 4(4).

<sup>3</sup> Village Land Act, section 2

<sup>4</sup> *Ibid*

<sup>5</sup> *Ibid*, Section 7(6)

However, since its enactment, the implementation of the Village Land Act No.5 1999 has been slow (Myenzi, 2010; Mwamlangala, 2019). This has, in some places, resulting in the continuation of land disputes leading to land tenure confusion (Lyne, 2010). The Bill of the Village Land Act No.5 of 1999 clearly provided that “Each village will be granted a title for the whole area of the village, and the village authorities will be empowered to issue subtitles (customary right of occupancy) to villagers for land within the village.”<sup>6</sup> The Village Land Act requires the village land to be registered, and that villager is provided with certificates of customary rights of occupancy (CCROs).<sup>7</sup>

But also, the exercise of certifying village land has been implemented in gradual stages. In some districts such as Handeni, Mbarali, Mbozi, Babati, Bariadi, Namtumbo, and Manyoni districts, the certification of village land was implemented as pilot projects while in other districts, it is still immature.<sup>8</sup> Different stakeholders have taken part in the implementation of the certification of village lands, including the Ministry of Lands and Human Settlements Development, NGOs, donors, and development partners. The aim of certification of village land is to improve the security of tenure in order agro-pastoralists can access credits from financial institutions for improving their livelihood (Fairley, 2012).

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<sup>6</sup> The United Republic of Tanzania, *Bill Supplement of the Village Land Act*, to the gazette of the united Republic of Tanzania, No. 39 Vol. 79, 25<sup>th</sup> September, 1998. Government Printer, Dar es Salaam, p. 335

<sup>7</sup> Village Land Act, 1999 Section 7(6).

<sup>8</sup> United Republic of Tanzania, Ministry of Lands, Housing and Human Settlements Development, Ministerial Budget Speech 2009/2010, para 32

Furthermore, the procedure required to obtain a certificate of ownership for individuals as well as for groups is a very cumbersome (Wily, 2012; Makota and Haule, 2017). This involves challenges like corruption, time-consuming – and certainly not ‘free of charge.’ According to Shivji (1999, p. 4; Mugabi, 2014), acquiring title deeds is ‘a top-down process, bureaucratically managed and involving a considerable outlay of resources. It is certainly not a process, which can be achieved at the village level and, therefore, it is unlikely that the number of ordinary villagers and especially pastoralists will be able to obtain certificates in a reasonable future (Shivji, 1999, p. 4; Sundet, 2005).

Also, the law has set up a cumbersome procedure including the requirement for land adjudication, demarcation of village land boundaries, and the bulkiness of the application forms which have rendered the certification of village land, and issuance of customary right of occupancy time-consuming. These cumbersome procedures affected agro-pastoral livelihood through increasing of land disputes and insecurity of their land (Odgaard, 2005). It can be noted that the titling of customary rights and interests in land is a key feature of the Village Land Act and is widely considered to be a useful provision to secure rights and occupancy for local people (Fairley, 2012). This can have advantages and disadvantages for agro-pastoralists. Because of its strength, that, through titling, it might be easier to prove ownership and hence guarantee security against encroachments. The second advantage is that pastoralists and agro-pastoralists may be able to use their lands as collateral in mortgage schemes (Benjaminsen *et al.*, 2008). For instance, studies in Thailand, just as in Africa, show that credit was readily available where titling of land existed and that loan was nearly

impossible for rural landowners to obtain without the complete legal possession of the land as collateral (Joireman, 2007; Gelder and Louis, 2010).

However, if customary titling extends to the individualization of landholding, then it will interfere with the communal use of agro-pastoral resources (Tagliarino, 2016; 2017; Pomevor, 2014). Thus, it will amount to fragment the commons, which will interfere with traditional arrangements for utilization of common grazing resources. Secondly, it is about individualization, which makes alienation easier. The situation now in the commons is that rights and obligations in pastoral resources are the responsibility of everybody in the commons. In some places such as Kenya, individualization of the commons has led to massive land alienations and concentration of lands under the control of a few rich elites and influential individuals (De Soto, 2000). While, under section 4 (1) of the Village Act, 1999, the President can transfer any area of village land to general or reserved land for public interest, which may include investments of national interest (Msomba *et al.*, 2016). According to Msomba *et al.* (2016), there are cases in the history of Tanzania, where authorities used the power to move pastoralists and agro-pastoralists out of their ancestral lands. One example of this is the Canadian who financed wheat farm complex (NAFCO farms) in Hanang District, Arusha Region, that led to the dispossession of the Barabaig pastoralists of their traditional grazing land (Kaswamila *et al.*, 2009; Mwamfupe, 2015).

Furthermore, general lands have contradictory definitions. According to the Village Land Act, general lands mean public lands that are not in the category of village or

reserve lands. In contrast, according to the Land Act, general lands are public and include unoccupied or “unowned” village land. This contradiction, in definition, threatens the security of pastoralists and agro-pastoralists land. Users of land often consider Pastoralists’ land as “idle,” “unoccupied,” or “unowned.” This land can, therefore, easily fall into the category of general land, which means the government can dispose it (possibly in establishing Land Banks) without having to seek the consent of agro-pastoralists and pastoralists.

## **2.6 Gender Sensitivity and Consideration in Property Right of Ownership**

Land is one of the terrains of the struggle for most rural women in agro-pastoral communities because of its benefits in sustaining rural livelihoods and social-cultural and geopolitical factors that hinder women from enjoying land rights (Gross-Camp, 2017; Massay, 2017; Moyo, 2018). In spite of the progressive policies and land laws in African countries that address equality of women in land ownership (Table 2.1), as it is for Tanzania, women have not enjoyed their rights. Consequently, women remained unable to keep fighting for their land rights in owning land (Kabaseke, 2018). They have sought their approaches by leveraging opportunities within traditional, religious, and formal systems standing for their rights (Boone, 2017; Marwa, 2015).

**Table 2.1: Addressing Gender Issues in the Constitutions and Land Laws of the Countries**

| S/N | Country      | Constitutions and land laws  |
|-----|--------------|--|
| 1   | Uganda       | Land Acts of 1998 recognize women equal rights to buy their own land and Housing                               |
| 2   | South Africa | Constitution of 1996 provides for gender equality  |
| 3   | Niger        | Rural code of 1993 provides for equal rights of access to national resources without discrimination of women   |
| 4   | Mali         | Land code of 2000 has a provision for women to register land independently                                     |
| 5   | Mozambique   | Land rights of 1997 provide rights for women and men to use and benefit from land                              |
| 6   | Tanzania     | Both Land policy and Land Acts of 1999 provides women equal rights to land                                     |
| 7   | Namibia      | Married person Equality Acts of 1996 gives rights for both women and men to asset accumulated through marriage |
| 8   | Nigeria      | Land Use Act of 1978 codifies the system of land ownership which does not exclude women                        |

**Source:** Compiled by Author, 2017

Like other women in the world, rural women in Africa contribute up to 30% of labor in plowing, 50% of labor in planting, 60 % of labor in weeding, and 95 % in processing and preserving food and at the same time, they perform up to 95% of all domestic tasks (Adeniyi, 2010). Women's labor input across Africa has been said to triple the men's (Adeniyi, 2010) because informal systems of land administration and management operations are corrupt, marginalized, and disadvantaged women's participation in land auditing and management are difficult. In Kenya, women constitute 70% of the agricultural workers and contribute 80% of the food production labor force (Isinta and Flinter, 2018), while in Uganda, over 70% of the agricultural labor force is constituted by women (Acidri, 2014). Despite the fact that women in East Africa are widely involved in agriculture, they culturally lack rights and neither to have a say over land, in many households (Kabaseke, 2018; Moyo, 2018).

Likewise, in Tanzania, women face the same challenge of lack of rights in access, using, and distribute land (Screiber, 2018). This is due to cultural legacies in the community of Tanzania (Kabaseke, 2018; Moyo, 2018). The country is now trying to convey human rights standards in assuring all women's rights are seriously attempted through issuing CCROs as an identity of land ownership so as to improve their livelihoods (Plate 2.1).



**Plate 2.1: Kilosa District Commissioner(DC) handing CCROs to Women in Magubike village in 28<sup>th</sup> September 2018. To the left of the DC is the MKURABITA Chief Executive Officer Dr. Seraphia Mgembe (Source: Photo by Kilosa District)**

Furthermore, Sikira and Kashaigili (2017) observed similar results that in Iringa *and Njombe regions, about 45.3% and 32.8% of the male had control and access over land and water, respectively, comparing to women in the studied regions* (Table.2.2).

**Table 2.2: Access and Control over Land and Water Resources (n=607)**

| Attribute               | Status            | Iringa Region |           | Njombe Region |           |                 |
|-------------------------|-------------------|---------------|-----------|---------------|-----------|-----------------|
|                         |                   | Iringa DC     | Kilolo DC | Mufindi DC    | Njombe DC | Wanging'ombe DC |
| Access to land/water    | Female child      | -             | -         | 2(2.9)        | 2(2.3)    | -               |
|                         | Male child        | -             | -         | -             | -         | -               |
|                         | Male Adult        | 13(10.4)      | 8(10.4)   | 7(10.3)       | 10(11.4)  | 4(5.5)          |
|                         | Female Adult      | 41(32.8)      | 24(31.2)  | 18(26.5)      | 26(29.5)  | 23(31.5)        |
|                         | Male/Female Adult | 71(56.8)      | 45(58.4)  | 41(60.3)      | 50(56.8)  | 46(63.0)        |
| Control over land/water | Female/Male child | 6(2.2)        | 2(1.0)    | 4(2.6)        | -         | -               |
|                         | Male Adult        | 110(40.3)     | 88(45.1)  | 64(41.6)      | 60(34.1)  | 63(33.7)        |
|                         | Female Adult      | 80(29.3)      | 41(21.0)  | 28(18.2)      | 51(29.0)  | 50(27.6)        |
|                         | Male/Female Adult | 77(28.2)      | 64(32.8)  | 58(37.7)      | 63(36.0)  | 70(38.7)        |

**Source:** Sikira and Kashaigili, 2017; **NB:** Number in parenthesis indicate percentage (%).

In that case, discrimination against women is still a challenge to many areas of the world. Such women discrimination may affect the nation's economic growth and block poverty reduction efforts meant for both women and men (Lawry *et al.*, 2017; Migoro, 2017; Pedersen, 2015).

Women are the producers in many economic activities compared to men (Sikira and Kashaigili, 2017). However, the establishments of legal instruments that address the equality in social, economic, and political opportunities between women and men is still a priority in many international organizations (Quisumbing *et al.*, 2014). A good example is the Law at the global, regional, sub-regional, and national levels in East Africa (Mwaura, 2014) that guarantees gender equality and women right to own property and land. The widely spread concept of patriarchy across the globe and in East Africa promotes widespread gender inequalities that encourage discrimination



against women in terms of access to resources such as land (Massay, 2017; Moyo, 2017), making it challenging to have the legal framework implemented.

Moyo (2017; 2018), Lawry *et al.* (2014), Nkonkomalimba (2014), and Hartman *et al.* (2015) argued that women ownership of land in many African countries is relatively low compared to Latin American or Asian counterparts with the same customary tenure arrangements that continue to provide most women's farmers with access to land. In the same vein, Akin (2011); Knight (2010), United Nations (2012) authenticated that land titling efforts in Africa have negative impacts on women and other vulnerable groups. This situation leads to conflicts in family levels by discriminating them from natural resource ownership. For example, studies by Kabaseke (2018) and Moyo (2018) confirmed that in Tanzania, Uganda, and Kenya, girls are given land by their fathers; their portions will be considerably smaller than those of their brothers. When girls are unmarried, they can only access land for cultivation through their fathers, until they get married. The literature findings were contrary to the international legal instruments like the Universal Declaration of Human Rights (Article 17), which provides that "everyone has the right to own property alone as well as in association with others" and that "no one shall be arbitrarily deprived of his property. In the same vein, the study findings correspond with Isinta and Flitner (2018), who contended that the use and access to land by individual type of registration in Kenya had positive impacts on many rural people due to proper management of land compared to other types of registration. The other type of registration includes group registration, which creates conflicts among the users due to variations in interests.

In the same vein, Shimwela (2018) study in Mbozi, Fitzgerald (2017) study in Manyoni and Singida, Marwa (2015) in Rorya found that formal land registration was mainly based on individual or single ownership which empowered them to have full mandatory of changing the use of land.

Similarly, land and water ownership is biased against women (Mukoni, 2015). The rights of women in land use are viewed through their participation in agriculture, whereby their contribution to agriculture, more specifically in food production, is high compared to men. More than 60 % of agricultural activities are performed by women in Tanzania (FAO, 2011). Despite women's central role in agricultural production in the country, women continue to face discrimination in owning land and water as important natural resources for agriculture. Furthermore, there are unequal power relations between men and women based on historical, religious, economic, and cultural realities (De Haan and Zommer, 2015). Normally, women are poorly represented when it comes to a decision making on issues related to land due to culture and power differences between men and women (Chan, Kamugisha, Kesi, and Mavenjina, 2016). However, women are believed to possess the knowledge and resilient skills for adaptation (Moyo, 2018; Dankelman *et al.*, 2008). Generally, the resilience of households and communities depends on women, as they work hard to feed their families during difficult times resulting from natural resource degradation. Therefore, involving women in the ownership over natural resources is highly recommended as this will harness women's resilience skills and hence increase agricultural productivity. Based on the above, to ensure women's access to and

control over natural resources, the Tanzanian government is striving towards mainstreaming gender in the development process as well as in research projects.

### **2.6.1 The Practices of Rural Land Registration: Global Experiences**

Globally, the trend of customary land titling process is varying between countries to country. For example, Latin America and China have the highest percentage of tenure regimes that recognize stronger forms of community ownership through customary land titling (Greiner, 2017; Lina *et al.*, 2018). The countries with the highest percentage of the national land area owned by rural people through customary land titling include Mexico (52%), Bolivia (36%), Peru (35%), and Colombia (34%) (RRI, 2015; Huang, 2016).

Africa also has the highest number of countries where national statutes recognize the rights of communities to own or control more than half of the country's land area (Rights and Resources Initiative, 2015). For example, Tanzania (75%), Uganda (67%), Zambia (53%), and Botswana (53%) national statutes recognize communities to own land (Chileshe, 2014; RRI, 2015; Wabineno, 2016; Mugisha, 2016; Veit, 2018). This automatic recognition reduces procedural requirements for formal registration of land that can be burdensome to communities from formalizing their land rights (Myenzi, 2006; Kabote, 2017; Shimwela, 2018). However, where rights are not spatially delimited and registered, governments must take additional care to ensure that their actions respect customary ownership (RRI, 2015; Lindsay, 2016).

### **2.6.1.1 Village Land Use Planning and Customary Land Titling in Tanzania**

In 1991, the government of Tanzania began to move from its brand of socialism toward the land market economy (Derby, 2002). This move necessitated a change in Tanzania's land policies, as well as customary and traditional beliefs about the value and ownership of land, different from western concepts of land ownership (Shimwela, 2018). Existing land laws in Tanzania were inherited from the colonial regime, which had weaknesses. There is no absolute ownership of land, all the land belongs to the state, the President holds the land in trust for the people, undeveloped land has no value, and hence it is not a marketable commodity (Chimhowu and Woodhouse, 2006; Desoto, 2006; Christiaensen, 2017). The shift toward land-free market economy underlies recognition of the value, and therefore, marketability of land, which affected agro-pastoralists in accessing areas for their cattle and cultivations due to the rapid increase of investors like in Kilosa in Morogoro, and Mbarali in Mbeya regions (Fairley, 2013). The growth in the number of investors in rural areas of Tanzania has led to a frequent increase in land disputes, poverty, loss of property rights, which affecting agro-pastoralists livelihoods (Marwa, 2015; Moyo, 2018). To reform new land laws that can suit the interest of the current community and global systems, the government of Tanzania decided to form a national commission that could bring way forward of addressing challenges within the existing land laws.

Therefore, the President formed the Presidential Commission on Land Reform (1991) called Shivji Commission, aiming to address land tenure security to all people within the country. To attain security of tenure, the Commission reviews existing

land policies that pose problems for the intensification of agriculture, equitable access to agro-pastoralists to improve their livelihoods (Derby, 2002). Thus, the government of Tanzania undertook the initiative to reform its land policy of 1995, revised in 1997, along with the enactment of the Village Land Act No. 5 of 1999 for guiding the land tenure formulation initiatives. The promulgation of Land acts No. 4 of 1999 and Land Act No. 5 of 1999 aimed at addressing challenges existing in agro-pastoralists areas like boundary conflicts, gender inequality, environmental destructions, poverty, and food insecurity (Fairley, 2013). The study shows that land use planning and titling is critical to rural livelihoods as it harnesses land tenure security and investment inland. Furthermore, land use planning and titling provide a chance to promote equality of ownership between men and women, reduces land conflicts, facilitates access to loans from formal financial institutions, and protect common areas from encroachment (Pedersen, 2010; Byamugisha, 2013; Walwa, 2017).). But the situation does not concur with the objective of VLUP and land titling, because land disputes, poverty, environmental destructions, and others continue to emerge in different areas of Tanzania (Mwamlangala, 2019).

The mentioned challenges above led the government of Tanzania to carry out legal and policy reforms in the late 1990s to enhance land tenure rights and improve tenure security and administration. Consequently, the Commission for Land Use Planning (CLUP) in 1994 started to use the reformed legal instruments that were Land Act, No. 4 (1999), and Village Land Act, No. 5 (1999) codified the reforms. Furthermore, Article 4 (CAP 113) of the Land Act established three categories of public land: general, village, and reserved land. In contrast, Article 14, 1(a) (CAP 114) of the Village Land Act provided for customary rights of occupancy in village lands.

Moreover, the Land Use Planning Act, No. 6 (2007), is the principal legislation governing land use planning, with the Guidelines for Participatory Village Land Use Planning and Management in Tanzania (2011) complementing the legal framework. These processes have resulted in the starting of VLUP and issuance of CCRO's among piloted regions in the 2000s up to date. Following the provisions of a new law, the national lands ministry launched a pilot project in 2001 to title 158 villages and more than 1,000 individual parcels (Byamugisha, 2013). The government and other stakeholder implemented the pilot project in the Njombe region through practicing VLUP and issuance of CCROs to agro-pastoralists in rural areas (Plate 2.2)



**Plate 2.2: Agro-pastoralists in Njombe displaying their CCROs issued by MKURABITA in 2018 (Photo by Njombe District Council)**

Studies by ZHU *et al.* (2018) in China and Namkwahe (2015) confirmed the assertion that the land use planning process has been slow and costly. In the circumstances, the National Land Use Planning Commission (NLUPC) estimated “only 1645 villages (13%) out of 12,545 villages requiring land-use plans in Tanzania. Figure 1 shows that about 88% of all villages in Tanzania have no VLUP leaving only 12% with VLUP. However, by 2017 statistics indicates that 13% of villages had also adopted land-use plans. Furthermore, less than 10% of approximately 6 million households located within rural villages (about 400,000) had obtained individual title documents (Schreiber, 2017). Nevertheless, land use planning remains an expensive process that limits most rural people in accessing CCRO’s (Chileshe and Shamaoma, 2014). Also, Stein *et al.* (2016) observed that the high cost of producing village land use plans is due to the existence of multiple fees. In Tanzania for instance, the fees for preparing land use plans include “application fees, technician fees for plot surveys, ‘facilitation’ fees to the village land committee and district land registrar, registration fees, legal fees to Lawyers’, and travel costs” (Ali *et al.*, 2014; Stein *et al.*, 2016).

But, according to Fitzgerald (2017), Kalawe *et al.* (2018) and Shimwela (2018), majorities of rural dwellers in Tanzania face challenges in using CCRO as loan securities due to the lack of knowledge on procedures and conditions required by the financial institutions. The assertion that most rural dwellers face difficulties in using CCROs as collateral corresponds well with Knight's (2010) study in Mozambique and Botswana, Holden *et al.* (2011) study in Ethiopia and United Nations (2012). Besides, those who managed to use CCROs to get loans, they found CCROs to be

helpful and facilitative in buying new farms and fertilizers, which increased agricultural productivity.

#### **2.6.1.2 Piloted Villages for Land Certification in Tanzania Districts**

The Village Certification Pilot Project in Mbozi District started in 1999 as a practical effort to implement Village Land Act No. 5 of 1999. The Village Land Act and its Regulation 2001 represent a new experience for Tanzania with a limited international experience to draw from. Aerial photography was used in 2001 to map village boundaries and identify individual land parcels. All the 175 Villages of the Mbozi District have boundaries surveyed and 158 villages issued with Certificates of Village Land (CVL). Furthermore, a total number of 1,117 Certificates of Customary Rights (CCROs) were issued to 765 males (68.5%), 42 Females (3.8%), and 310 (27.8%) with joint ownership. Five (5) persons have obtained loans from credit institutions using their CCROs. So far the Mbozi Pilot experience has been extended to ten (10) Districts with the number of villages in bracket as follows; Iringa (40), Handeni (6), Kilindi (10), Babati (5), Monduli (49), Kiteto (6), Kilolo (9), Namtumbo (1), Ngorongoro (1), and Muleba (2) Villages. By June 2006, all the villages were issued with Certificates of Village Land (CVL), and hence, 1,088 CCROs issued to the Villagers. The estimated cost of this activity was US \$ 3.6 million. The project was scaled up to other villages in Tanzania from 2006 up to 2012 to date (Schreiber, 2017).



## **2.6.2 The Perceptions of Agro-pastoralists on Land Registration Process:**

### **Global Experiences**

Many agro-pastoralist communities in the world are not aware of the customary land titling registration processes (Obeng-Mireku *et al.*, 2016; Walwa, 2017; Willy, 2017) thus, causing anxiety and fear of land deprivation (Mwamlangala *et al.*, 2016; Mwamlangala, 2019; Mbih, 2020). According to Bary *et al.* (2014), the anxiety and fear feeling is due to the lack of enough education on land formalization and the use of CCROs for the improvement of the agro-pastoralists livelihoods. Experience shows that in developed countries like India, Australia, and Canada faced the same situation during the process of introducing the new forms of land reformations which created many land disputes in rural areas in those countries (Lea, 2004; Amanor, 2009; Javelle, 2013; OXFAM, 2018).

Africa, like other continents in the world, started to formalize land laws in 1911 after the colonialism reign (Hebo, 2006), but 40% of countries in Sub Saharan passed land laws since the 2000s. Still, many people up to date are not knowledgeable about the role of establishing VLUP (Byamugisha, 2013). Experience shows that in Zambia, Madagascar, and Tanzania, many people of rural areas are not knowledgeable on the role of land titling to their livelihoods (Jacob and Minten, 2005; Kahsay, 2011; Shimwela, 2018). Furthermore, Nkhata *et al.* (2017) observed that most rural people believe that their customary laws rather than reformed laws which govern land use planning and registration. Also, Le Tourneau (2017) holds the same view that many land disputes in villages occur due to a lack of awareness of new changes in land reformations. Parallel to Baland and Bjorvat (2013) and Ali *et al.* (2014) reported

that the challenge of people's unawareness about the customary land registration process leads to failure in involving them in the process of land formalization and land titling. Thus resulted in more significant effects of land disputes in Somali, Uganda, Kenya, and Tanzania in particular. Furthermore, Kuusaana (2015), Ramesh (2016), Meek (2018), and Young (2011) observed that although rural people use formal laws but have negative perceptions due to fear of land grabbing.

### **2.6.3 The Use of Rural Institutions in Addressing Agro-pastoralists Land**

#### **Issues: Global Experiences**

Rural institutions practiced by many countries in the world are like village council, tribunals, village land committees, elders, norms, and local leaders of the agro-pastoralists guide, controls, and manage all land issues in rural areas (Cuskelly, 2011; Kassie, 2017). Likewise, developed countries like Thailand have customary and statutory systems of land ownership which guide and govern all matters of land acquisition to agro-pastoralists (Kassie, 2017; Comaroff and Comaroff, 2018; Cazzuffi *et al.*, 2020).

For example, about 20% of Australia's landmass is under customary ownership, compared with 97% in Papua New Guinea (PNG), 98% in Vanuatu, 87% in the Solomon Islands, and 88% in Fiji (Fingleton, 2004; Weiner *et al.*, 2007). It has been evidenced by these countries that they practice rural land titling through the use of CCRO's to maintain the security of land and resolve land conflicts (Byamugisha, 2013). However, the role of the rural institutions in many countries in the world is to regulate, maintain peace, and security by providing customary land certificates to

ensure the rights of land ownership (Schreiber, 2017). Bandiera (2007) shared how Thailand and Latin America, used rural institutions to help agro-pastoralist to possess land grabbed by big investors. Moreover, Eastern Europe (Goldstein and Udry, 2008; Holden *et al.*, 2009; Fenske (2011), Peru (Meek, 2018), and China (Wang *et al.*, 2018) had a similar experience whereby rural institutions helped the agro-pastoralists to repossess the lost land.

Like other continents in the world, 90% of Sub-Saharan African countries with 2.2 billion hectares of all cultivated land and 650 millions of Africans live in small farms (Grain, 2014; Boone, 2017; Willy, 2017). In the circumstance, 84757 million small farms occupy 14.7% of the agricultural land, leaving the remaining 85.3% of all farmland covering the medium and large farms (Grain, 2014, p.3). According to Wily (2011, p.468) and Boone (2017), all users of cultivated land use customary land institutions to guide and regulate land tenure practices for improving livelihoods of many agro-pastoralists who depend on agriculture.

From the old Land Act in Zambia; Mozambique 1997 Land Law (DUAT)[1], Ivory Coast 1998 Rural Land Law; the 2004 Land-use Planning Act in Tanzania, Rwanda 2005 Organic Land Law to the more recent efforts like the 2009 Rural Land Tenure Law in Burkina Faso and the 2016 Community Land Act in Kenya proved the use of customary land act to guide and regulate land tenure practices. In an analysis of 47 African countries shows that in 30 of these, the reforms of customary land laws have brought better protection of rights through formalization compared to the situation before (Wily, 2017). Experiences show that customary land institutions, specifically

local leaders, collaborate with other institutions like the World Bank and other organizations to maintain security to most African communities. For example, in 2009 World Bank was committed to providing CCRO's to 34 countries, which cost US\$1 billion compared to just 3 projects in the 1990–1994 period by considering gender sensitivity during land registration and acquisition of land titles (Boone, 2017a, b, p.4).

Moreover, rural institutions have been addressed in the VLA stipulating that the VLC must treat all applications for land equally, regardless of the gender of the applicant, and is forbidden from adopting any discriminatory practices or attitudes towards women (Duncan, 2014; Chan, Kamugisha, Kesi, & Mavunjina, 2016). Section 14 of the Court Act, 2002 requires that in any mediation, three members of the local Tribunal, at least one member must be a woman to constitute the panel. The Ward Tribunal comprises four to eight members elected by the Ward Committee, of whom a minimum of three members must be women. Limited rights, which include limited access control and ownership of due to cultural restrictions, exacerbate women's vulnerability in land ownership (Kisambu, 2016). Women's rights to land are mainly considered as a mere right of use, without the possibility to make decisions on selling, hiring or changing its use (Marwa, 2015; Wabineno, 2016; Moyo, 2017).

Furthermore, Jayne *et al.* (2016) authenticated that when rural institutions still work well, formalization itself may not change the way individuals decide on their investments in land. However, Chimhowu (2018) observed that although there is

mixed evidence that countries or areas of customary institutions are under pressure as the rules and norms governing land have broken down the security of tenure by new land formalization. The new land laws have affected the system of land ownership in rural areas. Thus, land governance institutions formed to underpin the ‘new’ customary tenure are a hybrid bridging together elements of traditional authority and fusing this with some of the values of statutory institutions. They interface with as in the case with Ghana (Lawson *et al.*, 2012; Biitir *et al.*, 2017) and in Rwanda (Schreiber, 2017a, b) for maintaining the security of tenure. This situation is done in order to maintain the security of tenure.

But also, the reasons for reforming changes are not only to make land administration more applicable, practicable, and legible to investors but also to ensure that they facilitate property transactions more efficiently (Stein *et al.*, 2016). For example, the government of Rwanda has made good in land governance and administration by imposing computerization of the land sector (Schreiber, 2017). Through the use of Information and Communication Technology (ICT), Rwanda managed about 10.4 million properties, it has also reduced the transaction costs drastically, and it now takes just three days to register title. By 2017 some 7.16 million landowners had collected their titles (Schreiber, 2017a, p.3).

Emerging evidence suggests similar land administration reform programs in Cameroon, Ghana, Malawi, Mozambique, Namibia, Burkina Faso, Uganda, and Zambia (Byamugisha, 2014; Boone, 2017a; Wily, 2017; Collins and Mitchell, 2017; Schreiber, 2017b). Furthermore, much research conducted worldwide demonstrates

the inadequate capacities of institutions to adapt to change, and the consequences are generally some degree of resource degradation and poverty in rural regions (Byamugisha, 2014; Nkhata *et al.*, 2017). In turn, it has the potential to directly undermine the livelihood security of those dependent on the land for their everyday needs (Knight, 2010; Haule, 2013). For example, in the developing world, increasing pressures such as modernization and political revolutions (including colonization and political independence) have been shown to weaken significantly historically effective systems of resource regulation on customary systems.

Likewise, in Tanzania as other African countries, the study by de Haan (2011), Mwamfupe (2015), Bennett *et al.* (2017), and Kabaseke (2018) reported that the use of customary land institutions authorities changes land tenure systems which brings winners and losers. This is when local institutions regulate the situation, which could result in land disputes among agro-pastoralists in the country (Kuusaana and Gerber 2015; Fitzgerald, 2017). Local leaders like customary chiefs are reinterpreting their guardianship powers as those of owners, and are allocating or even selling common lands for private gain and government the same (Brown Lassoie, 2010; and Marwa, 2015; Moyo, 2018). In this context, weaker rural groups are being squeezed out, and are losing access to the resources on which they depend for their survival (de Haan, 2011; Mwamfupe, 2015; Chimhowu, 2018). For example, in Tanzania, conflicts between immigrants from northern Tanzania increase pressure in Mpwapa districts. This has also been the case to Mbarali agro-pastoralists and forest reserve (TANAPA), which resulted in the migration of agro-pastoralists to other areas of Mbeya regions like Chunya districts (Mhina *et al.*, 2015).

### **2.6.3.1 Land Tribunal Court as Conflict Resolutions Machineries in**

#### **Addressing land issues**

Land is the primary resource in which all people in the world do depend for survival (Mwamlangala, 2019). But, due to the increase of internal and external pressure on land lead to land conflicts which affect the livelihoods of many agro-pastoralists in Tanzania (Haule, 2012). The increasing cases on land disputes made the government decentralize tribunals to the rural areas as types of machinery are responsible for addressing all emerging challenges on land (Coello, 2017). The established rural institution of land dispute settlements with subject, to section 167 of the Land Act, 1999, and section 62 of the Village Land Act of 1999 are Village Land Council, the Ward Tribunal, the District Land and Housing Tribunal, the High Court of Tanzania (Land Division) and the Court of Appeal of Tanzania. However, also, every dispute or complaint concerning land shall be instituted in the Court having jurisdiction to determine land disputes in a given area (Marwa, 2015; Fitzgerald, 2017; Moyo, 2018).

Moreover, under the Land Dispute Courts Act No.2 of 2002 and Regulations G.N. 174 of 2003, Land Tribunals have been established in 23 Districts since October 2004, and the High Court Land Division is also in place. By April 2006, 5,583 cases had been filed with the Land Tribunals, out of which 2,632 cases have been decided, while 2,951 cases are pending. This inability is also reflected in the number of cases resolved by the District Land and Housing Tribunals throughout Tanzania as it was reported by Kironde, (2009) that between December 2005 to December 2008, 33,163 cases were lodged with the District Land and Housing Tribunals out of which 15,149

(48 %) were heard and decided upon. Most disputes are about ownership of land, land boundaries, non – payment of house rents, the inheritance of land/houses, and others. The estimated cost of this activity is US \$ 5. 5 million. It has been established that Mainland Tanzania has established almost 49 District Land and Housing Tribunals, and it is only tribunals that were in operation]. It was observed that out of 19,879 cases that were filed in these tribunals, only 9,831 cases were settled.

Furthermore, the status as it was issued in June 2015, shows that there are only 47 District Land and Housing Tribunal which are in operation so far after five tribunals were placed to operate that is Mpanda, Kyela, Ngara, Karagwe, and Ngorongoro<sup>9</sup>. It was observed that a total number of 13,338 cases were filed with the tribunal making the number of cases filed with the tribunal to reach 31,782. Out of such cases with the tribunal, only 13,749 (23.3%) cases were concluded leaving 18,033 (56.7%) cases pending in these tribunals. The Government Notice has pronounced other District Land and Housing Tribunals though not in operation yet<sup>10</sup>. The law sets out the procedure on how to enforce land rights in case of disputes so as to build a good environment of VLUP by issuing CCROs. The establishment of these tribunals is in compliance with the Report of the Presidential Commission of Inquiry on Land Matters, which proposed, among other things that, there should be some kind of an independent, impartial body, especially for resolving land disputes. This body will help villagers and authorities during land registration to settle cases and enhance the

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<sup>9</sup> See the United Republic of Tanzania, *Budget Speech, 2015*

<sup>10</sup> The Government Notice No. 545 of 2016



process of CCROs to be well attained to agro-pastoralists (Marwa, 2015; Kabote, 2017).

Although Moyo (2018) observed in Makete, that people had limited awareness of land tribunals, where to file land cases has made the members overstay in office for a long time. Also, Marwa (2015) notes that about 73% of his respondents believed that VLC had no court power, and only 24 % of the respondents believe that they have. In that case, the acquisition of CCROs in villages became a challenge because agro-pastoralists are in conflicts while not aware of tribunals addressing land disputes. This lack of awareness has resulted in land disputes in Mvomero District between farmers and pastoralists, which caused the killing of cows by farmers due to the lack of VLUP and CCROs to agro-pastoralists (Plate 2.3).



**Plate 2.3: Killing of Cows by Farmers in Mvomero Districts in Morogoro Region: February 2016 (Source: Photo by Tanzania Pastoralists Community Forum)**

In spite of a well-established land dispute resolution mechanism that addresses land issues like farmers against pastoralists happening in Morogoro and other regions in Tanzania (Plate 2.3), these organs are unable to cover operational costs, which must either be from the central or local government (Moyo, 2017).

In his study of the Mara region, Marwa (2015) found that the land dispute solving technical support from the government was too little to cover operating costs. Nevertheless, also, dispute resolution through the village council is triggered by lack of evidence by the parties to the dispute, unclear procedures when filing cases, lack of knowledge and conflicting interests between members and interference by Ward Councilors in case proceedings (Moyo, 2017; Kabote, 2017; Kabaseke, 2018).

#### **2.6.4 Changes of Livelihoods Associated with Customary Land Titling among Agro-pastoralists: Global Experiences**

Secure property to land is of paramount importance to millions of marginalized people living in rural areas and who solely dependent on agriculture for their livelihood as it reduces their vulnerability to starvation and poverty (Hungwe, 2011). The findings from different countries indicate that livelihood changes related to customary titling through the use of CCROs to agro-pastoralists in Peru and Argentina have improved income, water channels, employment (Galiani and Schargrodsky, 2006). But, in Egypt, tenure status is unrelated to the provision of essential services (Holden, 2009; Baland *et al.*, 2013), unlike in India, where households with registered leaseholds showed better access to water and sanitation and individual electricity connections. However, in Mexico, Thailand, and India, by

giving CCROs to agro-pastoralists, it had been evidenced that titles have increased investment and income (Ali *et al.*, 2014). Opposite from Brazil, social exclusion to agro-pastoralists had risen due to the use of CCROs (de Haan, 2012).

In rural Africa, customary land titling through the use of CCROs has changed the styles of well being among agro-pastoralists (Fitzgerald, 2017). For example, agro-pastoralist in rural Ethiopia have increase well-being (income) due to the use of CCROs as collaterals to formal financial institutions (USAID, 2011). Contrary to other rural areas which their agro-pastoralists do not own CCROs, this has caused about 75% of agro-pastoralists to suffer from food scarcity, 55% had no medical insurance, 89% collect firewood illegally making them vulnerable to fines and poverty (Deininger *et al.*, 2011).

Studies by Dlamini and Masuka (2011) in Swaziland, Hombrados (2015) in Tanzania, Kahsay (2011) in Northern Ethiopia, Meeks (2018) in Peru, Hugos (2012) in Mozambique and Wang *et al.* (2018) postulated that tenure security through the use of CCRO's as collaterals for loans from financial institutions agro-pastoralists has positive impact on income growth. In practice, formalization of land rights improves the security of the land, increase investments, more accessible to credit using land as collaterals, facilitates land market, and water rehabilitation with the well being of the agro-pastoralists (Tittonell, 2014; Besley and Ghatak, 2010; USAID, 2016).

Moreover, a growing body of literature like Rignall and Kusunose (2018) study in Morocco, Bambio, and Agha (2018) study in Burkinafaso and Mouchenga *et al.* (2018) and De Laiglesia (2005) study in German, Gautam, and Andersen (2016)

study in Nepal authenticated that many rural people who had CCRO's as collateral to financial institutions, they used to build good houses, water rehabilitations, buying castles which improve their well-being. These studies match with the study findings by Deininger *et al.* (2011) and Holden *et al.* (2011) both studies in Ethiopia (Plate 2.4 and 2.5). United Nations (2012) and Knight (2010) studies in Mozambique and Botswana, respectively, found that 11% of households with CCRO's are significantly likely to lease out land and have access to buying agricultural inputs for increasing agricultural productivity. On the contrary, villagers without CCROs can't access loans due to a lack of collaterals.



**Plate 2.4: Water Rehabilitation for Cow Drinking: Source: USAID (2011)**



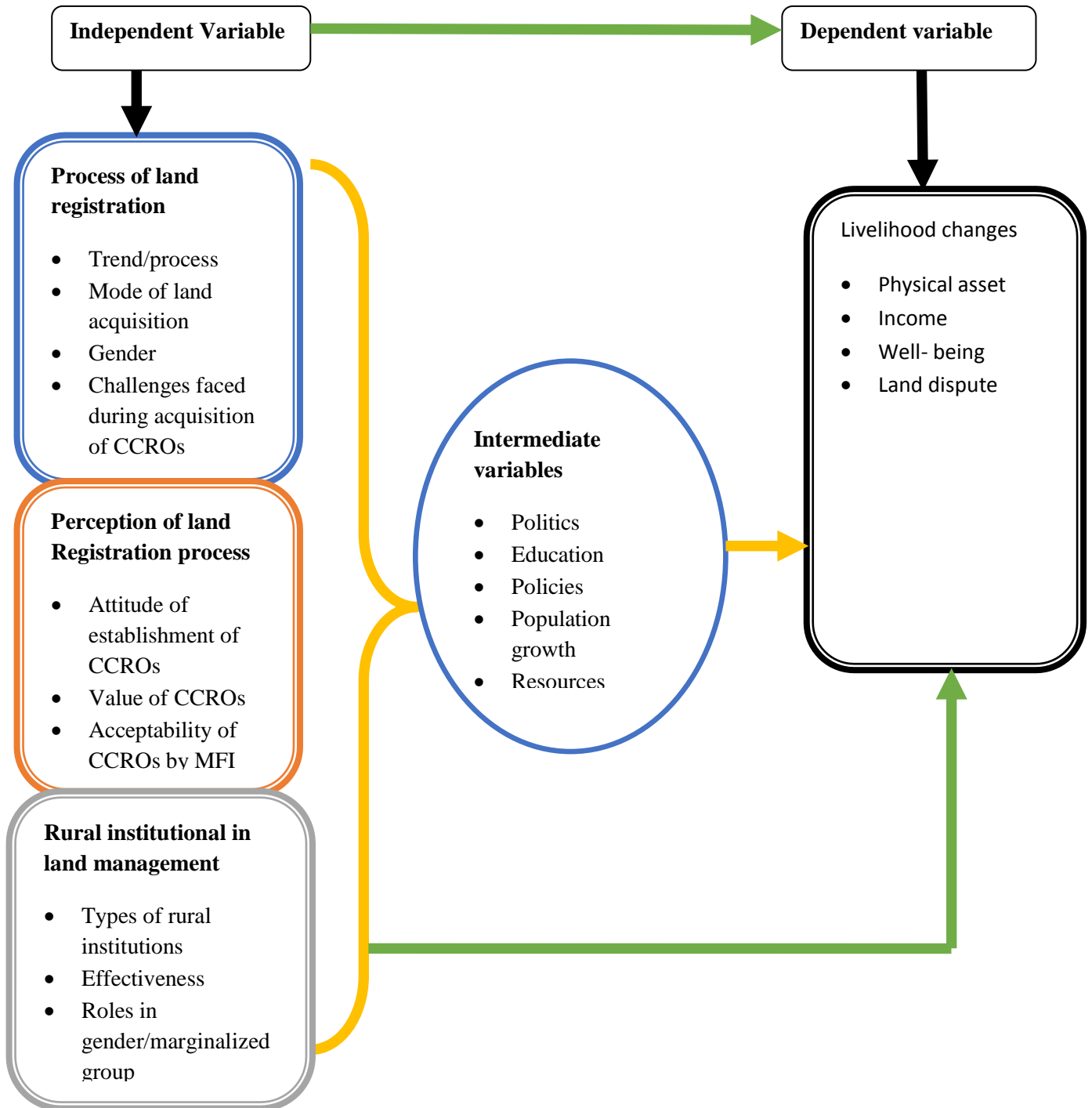
**Plate 2.5: Maize Farm: Source: USAID (2011)**

## 2.7 Conceptual Framework

Figure 2.2 shows the conceptual framework underpinning this study. It explains and guides the relationship between the variables and concepts of the study. The frame shows the trend and process, modes of issuing CCROs as a critical factor that influences agro-pastoralists livelihoods to change. The framework demonstrates that acquisition of CCROs, perception of the establishment of the CCROs on the value of it, acceptability to the formal financial institution in accessing loans affects agro-pastoralists livelihoods in rural areas either negatively or positively.

Moreover, the framework explains Institutional Economic and Property Right Theories in guiding the study objectives. These are such as how rural land institutions facilitated land titling and registration process to agro-pastoral communities, the practice of rural institutions in addressing land titling and acquisition process, and the effectiveness of the rural institution. The framework adopted Institutional Economic Theory to explain the customs, social environment, regulatory structure used by authorities to guide and manage land issues (Scott, 2007). However, also, Property Right Theory provides a theoretical lens on bundles of rights like the use of right on land, control, or decision-making rights and rights to transfer land. But also, equality and legitimacy of the government on managing land (Demsetz, 1967; Libecap, 1989). Also, the framework shows the role of intermediate variables on how can affect land titling in rural areas like politics, education population growth, resources, and policies. These variables, when it follows the principles of good governance like transparency, participation, the rule of law, inclusiveness, and others, will improve agro-pastoralists livelihoods in rural areas.

Lastly, the framework addresses the livelihood changes due to the use of CCROs. It shows the aspects of physical and financial assets (income) and wellbeing. When agro-pastoral communities use CCROs for loans can influence the changes in those variables for livelihood improvement. The conceptual framework used the Sustainable Livelihood Approach (SLA) model to explain variables like social structure, policies, rules, processes. Therefore, when these tools applied adequately during and after land formalization to agro-pastoral communities, they can influence their chances of livelihoods to be positive (Chambers and Conway, 1992). As De Haan (2015) observed that exclusion of marginalized societies in productive benefits, affects their livelihoods to remain poor



**Figure 2.2:** Conceptual Framework

Source: Author conceptualization Adopted from SLA/DFID model and Study Theories

## **2.8 Research Gap**

Other previous studies like Sorongwa *et al.*, 2010, Stein *et al.*, 2014, Pamevor, 2014), Isdory, 2016), Ole-Parmelo, and Leikata, 2017 and Wily, 2017) indicated that customary land titling improves land tenure security, avoid land disputes among farmers in rural areas. Moreover, Okorji and Omirin, 2018, Meeks, 2018, Kalabamu, 2019, Kansanga, 2019, Barry, 2020) have shown that in spite of the practice of land formalization with the issuance of land titles to farmers still the land tenure insecurity, and land disputes are persisting. Based on the knowledge from previous studies, there are research gaps seen on the effects of customary land titling on livelihoods among agro-pastoralists. This gap has remained in a grey area with the academic puzzle. This is because it is unclear whether customary land titling is really effective in improving rural livelihood as projected. This study is, therefore, aimed to investigate the impacts of customary land titling on agro-pastoralists livelihoods in Dodoma and Mbeya regions.



## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Overview**

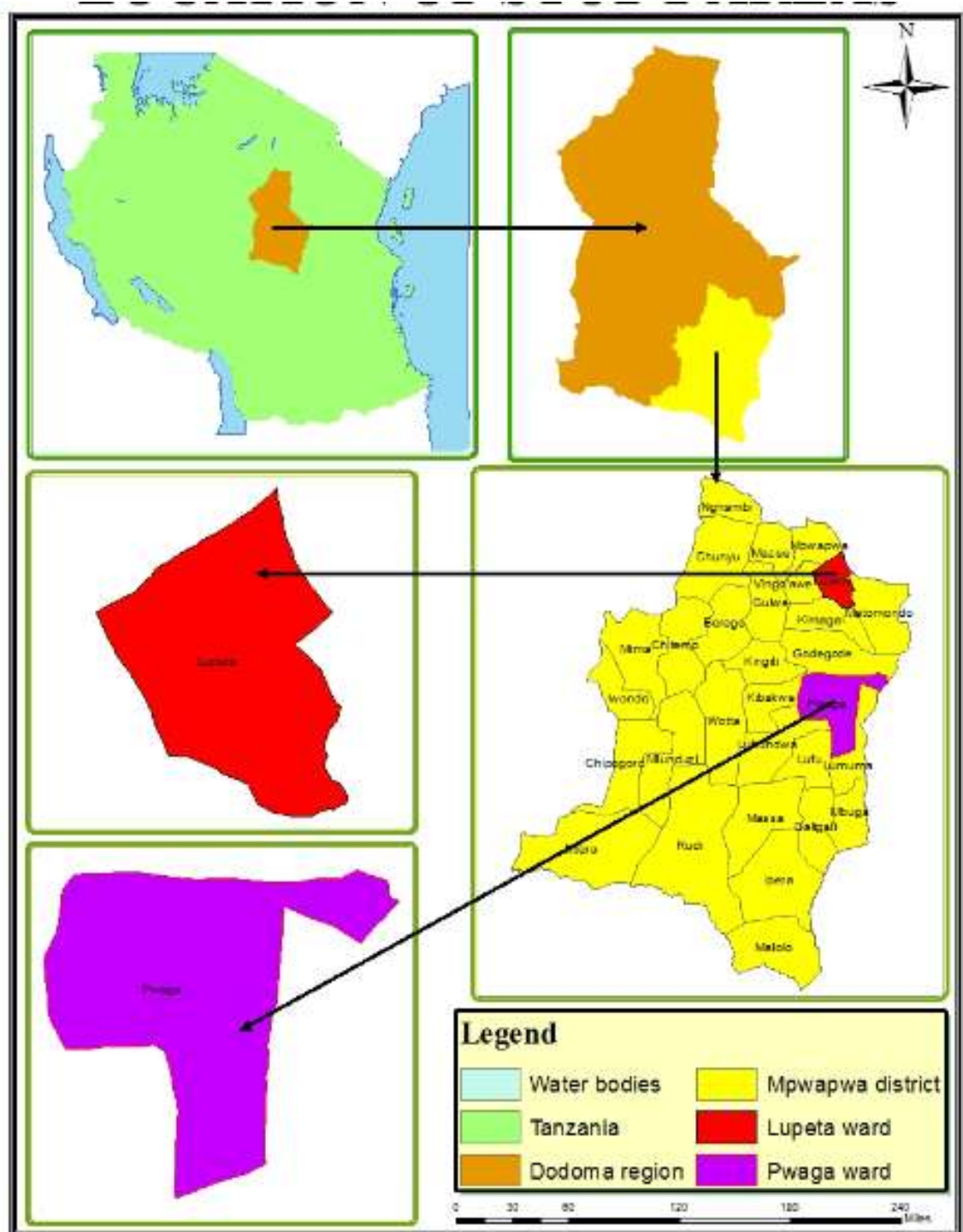
This chapter presents the research methodology adopted in the study. The chapter starts with a description of the study areas and explains the type of research design undertaken. The chapter gives details on approaches and sampling procedures used for data collection. It also describes and justifies the data collection methods, tools for data collection, and analysis were developed, including reliability and validity. It also addresses ethical issues for the study.

#### **3.2 Study Area and Geographical Location**

The study was carried out in Mpwapwa and Mbarali districts. Mpwapwa District is one of the seven districts of the Dodoma region of Tanzania. The region is found on latitude of 6° 13' 0" South, 35° 58' 59" East in the center of the country. Also, Mpwapwa is found in the Coordinates of 06°20'54"S 36°29'12"E (Figure 3.1). Mpwapwa District is bordered to the north by Kongwa District, to the east by Morogoro Region, to the south by Iringa Region, and to the west by Chamwino District (Mpwapwa District Profile, 2010). Most agro-pastoralists are found at the top of the 7,000ft mountains that benefit from better rainfall up to 1,200mm per annum. The District has a total of 223,000 hectares of land used for agriculture. The main economic activity is agriculture, and people cultivate crops like maize, cassava, beans, and others in improving their livelihoods.

Mbarali District is one of the seven districts of the Mbeya Region, which is located in the South Western Corner of the Southern Highlands of Tanzania (Figure 3.2).

The region lies between Latitude 8°53'58.86"S and longitude 33°27'2"E of Equator. Mbarali District is bordered to the north and east by Iringa Region, to the south by Mbeya rural District and to the west by Chunya District. Mbarali District found in the geographical coordinates of latitude 8° 41' 59" S and longitude 34° 22' 59" E. However, Mbarali District is characterized by moderate rainfall with a mean annual rainfall of 650mm to an average rainfall of 713mm. The average annual temperatures range between 25°C and 30°C. This weather condition is favorable for the growth of crops, specifically paddy production, maize, potatoes, and others. This pattern enables people to harvest sufficient crops for earning income (Mbarali Investment Profile, 2009) (Mbarali District Profile, 2010; 2013).



**Figure 3.1: The study areas in Dodoma Region**

Source: Researcher, 2017

### 3.3 Criteria for Study Area Selection

The following are the justifications of selecting Dodoma and Mbeya regions and not other regions in Tanzania.

From 2002 up to 2019, the government and other players like NGOs/CBOs have issued some CCROs to agro-pastoralists in Dodoma and Mbeya regions to address the challenges facing agro-pastoralists, like poverty, food insecurity, fragile environment, land disputes, social exclusion, and others. However, up to date, these challenges are still existing. Therefore, this study helped to investigate if agro-pastoralists have benefited in the use of CCROs or not. Despite the agro-pastoralists to own CCROs in studied districts, formal financial institutions are reluctant to provide loans through the use of CCROs as collaterals. The financial institutions' reluctance to use CCROs has made agro-pastoralists to remain marginalized in their whole life. Therefore, the study investigated the reasons which force formal financial institutions to not accept collateralizations through the use of CCROs (DONET, 2011).

Mpwapwa and Mbarali districts, rural areas use formal and informal institutions empowered by Village Land Act No. 5 of 1999 to address challenges facing agro-pastoralists like land disputes and others, but these problems are still existing. Therefore, the study addresses the cause and suggestions of the ineffectiveness of rural institutions in addressing challenges facing agro-pastoralists in studied villages. Mpwapwa and Mbarali districts are among the districts in Tanzania, where the government decided to scale-up the land titling program. Furthermore, Mpwapwa is characterized by a semi-arid climate and highly vulnerable in the context of shocks, trends, and seasonality, which affect agro-pastoralists livelihoods. Similarly, the Mbarali district is among the strategic district were attract many pastoralists and agro-pastoralists for grazing and farming. This causes frequent land disputes in the

district. However, there is scanty information about the impacts of CCROs on agro-pastoralists livelihoods in these districts, which can address the facing challenges like poverty and dispute over land.

### **3.4 Philosophy Methodology**

There are several paradigms that structure and organize modern research like positivism and constructivism. Both paradigms have common elements like axiology, which beliefs on the role of values and morals in research. Ontology is about the nature of reality, Epistemology about how we know the world, how we gain knowledge, while historical shares the understanding of the language in research (Cresswell, 2013; Creswell, 2009; Lincoln *et al.*, 2011).

Therefore, the paradigm is conceptual and practical tools that are used to solve specific problems (Abbolt, 2004; p.42; Brierley, 2017). Each paradigm has a different perspective on the axiology, ontology, epistemology, methodology, and rhetoric of research; for example, postpositivism associated with quantitative methods, researcher view inquiry as a series of logically related steps and make claims of knowledge based on objectivity, standardizations, deductive reasoning and control within the research process (Cresswell, 2013; Cresswell and Clark, 2011).

Furthermore, Constructivism typically associated with qualitative methods, the participants' views, and develops the subjective meaning of the phenomena. Thus, Constructivism is shaped from bottom-up from an individual perspective to broader patterns up to broad understanding (Cresswell and Crark, 2011; Lincoln and Guba,

2000). Finally, Pragmatic is a paradigm that claims to bridge the gap between scientific methods and structuralists orientation of older approaches and naturalistic methods and freewheeling orientation of new approaches (Onwuegbuzie and Johnson, 2000; Cresswell, 2013; Cresswell and Clark, 2011). The pragmatism associated with mixed methods or multiple methods (Brierley, 2017; Cresswell, 2014; Cresswell and Clark, 2011). In that case, according to this pragmatic school of thought was adopted as the philosophy of this study, which guided to select a proper research design of the study.

### **3.5 Research Design**

The study adopted Cross-Sectional Research Designs. Such a design is appropriate due to the following reasons. Firstly, it collects results by making inferences about a population of interest at one point in time (Yin, 2009; Bryman, 2012; Creswell, 2014). Secondly, it explains the prevalence of the phenomenon, situation, attitudes, or issues relating to land titling, agro-pastoralists in study villages. Thirdly, the design helps to collect data in more than one case or variable, which are quantitative or qualitative data, so as to compare patterns of associations or to triangulate information in a systematic manner (Bryman, 2012). Fourthly, cross-sectional design saves time during data collections, because the questionnaire with 65 questions can be answered at a time. Fifthly, there is replicability in cross-sectional research design because it helps the researcher to spell out procedures for selecting respondents; designing measures of concepts; administering research instruments (such as structured interview or self-completion questionnaire), able to present the greater comprehension and analyzing data (Bryman, 2012; Creswell, 2014).

On the other hand, a Cross-sectional strategy helps the researcher to reason on how and why things happen relating to the data collection in the field. Also, Cross-sectional design guide the researcher to read more secondary sources such as published works of literature or data so as to give a wide and balanced comprehension of the subject matter (Bryman, 2012; Creswell, 2014).

### **3.6 Research Approach**

Cresswell (2014) asserts the importance of illustrating the research approach as an effective strategy to increase the validity of social research and could either be qualitative or quantitative or concurrent mixed. This study adopted a concurrent mixed approach (Multiple Approach), which involved qualitative and quantitative approaches to triangulate information. A concurrent mixed approach refers to an approach that combines various methods, tools, and strategies of data collection, analysis, and sampling procedures to study a problem ( Burns, 2003; Yin, 2009). The use of mixed approaches was merit for this study in two ways. Firstly, it helped the researcher to collect diverse data from both qualitative and quantitative sources for triangulation. The qualitative approach served to obtain in-depth outcomes such as judgments, feelings of comfort and discomfort about land ownership, emotions, ideas, beliefs which could not be deduced into numbers (Walliman, 2011; Beryman, 2012).

Secondly, a concurrent mixed approach or Multiple Approach employed a quantitative approach which deals with measurements and quantifications of

variables in digital forms (Beryman, 2012). The quantitative approach helped in describing and testing relationships and examines the cause and effect of interactions among variables of the study. It is a formal, objective, and more systematic process of exploring cause and effect within the variables under investigation. It also deals with explaining the phenomena by collecting and analyzing numerical data through statistical methods, which are flexible and easy in quantifying and measuring the data obtained. A quantitative approach was used to unlock the magnitude, generalizable, and relationships that can be measured so that numbers can be analyzed through statistical analysis (Gall, 2001; Neuman, 2011; Beryman, 2012; Creswell, 2014). Thirdly, as Gall (2001) and Creswell (2014) contend that mixed approach (Multiple Approach) when employed during and after the process of data collections with the use of different tools and methods, help the researcher to understand and analyze the problem broadly and provide an opportunity to complement information from multiple sources. These enhanced the significance of the results of this study.

### **3.7 The Target Population**

The target population is the entire collection of individuals, objects, or measurements about which the information of interest is desired (Bhattacharjee, 2012). The target population for this study composed of household members, government officials from District and Land Department, Ward Executive Officials (WEOs), Village Executive (VEO), and officials from financial institutions and NGOs. These were targeted because they are key actors in land formalization and issuing of CCROs.



### **3.8 The Sampling Unit**

A household was the main sampling unit of analysis for this study, specifically the head of the family or a member of the family who was entrusted and appointed by the head of the family to answer the questionnaire. Household members are both beneficiaries and receivers of the land titling process through the use of CCROs. Key informants such as government and non-government officials were obtained from their respective offices and villages.

### **3.9 Sample Size and Sampling Procedures**

#### **3.9.1 Sample Size**

The researcher employed the formula developed by Yamane (1967) to compute the sample size. The selection of this formula based on its assumptions that it has normal distributions of the calculated parameters and must have a finite study population. In that case, a random number table was used to select households to be involved in the study. Basing on the sampling procedure, a random sample of 397 for a household questionnaire was used. The numerical value offers a descriptive value of population distribution. According to village registers (2017), the population for the selected villages was; Pwaga (11,217), Lupeta (8,477) in Mpwapwa District, and Mabadaga (24,754) and Mswiswi (10, 309) in Mbarali districts, which gives a total of 54,757. The four (4) villages were selected based on the criteria that two villages had land-use planning with CCROs to households, and the remaining two had no VLUP without CCROs. The villages were Pwaga, and Mabadaga had VLUP while Lupeta and Mswiswi had no VLUP. This was done so as to compare the impacts of

customary land titling on agro-pastoralists livelihoods. Purposive sampling was used to select the studied villages.

$$n = \frac{N}{1 + N(e)^2}$$

Where, n=Sample Size N=Population size of the study areas, e=Desired Precision rate, this study employed a 95% confidence level. Given N= 54,757, the sample size for this was;-

$$\frac{54,757}{1 + 54,757 (0.05)^2}$$

$$n = 1 + 54,757 (0.05)^2$$

$$= 54,757$$

$$137.9$$

$$n = 397$$

The researcher used a sample size 397 to get the number of households for each village, the study used Proportionate Formular adopted from Myeya (2016) and Haule (2017) to allocate the number of household respondents who were interviewed during data collection.

Proportionate Sampling Formula is

$$n_h = \frac{N_h}{N} n$$

Where,  $n_h$  = proportional sample of each village

$N_h$  = the number of households of each village,

$N$  = Total number of households and

$n$  = Total number of households

The calculated numbers of households involved in each village were:

- a) Pwaga village 11,217  
 $54,757 \times 397 = 81$
- b) Lupeta village 8,447  
 $54,757 \times 397 = 62$
- c) Mabadaga village 24,754  
 $54,757 \times 39 = 179$
- d) Mswiswi village 10,309  
 $54,757 \times 39 = 75$

**Table 3.1: Summary of Respondents involved in the Study**

| <b>Categories of Respondents</b> | <b>Pwaga</b> | <b>Lupeta</b> | <b>Mabadaga</b> | <b>Mswiswi</b> | <b>Total</b> | <b>%</b> |
|----------------------------------|--------------|---------------|-----------------|----------------|--------------|----------|
| Households                       | 81           | 62            | 179             | 75             | 397          | 82.5     |
| WEOs                             | 1            | 1             | 1               | 1              | 4            | 1.0      |
| Village Chairpersons             | 1            | 1             | 1               | 1              | 4            | 1.0      |
| VEO                              | 1            | 1             | 1               | 1              | 4            | 1.0      |
| District Land Officers           | -            | -             | -               | -              | 2            | 0.0      |
| Land Tribunals                   | -            | -             | -               | -              | 6            | 1.2      |
| Key Informants                   | -            | -             | -               | -              | 2            | 0.4      |
| NGO's Officers                   | -            | -             | -               | -              | 6            | 1.2      |
| FGDs                             | 14           | 14            | 14              | 14             | 56           | 11.6     |
| <b>Total Respondents</b>         |              |               |                 |                | 481          | 100.0    |

**Source:** Field Survey Data, 2017*% = Percent*

### 3.9.2 Sampling Procedures

Two sampling procedures were adopted. These were simple random, which is under probability sampling and purposive sampling. Simple random sampling under a probability sampling technique was also employed to select household respondents at the village level (Cresswell, 2014; Bryman, 2012; Alvi, 2016). Simple random sampling was adopted through the following procedures: Acquisition of the list of households from the respective village. Then, select by ticking names from the list given from VEO up to the actual size of the sample required to be researched; after that, the researcher wrote names to the small piece of paper by giving numbers to every respondent identified. Lastly, the researcher makes a rotary game that helped to know who the respondents are to be first researched or to fill the questionnaire guide.

The simple random technique has its strengths, which motivated the researchers to use it. Firstly, it is easier and less costly method, and it gives similar results. The

results obtained by simple random sampling are similar to the results given by systematic sampling when the population size is large. The sample obtained is the true representative sample as this method of selection is dependent on the property of the universe under study. Also, there is little chance of biasness because the sample is free from any kind of bias. Nevertheless, its weakness is that it may not be suitable for large population because it is complicated to create a list of all the names. The study used formula by Yamane (1967) to calculate the sample size of the population to capture the challenges of simple random sampling. By using Proportionate Sampling Formular, which also was used by Myeya (2016) to have a minimal and simple sample size, to represents the entire population in the studied villages.

Purposive sampling is a type of sampling procedure under the non-probability sampling technique where the units of investigation are based on the judgment of the researcher (Polit and Hungler, 200; Bhattacharjee, 2012). In that case, the study adopted the following procedures during the survey: Firstly, to select key informants, who were required to answer the research questions and who were “information-rich” like traditional leaders, prominent people in the village, village leaders, and others. In this category of sampling, first, the researcher selected a region of study and the villages as per the criteria indicated in section 3.2. Secondly, identifying the types of experts and professionals to be involved in the study to answer research objectives. Based on the nature of this study, the professionals who were involved were: the District Land Officers (DLO), Land Tribunals, WEOs, VEO and Village Chairpersons, and NGO’s Officers who are dealing with land issues. These were involved in land administration, management and had experience in land tenure

security and village land use planning. Following this procedure of purposive sampling, a total of 28 key informants were engaged during an In-depth Interview, as presented in Table 3.1.

Therefore, the study adopted purposive sampling due to the following advantages: firstly, this process is useful because it offers a wider range of non-probability sampling opportunities from which a study can draw. The classic example of this advantage is that the critical sample can be useful in determining the value of an investigation and allows for an in-depth analysis of the information that is present. Secondly, it can glean information from the various extremes of population groups. This helped study to identify the extreme perspectives that are present in each population group. However, purposive sampling has some weaknesses: for example, it provides a significant number of inferential statistical procedures that are invalid. This process is extremely prone to researcher bias. The participants in purposive sampling can also manipulate the data being collected. The study used different reports and kinds of literature to triangulate information to capture these challenges of the sampling technique.

### **3.10 Types of Data Collected**

This study was based on both primary and secondary data. Primary data were collected directly from the villagers who were selected by a simple random sampling procedure and key informants who were selected by purposive sampling. However, secondary data were obtained from a documentary review, like books, reports, and others, in order to triangulate information relating to the study objectives.

### **3.11 Data Collection Methods**

The study used different methods and tools such as documentary review, Focus Group Discussions (FGDs), interviews, and Household Survey. The details for each method are described hereunder:

#### **3.11.1 Household Survey/Questionnaire**

Primary data collected through questionnaires. Questionnaires were used for household respondents. It has the advantage of reducing biases as there are a uniform format and sequence of the questions (Corbetta, 2003; Walliman, 2011). Aspects of the questions included demographic information of the respondents, processes of the issuance of land titling, perceptions of customary land titling, rural land institutions that address land issues, and livelihood changes due to the use of CCROs. The researcher took a number of steps in the process of using this method (section 3.12).

#### **3.11.2 Interviews**

To collect data from land officers, village leaders, VEO/WEO, NGO's officers, and people experienced with matters relating to land titling, land administration, acquisition, and rural planning, the researcher used Semi-structured interviews (Appendix 2). Specific data collected included: data related to customary land titling process, land market, policy, regulatory and institutional frameworks on land, actors, impacts on livelihood, gender, land conflicts, and mechanism of conflict resolutions. The study preferred to use semi-structured interviews because they are flexible and give a chance for the researcher to probe questions; this provided supplemented information. Furthermore, answers from the key informants during the in-depth

interview were followed by making notes and recorded by using audiotapes for clarity. The duration of conducting an in-depth interview takes less than one hour.

### **3. 11.3 Focus Group Discussions (FGDs)**

FGDs provide in-depth qualitative insights gathered from a relatively small group of people concerning behaviors, attitudes, opinions, and suggestions (Corbetta, 2003; Bhattacharjee, 2012). There were eight FGDs for the whole study, two FGDs for each village, one for males and another one for females. The study considered gender because it helped the researcher to compile information on different opinions and experiences on land ownership. Berg (2001) argues that proper engagement of members, between 6 and 7 participants is sufficient for one FGD. In this study, each group composed of seven participants. The strength of this method helped the researcher to compile other information on land titling, which supplemented information from the in-depth interview. However, the researcher faced a challenge like women in Mbarali district were reluctant to involve in the discussion. To capture this challenge researcher requested Villager Executive Officer for replacement. This happened mostly in Mswiswi village, a village without VLUP, and no Certificate of Customary Right of Occupancy.

### **3.11.4 Observation**

This involved visiting the study area and taking photographs from the study area. Moreover, the researcher collected primary data on observed farms with Village Land Use Planning and titled with CCROs, village land registries constructed by MKURABITA, pasturing areas with and without Village Land Use Planning



(VLUP), agro-pastoralists conditions, behaviors and other factors like physical assets they owned. Therefore, physical visits have the advantage of familiarizing with the respondents by investigating characteristics, behaviors, and geographical environment of the study area “seeing is believing.” This helped the researcher to triangulate information from the field with documentary reviews and opinions from the key informants.

### **3.11.5 Documentary Review**

Secondary data were collected from both published and unpublished documents such as textbooks, journals, articles, reports, policies, and legislature to related to the research topic. These data were obtained from CBOs/NGOs and government offices, which helped to supplement the information obtained from the field survey.

### **3.12 Questionnaire and Administration**

The study administered a questionnaire to household respondents, which involved closed and open questionnaire. The reason for designing these types of questions was due to; structured questions cover many aspects or attributes of the study to be asked by respondents because they are pre-determined. Therefore, questionnaires were distributed by explaining the purpose of the study and instructions. Also, during questionnaire administration (survey), it considered certain elements which were, time, the place of the survey, sample targeted, clarifications and authority from which permission needs to be sought either the head of the family or entrusted by the family or the head of the department or representatives. Furthermore, the study also

considered appointment dates agreed and fixed for meeting with respondents (Siniscalco *et al.*, 2005; Saunders *et al.*, 2009).

### **3.13 Training of Research Assistants**

The principal researcher organized the training in two days to enable research assistants to familiarize and understand the subject matter. The training used one day, which ensured the collection of reliable and valid data, research ethics, and principles of interviews, probing, data collection process, and data handling. The VEO/WEO as local village leaders provided great assistance in the procurement of the two research assistants. This helped to get a research assistant who is familiar with respondents and their native language they use.

### **3.14 Pre-testing of Questionnaire Survey**

The study adopted pre-testing of the questionnaire for one day in Chunyu and Madibira wards in Mpwapa and Mbarali districts, respectively. These villages have similar characteristics and geographical setting with selected study villages. The reason for doing pretesting was to refine and improve wording, sequence, sentence structure, and the number of questions. Some questions were removed, while others were added to ensure that the researcher collects reliable information. Furthermore, questionnaires were pre-tested to determine their appropriateness for the study. The process involved the principal researcher asking questions to respondents while research assistants filled the questionnaires. Pre-testing was advantageous for the study because it improved the wording, flow, and best use of time (Teijlingen van *et al.*, 2001). As a result of pre-testing, the researchers got familiar with the research

ethics before conducting the actual study. It was also helpful to the research assistants who became familiar and conversant with the tool content.

### **3.15 Indicators for Assessing Impacts of Customary Land Titling and**

#### **Registration process**

Assessment studies require the design of indicators to measure the changes and impact. An indicator is an aid for communicating complex processes, events, or trends to a wide audience. It is a quantitative or qualitative characteristic of a process or activity to which changes are to be measured (Guijt, 1998a). Several attributes were adopted and used in assessing the impact of customary land titling on household livelihood (Table 3.2).

**Table 3.2: Objective Matrix with Assessment Attributes**

| S/N | Research Objectives  | Assessment Attributes   |
|-----|--|---|
| 1   | Practices of Rural land registration process in the study area   | The land registration process, Status of registered farms, Mode of land acquisition, VLUP, Challenges of CCRO's acquisitions, Gender, Types of CCRO ownership |
| 2   | Perceptions of the agro-pastoralists community on land titling process in the study area                           | Attitude on the establishment of CCRO's, Perception of the values of CCRO's, Acceptability of CCRO's by Microfinance institutions (MFI)                       |
| 3   | Rural institutions enforcement in land issues to agro-pastoralists in the study area                               | Awareness, Roles of land institutions, Approaches, Effectiveness, tribunals court, procedures of filling land cases and gender                                |
| 4   | Changes of livelihoods associated with the use of customary land titling among Agro-pastoralists in the study area | Changes of physical asset, income, wellbeing and Land disputes  |

**Source:** Authors Conceptualization

### 3.15.1 Addressing Impact of Attribution on changes of Agro-pastoralists

#### Livelihoods

Impact attribution is the extent to which changes in the outcome of interest are attributed to a particular phenomenon or variable. The study achieved impacts attribution by dividing the study respondents into two groups (1) Experiment group, who were having CCROs (2) Control group, who did not have CCROs. Thus, to attribute the impact of contribution of CCROs on change in livelihoods (objective 4) and use of rural institution in addressing agro-pastoralists livelihood (objective 3), household perception on customary land titling registration process in the study area

(Objective 2), the study employed the Contribution Analysis Approach (CAA) as developed by Mayne (2011; 2001) and (Biggs *et al.*, 2014) who argued on the existence of several factor that may impact or change anything in the community. The reason for selecting this approach is the fact that it is adaptable and useful in different research approaches in evaluating—both retrospective and in the evaluation as research impact unfolds. Also, it allows them to include both process and outcome evaluation (Montague, 2011). More recently others have acknowledged the potentials of the Contribution Analysis Approach for developing effective knowledge of mobilization approaches (Bannister and O’Sullivan, 2013).

Therefore, the study used Contribution Analysis Approach because it was an appropriate approach to evaluate the impacts of CCRO’s on Livelihoods, by assessing its relevancy and sufficiency when compared to other factors. In adopting the Contribution Analysis Approach, the researcher followed the following steps (i) Set out the cause-effect questions (contribution questions) (ii) Set out indicators of change (Table 3.2), (iii) Compare the impacts of CCROs with other factors. A 5-point Likert Scale adopted to measure the sufficiency and necessity of impacts of CCROs on livelihoods. A 5- point scale is appropriate for this study because it allows quantification to measure magnitude.

### **3.16 Data Analysis**

According to the study objectives, different methods were employed to process and analyze data collected. The researcher collected qualitative data through FGDs and key informants and analyzed through the data using Content Analysis. The methods

involved; writing field notes, and transcribing interviews. Other methods involved memoing and categorizing relationships. Memoing (writing memos) involves writing and summarizing key ideas and concepts from the field data (Charmaz, 2006). Memoing is a brief description based idea of the researcher's analysis of the field data to establish patterns and relationships (Walliman, 2011). Field notes writing involved summarizing field data into notes for each interview and FGD conducted. Field notes writing was useful in summarizing key themes and establishing relations on a daily basis.

Data from household questionnaire surveys were coded and entered into an International Business Machines- Statistical Package for Social Sciences (IBM-SPSS) software version 20 for analysis. Descriptive Statistics such as measures of central tendencies mainly means differences; cross-tabulated frequencies and multiple response analysis were performed on the indicators. A one way ANOVA – test and Scheffe Post-test used in objective one up to four, Chi-square test, T-test was used in objective four to test the significant differences in income changes after the use of CCRO's to respondents.

### **3.16.1 Statistical Analysis on Testing the Status of Well-being between with and without CCRO's of the Respondents in Studied Villages**

In objective 4, the researcher used Factor Analysis to model Composite of Wellbeing Index (CWI) using variable of Physical Asset (land size, house, water infrastructure, farm modern machines, animal or poultry, and investment project) used in modeling process. In order to get the variables that could be factorized in this model, the study

used Kaiser Meyer-Olkin, which measures sampling adequacy between 0 and 1. In which the value that is closer to 1 is better, but a value of 0.6 is suggested to be a minimum acceptable value (Hjelm *et al.*,2017). In that case, the study found 0.713 and Bartlett's Test of Sphericity (BTS) at 0.001 level of statistical significance (Table 4.29, p.189), indicating the fact ability of the variables included in the PCA model is satisfactory to be measured. Then, the Independent Simple t-test was used to test whether there were statistical significant differences in wellbeing between those with and without CCRO's (Table 4.30, p.191). The study investigated statistical significance to each physical asset, which was mentioned by respondents so as to know which asset changed the wellbeing of the respondents. A Z-test score for a difference of the proportions was used (Objective 4) to test whether there was a significant statistical difference in wellbeing between respondents with and without CCRO. Since SPSS does not directly test for the difference between two population proportions, the Pearson Chi-square test was used as follows:

Frequency of tables indicating percentages (%) of the respondents with improved wellbeing both with and without CCRO's were generated in IBM-SPSS 20.0.

Generated frequency tables were re-entered in SPSS as a separate file for each item of wellbeing

The procedure in step (2) above was performed separately for Mpwapwa and Mbarali districts.

In order to test for difference in improvement in wellbeing between those CCRO's, weighted-cases by frequency was used, followed by a cross-tabulation between respondents with CCRO's and improvement in well-being with Chi-square test.

Finally, results were interpreted by using the Pearson Chi-square test of measurements.

### **3.17 Reliability and Validity**

#### **3.17.1 Reliability**

Reliability is the extent to which a measurement instrument or procedure yields the same results on repeated trials (Walliman, 2011). In this study, reliability was achieved through the selection of the right sampling unit and appropriate measuring instruments to avoid unnecessary systematic and random errors. To ensure reliability, the study uses appropriate measuring instruments; a pre-testing study was carried out in Chunya and Madibira wards in Mpwapa and Mbarali districts, respectively. After a pre-test study, some of the research instruments were revised and improved to ensure reliability of the research instruments.

#### **3.17.2 Validity**

For the study to be considered credible and trustworthy, several issues that would hinder the validity of the study were ironed-out. Since the nature of the study is both qualitative and quantitative, the study employed various strategies to minimize invalidity and maximize validity. Qualitatively, the study ensured richness of the results through key informant interviews and Focus Group Discussions, which provided sufficient time for an in-depth discussion on the topic. Quantitatively, triangulation of research methods, ensuring appropriate respondents for the study, and proper data analysis were crucial strategies used to ensure the validity of the results.



### **3.18 Ethical Considerations**

The study followed various rules and procedures for research clearance and permit. In view of abiding by the research ethics, the researcher requested a research permit from OUT (Appendix 4), which was provided on behalf of the Tanzania Commission for the University (COSTECH). In Dodoma and Mbeya regions, from the Regional Administrative Secretary's provided permits (Appendix 7 & 8) and the District Director's office (Appendix 5 and 6). To abide by the researcher and respondent's relationship, informed consent was requested from respondents to engage in the study (see consent section in research tools Appendix 1). Privacy and confidentiality guaranteed by ensuring that the information obtained was used for the purpose of the study.

## **CHAPTER FOUR**

### **RESULTS AND DISCUSSIONS**

#### **4.1 Overview**

This chapter presents and discusses the results of the study in five organized sections.

The first section of the study describes the socio-economic characteristics of the respondents, while the second section examines the practice of rural land titling and registration process in study villages. Section three presents and discusses the assessment of perceptions of agro-pastoralists on land titling and registration processes. Section four examines the use of the existing rural institutions in enforcing land issues to agro-pastoralists and the last fifth section associates with an evaluation of customary land titling through the use of Certificate of Customary Right of Occupancy (CCROs) in changing agro-pastoralists livelihoods.

#### **4.2 Demographic Characteristics of the Respondents**

The demographic characteristics of the respondents in the study area are presented in Table 4.1. The overall 74.8% of the respondents were males, and 25.2% were females. The survey results imply that studied villages had much head of the household who are men with and without Certificate of Customary Right of Occupancy (CCROs). The age distribution indicates that the population is dominated by middle-aged people since that 58.8% of the people age between 31- and 50 years. The dominance of young and middle-aged people is crucial for a rural livelihood since they constitute a working population (URT, 2012). As for marital status, 72.4% of the respondents were married, and 12.4% were widow/widower. The survey

results also imply that married respondents were a large group who owns land with and without CCRO's comparing to other groups in Table 4.1.

**Table 4.1: Household Demographic Characteristics**

| Attributes          | Description   | Villages Proportional in percentages |                  |                     |                   |                         |
|---------------------|---------------|--------------------------------------|------------------|---------------------|-------------------|-------------------------|
|                     |               | Pwaga<br>(n=81)                      | Lupeta<br>(n=62) | Mabadaga<br>(n=179) | Mswiswi<br>(n=75) | Total<br>Average<br>(%) |
| Sex                 | Male          | 74.1                                 | 77.4             | 71.5                | 76.0              | 74.8                    |
|                     | Female        | 25.9                                 | 22.6             | 28.5                | 24.0              | 25.2                    |
| Age                 | Below 20      | 2.5                                  | 0.0              | 28.5                | 0.0               | 0.9                     |
|                     | 21-30         | 13.6                                 | 0.0              | 4.5                 | 1.3               | 4.9                     |
|                     | 31-40         | 25.9                                 | 27.4             | 27.4                | 20.0              | 25.2                    |
|                     | 41-50         | 25.9                                 | 40.3             | 40.2                | 28.0              | 33.6                    |
|                     | 51-60         | 19.8                                 | 16.0             | 11.2                | 28.0              | 13.5                    |
|                     | Above 60      | 12.3                                 | 30.6             | 15.6                | 29.3              | 21.9                    |
| Marital<br>Status   | Married       | 71.6                                 | 71.0             | 72.7                | 74.7              | 72.4                    |
|                     | Divorced      | 8.6                                  | 4.8              | 5.6                 | 10.7              | 7.4                     |
|                     | Separated     | 4.9                                  | 9.7              | 7.3                 | 9.3               | 7.8                     |
|                     | Widow/Widowe  | 14.8                                 | 14.5             | 15.1                | 5.3               | 12.4                    |
| Education<br>Level  | Informal      | 33.3                                 | 30.6             | 26.8                | 24.0              | 28.7                    |
|                     | Primary       | 49.4                                 | 53.2             | 48.0                | 46.7              | 49.3                    |
|                     | Secondary     | 7.4                                  | 12.9             | 19.0                | 22.7              | 15.5                    |
|                     | Tertially     | 9.9                                  | 3.2              | 6.1                 | 6.5               | 6.4                     |
| Duration<br>of stay | Below 1year   | 1.2                                  | 0.0              | 2.2                 | 1.3               | 1.2                     |
|                     | 1-4years      | 4.9                                  | 6.5              | 3.4                 | 1.3               | 4.0                     |
|                     | 5-8years      | 14.8                                 | 9.7              | 12.8                | 5.3               | 10.7                    |
|                     | 9-12years     | 18.5                                 | 16.1             | 10.1                | 17.3              | 15.5                    |
|                     | Above 12years | 60.5                                 | 67.7             | 71.5                | 74.7              | 68.6                    |

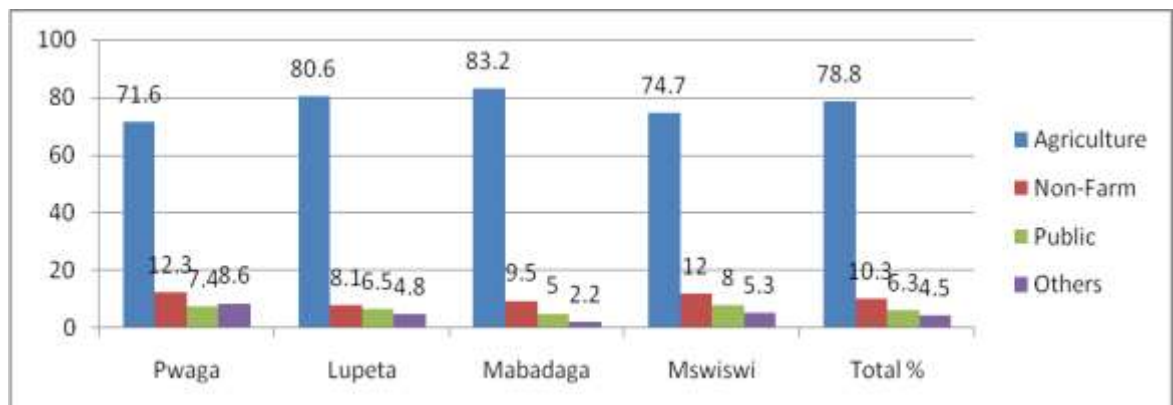
**Source:** Field Survey, 2017

Relating to education, the majority, which is 76% of the agro-pastoralists, had either informal or primary school certificate. The results indicate that most of the household members have low level of education. As observed in the United Nations (2002 ) that education impart competencies, skills, abilities, and capabilities to human being for their livelihood and increases decision making power, the contribution of education

in the livelihood of the agro-pastoralists in the study area was evident. Similarly, Pender and Gebremedhin (2007), asserted that households with more education or other forms of human capital stand a better chance of accessing non-farm income or credit through using CCRO as collaterals to financial institutions than those with low level of education.

#### 4.2.1 Household Economic Activities

The study was interested in finding out the main economic activities of the household to the studied villages so as to understand how they utilize and use resources in relation to the applicability of customary land titling. As reflected in Figure 4.1, the results show that about 78.8% of the agro-pastoralists are involved in agriculture as the main economic activity across the studied villages.



**Figure 4.1: Main Economic Activities of the Household across Villages**

Source: Field Survey Data, 2017: Total Percentage (%) Basing on Average

In the same vein, an In-depth interview with WEO from Mabadaga village reported that about 83% up to 86% of the villagers depend on agriculture for their livelihoods. Furthermore, the study observed and interviewed three women working as food vendors in Mabadaga village, Mbarali district all agreed that it is out of the crops that

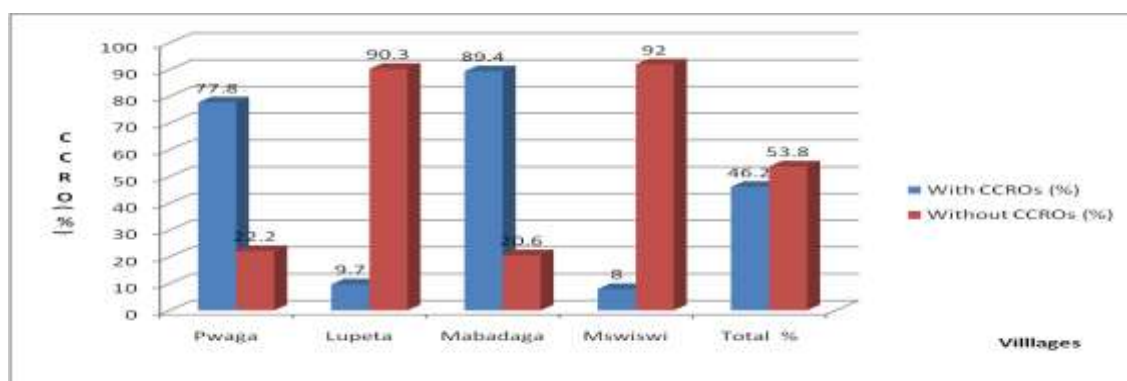
they offer food vending services to agro-pastoralists. Hence, agriculture is the main economic activity in the villages, they remarked.

The survey results in Figure 4.1 corroborate with Rigg (2015) study in South Asia, Kabila *et al.* (2013) study in Ghana, Mondal (2008) study in Bangladesh, Sirima (2016) study in Tanzania, and Woodhouse and McCabe (2018) study in Tanzania, who found that households engaging in farming activities have developed in income. Generally, the results have shown that the livelihood of people in rural areas is characterized by agriculture as the dominant source of employment. However, the increased diversification of livelihood strategies has increased dependence on non-farm activities such as businesses, wage labor, tailoring and carpentry, and others.

### **4.3 The practice of Rural Land Titling and Registration Process to Agro-pastoralists**

#### **4.3.1 Status of Registered Land (Farms) with CCRO's Acquisition in the Study Villages**

The study was interested in finding out the status of CCROs acquisition to the study villages. Overall results shown in Figure 4.2 revealed that about 46.2% of the respondents in all study villages own CCROs, while 53.8% did not own CCROs. The results indicate that 77.8% and 89.4% of agro-pastoralists in Pwaga and Mabadaga villages, respectively, reported that their land (farms) are in Village Land Use Planning (VLUP) and have CCROs issued compared with Lupeta and Mswiswi villages where there is no VLUP conducted. Hence, the respective agro-pastoralists do not own CCROs (Figure 4.2 and Plate 4.1).



**Figure 4.2: Status of Land (Farms) Registered with CCRO's in the Study**

### Villages



**Plate 4.1: Villagers in Mbarali displaying their CCRO's immediately after the issuance ceremony**

Source: Mbarali District in May 2012

Survey results in Figure 4.2 imply that there were significant differences among villagers with and without CCROs. The study probed the reason that it might be due to Pwaga and Mabadaga has Village Land Use Planning (VLUP) and registered with Certificate of Customary Right of Occupancy (CCROs) while Lupeta and Mswiswi villages do not have VLUP and CCROs.

The findings Figure 4.2 concur with In-depth interview with Programme Officer from Ministry of Land Housing and Settlement who reported that the government

had implemented Village land use planning (VLUP) and issued Village Land Certificates (VLC) and CCRO's for few villagers leaving aside other nearby villages due to financial constraints facing the government. A similar In-depth interview with the District Land Officers from Mpwapwa and Mbarali observed that the total farm registered in whole districts is about 3,500 (47.6%) and 3,850 (52.4%) of farms in Mpwapwa and Mbarali districts, respectively. Impliedly, many farms in the two surveyed districts were not registered. The results are in line with the report from OXAFAM (2018) that indicated that 88% of land in Tanzania is not registered; hence only 12% has been registered.

Furthermore, Notess *et al.* (2020) admitted that most of the countries in the world are not serious in putting the priority on land formalization, which increases many challenges like disputes over natural resources. Consequently, land disputes and lack of land security in the agro-pastoralist areas have been a common phenomenon. The situation is especially prevalent in the villages whose villagers do not have CCROs, as confirmed by the study results.

#### **4. 3.2 Reasons for not owning Certificate of Customary of Right of Occupancy (CCROs)**

The study was interested to know the awareness level on reasons for lack of CCROs by the villagers. The study adopted three main processes to capture the respondents' awareness of the reasons for lacking CCROs. Firstly, developed likert scales by rating responses; secondly, was to create Mean Index ( $\bar{X}$ ), which denotes the actual percentage of the responses, and lastly, was to investigate statistical significances by

using ANOVA test. Results Table 4.2 shows that most of the respondents from all study villages mentioned about the existence of bureaucratic processes, lacking the knowledge on CCROs, villagers' reluctance to participate in the VLUP process, perceived the cost for getting CCROs as expensive and politicization in the issuance of CCROs.

The respondents' opinions were consistent with results from Mean Index ( $\bar{X}$ ) = 2.8775, which informs that about 63.0% of all respondents in studied villages reported that their awareness of the reasons which affected them not to own CCROs (Appendix 4.1). Furthermore, results (Appendix 4.2A) from ANOVA test indicate that the same results with opinions of respondents and mean index that there was the statistical significance of results across villages like the process of CCROs acquisitions were expensive at  $F(3,393) = 5.791, p \leq 0.001$ .



**Table 4.2: Reasons for not owning Certificate of Customary of Right of Occupancy (CCROs)**

| Attributes  | Pwaga (N=81)    |    |    |    |    | Lupeta (N=62)  |    |    |    |    |
|---|-----------------|----|----|----|----|----------------|----|----|----|----|
|   | SA              | A  | N  | SD | D  | SA             | A  | N  | SD | D  |
| Government has not issued CCROs                   | 10              | 25 | 15 | 12 | 38 | 24             | 44 | 5  | 10 | 18 |
| Bureacratic practices                             | 11              | 47 | 11 | 10 | 10 | 39             | 49 | 7  | 4  | 8  |
| Villagers are reluctant in VLUP                   | 10              | 8  | 10 | 6  | 46 | 18             | 39 | 7  | 5  | 31 |
| Knowledge of CCROs by villagers                   | 25              | 41 | 5  | 10 | 20 | 8              | 32 | 10 | 19 | 32 |
| Expensive of CCROs                                | 21              | 49 | 7  | 7  | 15 | 7              | 34 | 12 | 8  | 39 |
| Politicalization in CCROs issuance by GVT/NGO/CBO | 15              | 42 | 10 | 11 | 22 | 11             | 44 | 10 | 11 | 24 |
| Attributes  | Mabadaga(N=179) |    |    |    |    | Mswiswi (N=75) |    |    |    |    |
|   | SA              | A  | N  | SD | D  | SA             | A  | N  | SD | D  |
| Government has not issue CCROs                    | 7               | 25 | 1  | 17 | 41 | 19             | 2  | 11 | 9  | 6  |
| Bureacratic practices                             | 11              | 41 | 9  | 7  | 10 | 8              | 7  | 0  | 6  | 9  |
| Villagers are reluctant in VLUP                   | 12              | 4  | 7  | 3  | 31 | 12             | 8  | 6  | 6  | 7  |
| Knowledge of CCROs by villagers                   | 22              | 36 | 7  | 13 | 23 | 14             | 5  | 2  | 31 | 5  |
| Expensive of CCROs                                | 18              | 44 | 1  | 8  | 18 | 7              | 6  | 11 | 13 | 20 |
| Politicalization in CCROs issuance by GVT/NGO/CBO | 12              | 38 | 10 | 13 | 13 | 15             | 1  | 12 | 9  | 3  |

**Key Source:** SA- Strong Agree, A-Agree, N-Neutral, D-Disagree, SD-Strongly Disagree

**Source:** Field Survey Data, 2017

Computed Sheffe Post –hoc test result indicates that they were statistical significant differences inexpensive of the process of CCROs acquisitions between Lupeta and Mabadaga villages at  $p \leq 0.003$  on the mean difference of 0.106 and other statistical significances between villages (Appendix 4.2B). Survey results imply that many villagers were aware of the reasons which affected them not to acquire CCRO's, which remain insecure on their land. The survey results Table 4.2 was consistent

with the report from an in-depth interview with 71 years old man from Mabadaga village in Mbarali district who reported that:

*“.....I am old now! what is hurting me is to have daily visit to the government offices which is very far from my home, then am making follow-up to get ten ccro’s for my children.....while from 2012 to 2015 I got only 2, with registration No.2012/MBL/135 and No. 2012/MBL/136, am still fighting for 8 CCRO’s which remained for my children....”*

Similarly, a 69 years old man from Pwaga village, which is a village with CCRO’s, but found him with no CCRO. The man claimed that:

*.....“Acquiring a land certificate is like war. This is because the process of CCROs acquisition is a corrupted process, DLO’s can call you to visit the offices for picking your CCRO, but it can be opposite and fail to collect your CCRO because they are not found in their offices. I can say again; there are very poor services in land offices”.....*

But, these views from respondents were against with DLO from Mpwapwa district, he had this to say:

*“The process of CCROs acquisition is not corrupt, as many people say. The problem is their lack of understanding. Many villagers are not good time observant. When you tell them to come to the office at a certain time, they do not observe it, and as a result, they do not find us in office since we also go for field activities and or meetings. When the secretaries and the office attendants tell them to come at the planned time, they don’t come back”.... But also I can add by saying that the government is very much committed; Look that good building (Plate 4.2 and 4.3). It shows that there are many CCROs in the village registry bank in a good office with high security, which store CCROs. The CCROs seen here indicates that most villagers fail to come into offices and pick their land certificates.*

Then, he added by saying that:

*Again, they are just condemning the government that does not provide good services. At the same time, the government under our beloved President of Tanzania Dr. John Joseph Pombe Magufuli is working hard day and night*

*to ensure all agro-pastoralists have the security of their land. Actually! It is difficult to work with natives in villages because they don't appreciate anything" .....*

But, researcher opinions from the two views from the respondents, it was observed that the inadequate information to agro-pastoralists, lack of agro-pastoralists on CCROs, bureaucratic practices, and difficult procedures of acquiring land certificates affects agro-pastoralists to fail to own CCROs. It can be observed from Plates 4.2 and 4.3 below most agro-pastoralists didn't take their CCROs because of the bureaucratic practices, while others lacked education on the role of CCROs on their livelihoods.



**Plate 4.2**



**Plate 4.3**

Plates 4.2 and 4.3: Village Registry Office for Land Formalization and Registry Bank for CCRO's from Pwaga and Mabadaga villages, respectively: Project Buildings under MKURABITA (Photo by Researcher on September 2017).

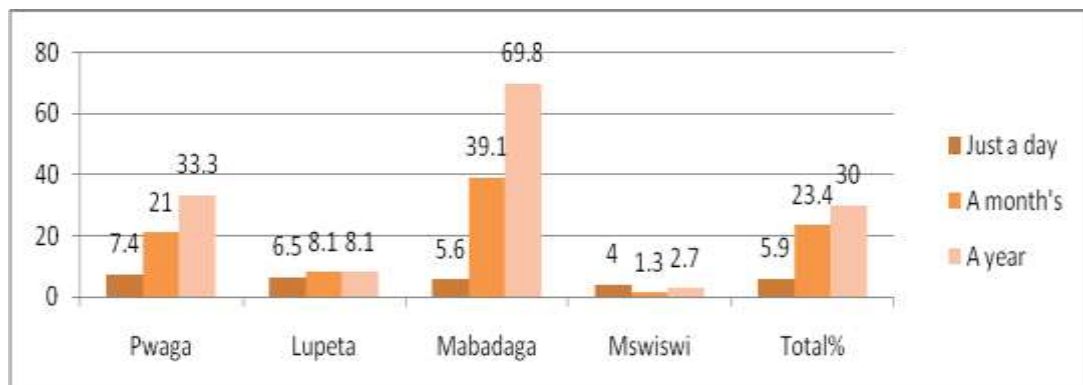
Additionally, the long time spent to acquire CCROs was reported from an interview with 45 years old man from Lupeta, a village without VLUP in Mpwapwa district who claimed by saying that:

*“...Our village Lupeta has no VLUP, but people are interested in having VLUP to access CCROs. But, according to the importance of having land titles, I started to fight with district surveyors to come and survey my farm and register ready to get CCRO .....Actually, it was not an easy game; it took me seven years, I used a lot of money and time to get my CCRO with registration No.3MPW/423, and in this village, we are only two who own land titles” .....*

The implications of the key findings show that most of the villagers didn't acquire CCROs due to the cumbersome and bureaucratic process in land registrations. The study findings are in line with Shivji's (1999, p. 4) study in Tanzania, who reported that acquiring CCROs is 'a top-down process, bureaucratically managed and involving a considerable outlay of resources. Furthermore, survey results (Table 4.2) were consistent with studies by Toulmn (2008), Willy (2012); De Haan and Zoomer (2015), Stein *et al.*, (2015) and Fitzgerald (2017) who found that the factors that hinder many people not to own CCROs include cost, lack of knowledge, and politicization on CCROs.

Moreover, the results in Table 4.2 were contrary to in-depth interviews with DLO's and Land Commissioners of the southern and central zone of Tanzania, who suggested that it is not true that government officers are not working timely, except that there are bureaucratic practices coupled with CCROs acquisition involving a complex process that requires time and resources. Similarly, survey results. Table 4.2 was apparent to report from an in-depth interview with Program officers from PELUM in Morogoro and HAKIARDHI in Dare-es-salaam, respectively revealing that political interests, cost, and bureaucratic practices are the significant constraints of CCRO's acquisition in most rural areas of Tanzania.

Furthermore, the bureaucratic process in acquiring CCRO's is associated with the time spent by the household, which might affect livelihood to agro-pastoralists. Therefore, overall results Figure 4.3 indicate that respondents from all the four villages reported that they acquired CCRO's after one year and others spent one month to obtain CCRO's. However, the study also found that agro-pastoralists from Mabadaga village with CCRO's spent a month comparing to Pwaga village with CCRO's who spent a year to acquire CCRO's. The study noted from an in-depth interview with DLO from Mbarali district, who reported that many CBO's and NGO's have projects of VLUP by issuing CCRO's. These institutions assist villagers in acquiring land certificates in time. On the contrary, Mpwapwa district solely depends on the government efforts in issuing CCRO's, which made agro-pastoralists to acquire CCROs in a year.



**Figure 4.3: Length Spent in Acquiring Certificate of Customary Right of Occupancy (CCROs)**

**Source:** Survey Data, 2017: **Total Percentage (%) Basing on Average**

Despite the contradicting results between the villagers and the Land Officers, sections 18 up to 29 of the Village Land Act 5 of 1999 stipulate that the duration spent to a villager to acquire CCRO's is undefined. The study observed that the

undefined time of CCRO's acquisitions increases the emerging of land disputes, social exclusions, and poverty. The Legal and Human Rights (LHRC) Officer quoted by reporting that:

*.....“The stipulation of VLA of 1999 on the undefined duration of CCRO's acquisitions affects livelihoods of agro-pastoralists, specifically Southern Highland, Central zone, and Northern part of Tanzania, where land disputes, social exclusion, poverty is still existing in these zones”....*

Moreover, survey results Figure 4.4 were in line with Fernqvist's (2015) study in Kigoma and Shimwela's (2018) study in Songwe Regions who claimed that many villagers were lamenting that they applied their CCROs for a long time but the waiting time went to more than a year during which some of them have not yet received the CCROs, a situation that increases land insecurity to mosts agro-pastoralists. Also, survey results in Figure 4.4 corroborate with Shivji's (1999) and Haule (2017) studies in Tanzania, who postulated that VLUP and issuance of CCROs must involve the participation of several partners to fast track the CCROs acquisitions process. These results were supported by one respondent (women aged 51 years) through FGD's from Pwaga (as registered villages) who said that...

*“.....It is true that the government is trying to complete land formalization in all regions of the country. but up to date, I have no CCRO'S, and I invested my time to ensure my land certificate is on my reign.....I wonder what is happening, and it is because African governments are not effective in land governance and other developmental issues” .....*

She added by saying that:

*“I wish to establish development projects like shops, poultry projects, and the like, but I can not do it due to lack of capital. If I had my CCRO on my hand, I could obtain a loan from formal financial institutions but in vain. Instead, I keep using small loans from a circle of acquaintances within the village. “.....”*

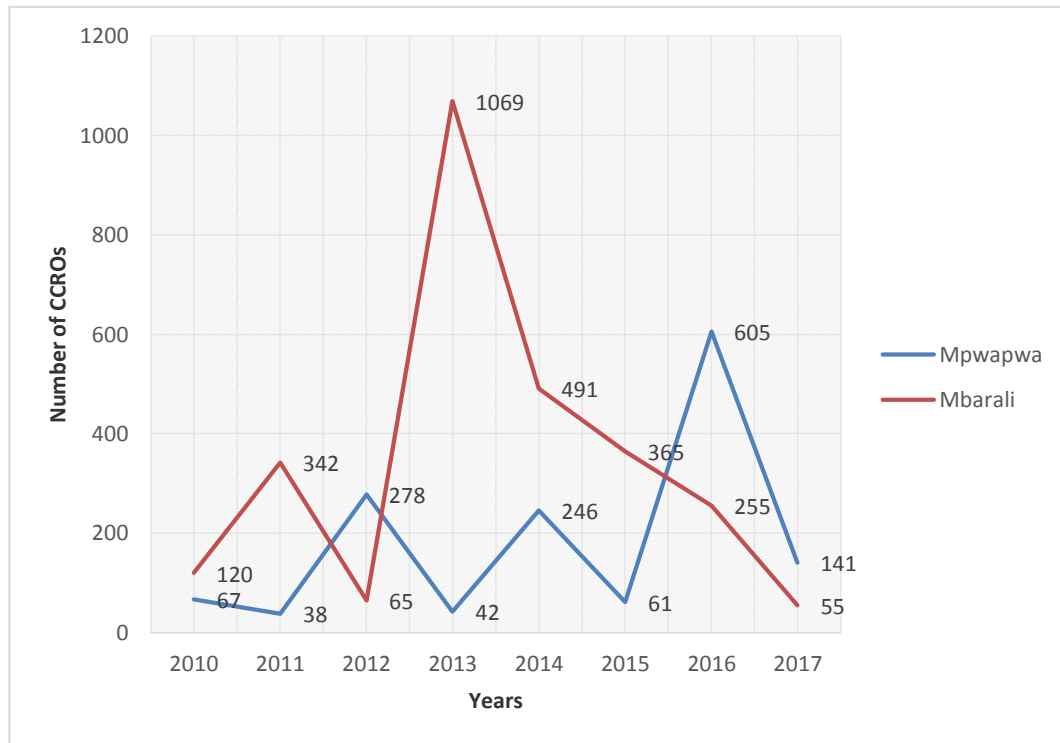
Furthermore, the results Figure 4.4 were tested through ANOVA to test the statistically significant differences between durations spent in acquisitions of CCROs by respondents within the studied villages. It was observed (Appendix 4.3A) that there is a statistically significant difference at  $F(3,393) = 20.344$ ,  $p \leq 0.001$  on a month, and  $F(3,393) = 64.183$  ( $P \leq 0.001$ ) on a year which spent in CCRO's acquisition. Furthermore, when Scheffe Post hoc-test was computed, the results (Appendix 4.3B) found that there were statistically significant differences between Pwaga and Lupeta villages at ( $p \leq 0.001$ ) and mean difference is -0.722, Pwaga and Mabadaga villages at ( $p \leq 0.009$ ) and mean difference is 0.181, Pwaga and Mswiswi villages at ( $p \leq 0.023$ ) and mean difference is -0.197, Lupeta and Mabadaga villages at ( $p \leq 0.001$ ) and mean difference is 0.310 also Mabadaga and Mswiswi villages at ( $p \leq 0.001$ ) and mean difference is -0.378. All these statistically significant differences based on the response of the duration of a month, which were spent in CCRO's acquisitions. But also, Pwaga and Mabadaga villages at ( $p \leq 0.001$ ) with a mean difference of -0.568, Pwaga and Mswiswi villages at ( $p \leq 0.001$ ) with a mean difference of -0.709 show a year is spent in CCRO's acquisitions. Statistical significant differences imply that CCROs issuance to the agro-pastoralists spent one year. The differences of statistical significance might occur due to differences in sampling distributions. The study concluded that agro-pastoralists spent a long period in CCROs acquisitions, which affect them to fail in accessing loans and remain insecure on their land. Therefore, lacking owning CCROs affects their livelihoods.

### **4.3.3 Trend of Issuing Certificate of Customary Rights of Occupancy (CCROs) in the Study Villages from 2010 up to 2017**

The study also wanted to find the trend[1] of issuing CCRO's in the studied villages. Results from the documentary review show that from 2007 to 2018, about 29 out of 109 villages in the Mbarali District had CCROs, while between 2012 and 2018, about 12 out of 113 villages had CCRO's in Mpwapwa District, respectively (Mbarali and Mpwapwa Districts VLUP report, 2017). In that case, from the documentary review Figure 4.4, it can be calculated that the total CCROs in Mpwapwa is 1,478, while Mbarali is 2,762. Therefore, the percentage ratio of the trend from 2010 to 2017 in Mpwapwa (1,478; 34.9%) and Mbarali (2,762; 65.1%) of CCROs in the studied districts.

The results from the trendline imply that there were slight changes in the increase in issuance or handling of CCROs to agro-pastoralists. Therefore, results from the documentary review suggest that CCRO's acquisition to households is decreasing between districts. However, the study found that Mbarali District did better than Mpwapwa District. The reason was given by MoLH officer, who reported that Mbarali is situated in the southern highland corridor, which faces intensive land disputes due to its fertile soil and excellent climate. This attracts other stakeholders like CBO's, NGOs, and the government to implement VLUP and to issue CCRO's compared to Mpwapwa, where the population is low, and land disputes are minimal.





**Figure 4.4: Issued Certificate of Customary Rights of Occupancy (CCRO'S) from 2010 up to 2017**

**Source:** Mpwapwa and Mabarali Districts, 2017

But, the study was also interested in investigating the status of CCROs issued to males and females per each village in studied Districts. The aim was to find out which group is highly prioritized in accessing, distributing, and using land in order to improve their livelihoods. In that case, a total of 198 and 43 males and females owns CCROs in all four villages, respectively. Also, a total of 116 and 40 males and females did not own CCROs. The number of males who do not own CCRO is larger than females because males are a large group of people who own land compared to females. Moreover, the survey results Table 4.3 revealed that in Mabadaga village, males and females have a larger number of agro-pastoralists who have CCROs

compared to other villages. The reason was reported by the Officer from the Ministry of Land Housing and Human Settlement Development (MoLHSD) that, Mbarali district falls among very dispute sensitive districts in Tanzania within Southern Highland Corridor, gender conflicts in accessing, using and distributing land. This has attracted the government and other stakeholders to issue CCROs. However, the study results imply that gender is not highly prioritized in access, use, and own land through the use of CCROs. The reason was observed by the study that patriarch form is highly recognized due to cultural beliefs in studied villages.

**Table 4.3: CCROs Ownership by agro-pastoralists Basing on Gender Status**

| Villages             | Villagers with CCROs |           | Villagers without CCROs |           |
|----------------------|----------------------|-----------|-------------------------|-----------|
|                      | Male                 | Female    | Male                    | Female    |
| Pwaga (n=81)         | 55                   | 19        | 5                       | 2         |
| Lupeta (n=62)        | 2                    | 1         | 49                      | 10        |
| Mabadaga(n=179)      | 137                  | 21        | 16                      | 5         |
| Mswiswi (n=75)       | 4                    | 2         | 46                      | 23        |
| <b>Total (n=397)</b> | <b>198</b>           | <b>43</b> | <b>116</b>              | <b>40</b> |

**Source:** Field Survey Data, 2017

Despite this, the government and other players like NGOs/CBOs worked hard to issues CCROs in Mpwapwa and Mbarali Districts. Moreover, the study through FGDs with men and women in studied villages. They were asked why they don't own CCROs, and then they were free to respond with different experiences. It was reported in Table 4.4 that in Pwaga (26.4%) and Mabadaga villages (22.5%) of agro-pastoralists claimed that they didn't acquire CCROs because of the lack of legal education on land matters. Besides, Lupeta (22.3%) and Mswiswi villages (21.8%) reported that bureaucracy and cultural factors were the dominant reasons why they

fail to own CCROs, respectively. However, the study was also interested in women on why they do not own CCROs. It was reported through FGD and In-depth interviews with key informants that the practice of cultural factors, that women are not allowed to acquire CCROs because of fear that will be married to another clan. Therefore, their land will be lost to another clan. Again, women's reported that they did not own CCROs because of cultural practices that cause social exclusions in land ownership through the use of CCROs.

The results from FGDs Table 4.4 across villages differed with Chan, Kamugisha, Kesi, Mavenjina (2016) and Duncan (2014) who reported that Village Land Act No.5 of 1999 stipulates that, the Village Land Council (VLC) must treat all applications for land equally regardless of the gender, and is forbidden from adopting any discriminatory practices or attitudes towards women during issuance of CCROs. Additionally, section 23(2) (c) of the Village Land Act No.5 of 1999 also notes that during the process of the Village Council to start implementing registration of land within the village, it should consider the applications of women equal to men. Also, section 161(1) and (2) of Land Acts 4 of 1999 notes that the right to own CCROs by joint or double allocation between men and women.

**Table 4.4: Focus Group Discussion on CCROs Ownership by agro-pastoralists****Basing on Gender**

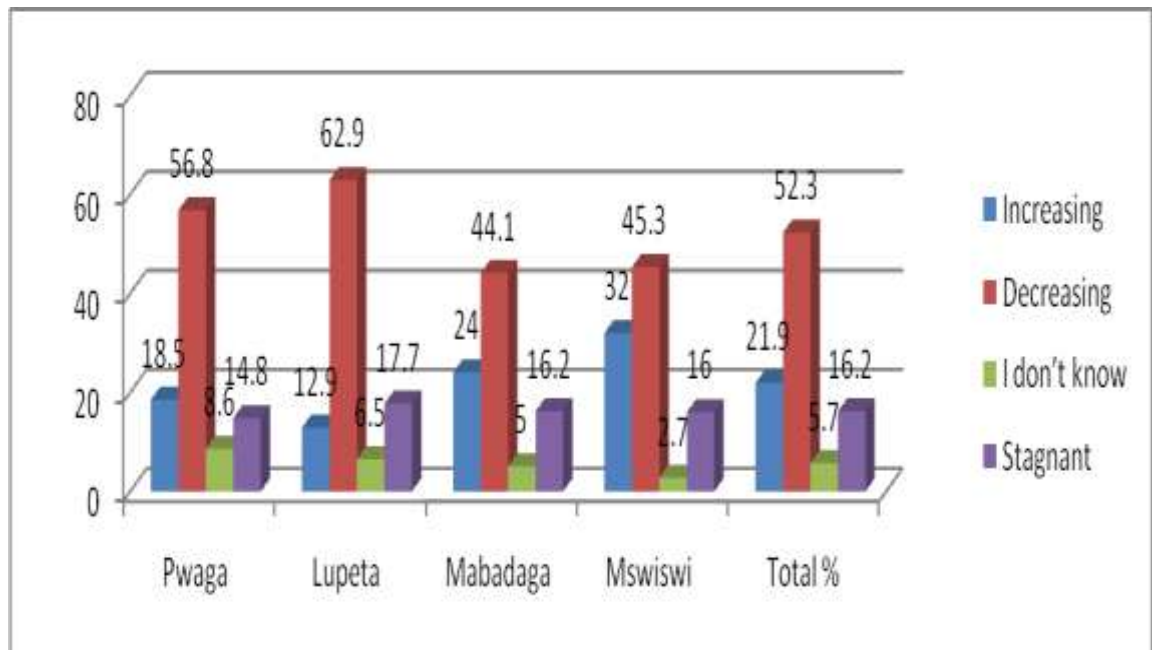
| <b>Villages</b> | <b>Attributes</b>               | <b>Male</b> | <b>Female</b> | <b>Male</b> | <b>Female</b> | <b>Total score</b> | <b>Total score %</b> | <b>Ranking (n=14)</b> |
|-----------------|---------------------------------|-------------|---------------|-------------|---------------|--------------------|----------------------|-----------------------|
| <b>Pwaga</b>    | Lack of legal education onland  | 30          | 25            | 26          | 23            | 104                | 26.4                 | 1                     |
|                 | Inferiority in right demand     | 18          | 15            | 19          | 20            | 72                 | 18.3                 | 4                     |
|                 | Lack of government support      | 22          | 19            | 21          | 19            | 81                 | 20.6                 | 3                     |
|                 | Cultural factors                | 22          | 21            | 20          | 20            | 83                 | 21.1                 | 2                     |
|                 | Bureacracy                      | 13          | 14            | 16          | 11            | 54                 | 13.7                 | 5                     |
| <b>Total</b>    |                                 |             |               |             |               | <b>394</b>         | <b>100.0</b>         |                       |
| <b>Lupeta</b>   | Lack of legal education on land | 22          | 20            | 19          | 21            | 82                 | 22.0                 | 2                     |
|                 | Inferiority in right demand     | 21          | 18            | 20          | 22            | 81                 | 21.8                 | 3                     |
|                 | Lack of government support      | 7           | 9             | 15          | 17            | 48                 | 12.9                 | 5                     |
|                 | Cultural factors                | 20          | 17            | 22          | 19            | 78                 | 21.0                 | 4                     |
|                 | Bureacracy                      | 21          | 19            | 22          | 21            | 83                 | 22.3                 | 1                     |
| <b>Total</b>    |                                 |             |               |             |               | <b>372</b>         | <b>100.0</b>         |                       |
| <b>Mabadaga</b> | Cultural factors                | 17          | 19            | 16          | 15            | 67                 | 17.5                 | 4                     |
|                 | Lack of information             | 21          | 22            | 23          | 19            | 85                 | 22.3                 | 2                     |
|                 | Politics in CCROs               | 16          | 10            | 20          | 17            | 63                 | 16.5                 | 5                     |
|                 | Lack of legal education on land | 23          | 21            | 20          | 22            | 86                 | 22.5                 | 1                     |
|                 | Economic status                 | 18          | 21            | 22          | 20            | 81                 | 21.2                 | 3                     |
| <b>Total</b>    |                                 |             |               |             |               | <b>382</b>         | <b>100.0</b>         |                       |
| <b>Mswiswi</b>  | Lack of legal education on land | 22          | 19            | 22          | 20            | 83                 | 20.5                 | 2                     |
|                 | Lack of information             | 20          | 21            | 17          | 23            | 81                 | 20.0                 | 4                     |
|                 | Bureacracy                      | 23          | 18            | 9           | 20            | 70                 | 17.3                 | 5                     |
|                 | Economic status                 | 22          | 20            | 21          | 19            | 82                 | 20.3                 | 3                     |
|                 | Cultural factors                | 20          | 24            | 20          | 24            | 88                 | 21.8                 | 1                     |
| <b>Total</b>    |                                 |             |               |             |               | <b>404</b>         | <b>100.0</b>         |                       |

**Source:** Field Survey, 2017**NB:** Answers are based on multiple responses

The findings Figure 4.4 and Table 4.4 match with results from respondent's opinions Figure 4.5, which show that 52.3% of all the agro-pastoralists across studied

villages, reported that the process of issuing CCRO's by government or NGOs/CBOs to agro-pastoralists is decreasing. Furthermore, the study adopted Mean Index to find actual percentage which indicates the nature of the trend of CCRO's acquisitions, and it was found (Appendix 4.4) that Mean index ( $\bar{X}$ ) = 1.7903 which indicates 76.6% of the agro-pastoralists reported that there is a decreasing in CCRO's acquisitions by people. When statistical analysis computed using ANOVA test in order to measure the significance of the results, it indicates that there was a statistically significant difference in the results at  $F(3, 393) = 27.675$ ,  $p \leq 0.001$  on the response of decreasing comparing to other responses (Appendix 4.5A).

Besides, Scheffe Post-hoc test was computed, which revealed that there were statistical differences in the response of decreasing CCRO's between villages of Pwaga with Mabadaga, Mswiswi at (0.001) with a mean difference of 0.498 respectively. But also Lupeta with Mabadaga and Mswiswi at (0.001) with a mean difference of 0.301, respectively (Appendix 4.5B). The statistical significances and opinions results of the respondents imply that the trend of CCRO's acquisition in the studied villages is decreasing. Nevertheless, also, study results corroborate with Screiber, (2017) study in Tanzania, who reported that trends decrease by 47.8% in all villages of the country. In contrast with Kenya, as reported by Flitner (2018), who authenticated that rural Kenya land registration is increasing by 56.7% because many non-government organizations join with the government of Kenya to implement land use planning in many rural areas.



**Figure 4.5: Agro-pastoralists Opinions on Trend of issuing Certificate of Customary Rights of Occupancy (CCRO'S) in the study villages**

Source: Field Survey Data, 2017: Total Percentage (%) Basing on Average

Furthermore, the study results concur with opinions from the Mpwapwa District Land Officer (DLO). During an in-depth interview, the Mpwapwa DLO reported that the trend of issuing CCROs is decreasing in many rural areas because most agro-pastoralists exclude themselves on the responsibility of implementing the VLUP activities. Instead, they depend on the government and other players to undertake VLUP since most agro-pastoralists cannot afford the cost of Spot Adjudication. As described in the Village Land Act No. 5 of 1999, there are two options in undertaking the land adjudication process, one being the spot adjudication and the systematic adjudication being the second option. In the studied villages, the government (MKURABITA) and NGO's adopted systematic adjudication, which is less costly as it covers the whole village land comparing to Spot Village

Adjudication that responds to specific demands. Displayed Results in Figures 4.4 and 4.5 were similar to In-depth Interviews with Mpwapwa and Mbarali DLOs, who agreed on the CCROs issuance decreasing trend. A 78 years old man from Pwaga village, reported that:

*.....“They promised to come and register my farm to get a CCRO, but to date, nothing has happened.....actually, I can say that the process of registering land is still impractical” .....*

Generally, the study observed that the trend is decreasing in issuing CCROs. Additionally, consideration of gender in land distribution in the agro-pastoralists societies does not seem to be a priority. As a result, most women remain landless across the studied villages. Landlessness affects livelihoods.

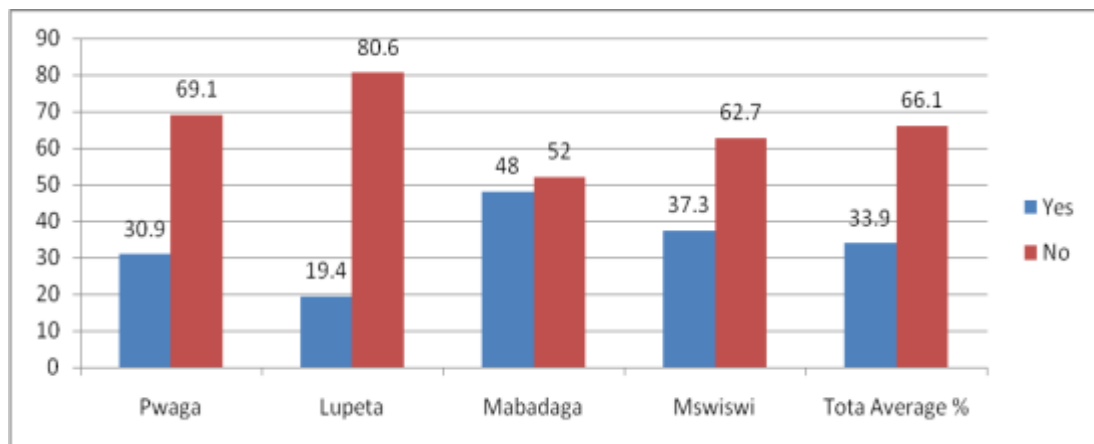
#### **4.3.4 The Processes of Issuing Certificates of Customary Right of Occupancy (CCROs) to Agro-pastoralists**

In addition, the study examined agro-pastoralists knowledge on the processes<sup>11</sup> of CCROs acquisition as prescribed under section 23, 24, and 25 of the Village Land Acts No.5 of 1999. Survey results in Figure 4.6 revealed that 66.1% of agro-pastoralists do not know the process of CCROs acquisitions; thus, only 33.9% who know the process of CCROs acquisitions. From the study, Mabadaga village was a leading village where agro-pastoralists knows the process of CCROs acquisitions compared to the other villages. From the FGDs across villages, it was evident that Mbarali has many NGOs/CBOs which provide legal education in land matters. Furthermore, the study investigates the significant statistical difference of the results

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<sup>11</sup> Processes, according to the context of this study the word processes mean that the whole programme or activity were undertaken during CCROs implementation to agro-pastoralists in villages.

through the Chi-square test (X<sup>2</sup>), it showed that survey results have a statistical significant difference at  $p \leq 0.001$ . Survey results imply that most agro-pastoralists are not knowledgeable about the process of CCROs acquisitions.



**Figure 4.6: Agro-pastoralists Knowledge on Process of CCRO Acquisition**

**Source:** Field Survey Data, 2017

Moreover, the study results in Figure 4.6 are similar to the Institutional Economic Theory, which shows that every institution must hold its culture in enhancing the organizational ability to own sufficient resources to pursuit innovation of technology. Otherwise, conflicts between the institutions with agro-pastoralists (Zucker, 1977) will not end. On the other hand, the Property Right Theory argues that most people in the world lose their right to property due to lack of familiarity with the formal processes of CCROs acquisition, which affect their livelihoods (Lueck, 2008; An, 2013).

Furthermore, the study was interested in finding out agro-pastoralists knowledge basing on gender to identify the marginalized group who were mostly not able to mention the process of CCROs acquisition. The Survey results Table 4.4 indicates



that 37.7% and 20.3% of agro-pastoralists male and female respectively reported that they could say about the process of CCROs acquisition. Survey results imply that most agro-pastoralists were not able to mention the process of acquiring CCROs. But, females were the dominant group to fail to mention the process of CCROs acquisitions comparing to males. The reason for females failing to mention process was reported during In-depth interview by one woman aged 47 years from Mabadaga village, who had this to say:

*....“Women and girls mostly are not familiar with the procedures and processes of CCROs acquisitions because we are not involved in any decision making, owning properties or claiming any right of ownership of land ....so to know the process of CCROs acquisition is very difficult for us...culture of Sangu tribe does not allow women to own land other than men who clearly know the process” .....*

**Table 4.5: Agro-pastoralists Knowledge on CCROs Acquisition Process Basing on Gender**

|              | Pwaga (n=81) |          | Lupeta (n=62) |          | Mabadaga (n=179) |           | Mswiswi (n=75) |           | Total (%)  |           |
|--------------|--------------|----------|---------------|----------|------------------|-----------|----------------|-----------|------------|-----------|
|              | Male         | Female   | Male          | Female   | Male             | Female    | Male           | Female    | Male       | Female    |
|              | 122          |          |               |          |                  |           |                |           |            |           |
| Yes          | 31(42.5)     | 2(25.0)  | 7(13.2)       | 3(33.3)  | 68(48)           | 5(26.2)   | 16(29.6)       | 5(23.8)   | (37.8)     | 15(20.3)  |
| No           | 42(57.5)     | 6(75.0)  | 46(86.8)      | 6(66.7)  | 75(52)           | 31(73.8)  | 38(70.4)       | 16(76.2)  | 201(62.2)  | 59(79.7)  |
| <b>Total</b> | <b>73</b>    | <b>8</b> | <b>53</b>     | <b>9</b> | <b>143</b>       | <b>36</b> | <b>54</b>      | <b>21</b> | <b>323</b> | <b>74</b> |

**Source:** Field Survey Data, 2017

Then, the study requested them to mention the process of CCROs acquisitions in Table 4.6. The study followed three procedures to capture the level of knowledge of the respondents on the process of CCRO's acquisitions. Firstly, respondents were

asked to mention the process of CCRO's acquisitions. In Table 4.6 and the mean index () was computed to obtain the actual percentage. Then statistical analysis was done through using ANOVA test as a tool to investigate the statistical significance of the results. The overall results Table 4.6 shows that 22.9% of the respondents know the steps three (3) of CCRO's acquisitions compared to other steps. The reason for the respondents in knowing step three (3) is, *"The applicant signs the CCRO before the VEO and pays the necessary fees."* The step No.3 was also acknowledged with one of the respondents (a 56 years old man) from Pwaga village, who had this to say:

.....*"We know the third step because it is where I pay my money, which I could use for other purposes and is where I signed the document so as to acquire my CCRO comparing to other steps which do not give any signals of CCRO's acquisitions".....*

However, survey results Figure 4.6 and Table 4.5 above show that other agro-pastoralists know the process of CCROs acquisitions. The study, through an In-depth interview in Mabadaga village, found one a 66 years old woman, a retired lawyer, who was able to mention all five steps of CCROs acquisition in Table 4.6. The study found further that the woman was one of the decision-making committee members during the VLUP process, which made conversant on the process of CCROs acquisitions. Moreover, the mean index ( $\bar{X}$ ) = 2.2947, which indicates that about 79.6% of the respondents in the studied villages were not knowledgeable about the process of CCRO's acquisitions (Appendix 4.6).

**Table 4.6: Agro-pastoralists Knowledge on Process taken to issue CCROs**

| Attribute       | Steps of Acquisition/Issuing CCRO's to Agro-pastoralists |             |             |            |            |
|-----------------|--|-------------|-------------|------------|------------|
|                 | 1  | 2           | 3           | 4          | 5          |
| Pwaga (N=81)    | 10(12.3)   | 3(13.7)     | 40(49.4)    | 14(17.3)   | 2(2.5)     |
| Lupeta (N=62)   | 8(12.9)  | 15(24.2)    | 11(17.7)    | 3(4.8)     | 3(4.8)     |
| Mabadaga(N=179) | 27(15.1)   | 54(30.2)    | 69(38.5)    | 13(7.3)    | 4(2.2)     |
| Mswisiwi(N=75)  | 9(12.0)  | 10(13.3)    | 12(16.0)    | 3(4.0)     | 3(4.0)     |
| <b>Total %</b>  | <b>12.3</b>  | <b>17.9</b> | <b>22.9</b> | <b>6.5</b> | <b>1.5</b> |

**Source:** Field Survey Data, 2017

### Key

1. The owner of a land parcel claiming an interest in an adjudicated area fills in the application form No.18 and submits to the VEO who submits the applications to the District Land Officer (DLO)
2. The DLO opens a file for preparation of CCRO in triplicate and sends them to the VEO
3. The applicant signs the CCRO before the VEO and pays the necessary fees
4. The village chairperson and VEO signs and seal/stamp the CCRO and sends the signed CCROs to the DLO and the CCRO is deemed complete and finally ready for issuing to the applicant
5. The DLO files one copy of the CCRO into the district land registry and sends it to respective VEOs two copies, including the laminated copy. The VEO issues the laminated copy to the applicant

Furthermore, the ANOVA test shows (Appendix 4.7A) that the results were statistically significant at  $F(3, 393) = 26.004$ ,  $p \leq 0.001$ ) on the knowledge of CCRO's acquisition process. Besides, Scheffe Post-hoc test was computed. Results (Appendix 4.7B) show that statistical differences occurred across all studied villages. Impliedly, the majority across the studied villages did not know the process of CCRO's acquisitions.

Apart from the knowledge of CCRO's acquisitions process, the study identified the main reasons which made respondents lack knowledge on the process of CCRO's acquisitions. The results revealed in Table 4.7 displayed that 31.5 % and 28.7 % of

the respondents, respectively, mentioned that the government did not provide land information and a lack of CCROs education to agro-pastoralists. However, results from specific villages indicate that Pwaga and Mabadaga villages with CCRO's and Lupeta without CCRO's respectively reported that respondents lacked land education compared to Mswiswi village without CCRO's land education was not the main reason. The study observed the reason from Lupeta and Mswiswi village, a village without VLUP, that despite the village has no VLUPs still many Community Based Organisations (CBO), and NGO's educate villagers on VLUP and CCROs acquisitions process. However, most respondents from studied villages reported that the government did not provide land information, which affected them not to know the process of CCRO's acquisitions, which could be used as collaterals to formal financial institutions.

**Table 4.7: Reasons for Lack of Knowledge on Process of CCRO's Acquisitions**

| Attributes  | Villages |          |          |          | Total % |
|---|----------|----------|----------|----------|---------|
|   | Pwaga    | Lupeta   | Mabadaga | Mswiswi  |         |
| Lack of CCROs education                             | 29(35.8) | 22(35.5) | 51(28.5) | 12(16.0) | 28.7    |
| Government did not issue CCROs                      | 4(4.9)   | 16(25.8) | 5(2.8)   | 15(20.0) | 10.1    |
| Lack of communication tool (Radio Phones and other) | 2(2.5)   | 6(9.7)   | 3(1.7)   | 25(33.3) | 4.3     |
| Government did not provide land information         | 22(27.2) | 12(19.4) | 66(36.9) | 25(33.3) | 31.5    |
| In ability to read documents                        | 5(6.2)   | 2(3.2)   | 9(5.0)   | 5(6.7)   | 5.3     |
| Distances to VEO/DLO offices                        | 19(23.5) | 4(6.5)   | 45(25.1) | 12(15.5) | 20.2    |

**Source,** Field Survey Data, 2017

The survey results in Table 4.7 are consistent with those of Kahsay's (2011) study in Northern Ethiopia, Haachabwa *et al.* (2014) study in Zambia, Yu *et al.* (2014) study in China, Isdory (2016) study in Simanjoro, Okalany's (2018) study in Uganda, and

Shimwela's (2018) study in Tanzania and Notess *et al.* (2020). The above studies affirmed that most of the rural people in many African countries are not aware and knowledgeable about the process of CCRO's acquisitions, which creates conflicts between villagers and governments. Results from Okalany's (2018) study in Uganda corroborate with study reports during an in-depth interview with one of the man 41 years old from Pwaga village with CCRO's, who had this to say:

*... "I have my CCRO, which justifies the real owner and assures security of ownership of my land. But the process of acquiring these certificates was on my effort of using one of the officers in the government. The officer helped me to process because I don't know anything about the process of getting it.....I just handed over to him all requirements needed like passport size and others after that I gave him Tshs 50,000 as thanks for his support ....It took just one month to complete the process"....*

The researcher observed the feeling of the respondents that the influence of knowing someone as a social capital helps to assists anything when one faces challenges as opposed to a person who lacks friends or relative in different offices. However, the practice of this nature is against humanity and the public service code of conduct.

Moreover, the public ignorance on the process of acquisition of CCRO's is confirmed by an in-depth interview with DLO in the study areas who reported that it is true that many people do not know the process of acquiring CCRO's. But, few who know are public servants because they are educated enough compared to residents in many rural villages. Generally, results from the study noted that most villagers were not able to list all steps of obtaining CCROs due to a lack of information on land matters within the village.

#### **4.3.5 Awareness on Availability of Certificate of Customary Right of Occupancy (CCROs) and Village Land Use Planning (VLUP) in the Study Villages**

Before establishing the process of issuing CCRO's in studied villages, the study was interested in finding out if the respondents were aware of the existence of the issuance of CCROs and land use planning in their villages. The study computed the opinions of respondents by likert scales and developed Mean Index, which indicated the actual percentage of the responses to capture or measure awareness of the respondents. After that, statistical analysis was carried out to measure the statistical significance of the results by using the Chi-square test as a statistical tool. Therefore, through survey results, Table 4.8 shows that 57.2% of all respondents from studied villages reported that they were not aware of the issuance of CCROs and the establishment of VLUP.

In contrast to the respondents (62.0%) and (40%) from Mabadaga and Mswiswi villages, respectively, both from Mbarali Districts were aware of the issuance of CCROs and VLUP. With regards to Mpwapwa District, only 41.9% and 7.7% of the respondents from Pwaga and Lupeta villages, respectively, were aware of the issuance of CCROs and VLUP. In that case, there was a statistical significance difference at  $X^2(6, 397) = 62.590$ ;  $p \leq 0.001$  between the villages on the awareness on the existence of issuance of CCROs and VLUP. The results imply that most agro-pastoralists were not aware of the availability and issuance of the CCROs in land offices in the studied villages. The results were justified during FGDs across all studied villages; it was reported that there was inadequate information on the

availability of CCROs from the land offices in Mpwapwa compared to Mbarali districts.

**Table 4.8: Awareness on Availability of CCROs and Village Land Use Planning In study villages**

**Source:** Field Survey Data, 2017

| Attributes        | Village of the respondent (n=397) |               | Total Average % | df               |                | Chi-square (X <sup>2</sup> ) Sign |
|-------------------|-----------------------------------|---------------|-----------------|------------------|----------------|-----------------------------------|
|                   | Pwaga (n=81)                      | Lupeta (n=62) |                 | Mabadaga (n=179) | Mswiswi (n=75) |                                   |
| Aware             | 34(41.9)                          | 11(7.7)       | 111(62.0)       | 30(40.0)         | 37.9           | 62.590 <sup>a</sup> 6 0.001       |
| Undecided/Neutral | 8(9.9)                            | 2(3.2)        | 15(8.4)         | 3(4.0)           | 6.4            |                                   |
| Not aware         | 52(64.2)                          | 49(79.0)      | 53(29.6)        | 42(56.0)         | 57.2           |                                   |

**Key:** Number outside the parenthesis is the frequency of the respondents and in the parenthesis are percentages (%) of the responses

The reason reported by the officer from the Ministry of Land and Housing (MoLH) through the in-depth interviews in Mbarali District, many stakeholders seem to be advocating and implementing the issuance of CCROs and VLUP for their livelihoods. Stakeholders like WCF, Community, PELUM, and players who helped villagers to get information on land through village public meetings, brochures, and other media. Moreover, the study investigated the actual percentage on the awareness of the respondents through Mean Index ( $\bar{X}$ ) = 2.0579 which indicates that 50.6% of the respondents that are not aware on availability and issuance of CCROs (Appendix 4.8)

The FGD's opinions in Lupeta village, a village without VLUP, reflected that they were not aware of the issuance of CCROs /VLUP, the particular importance, and how it is implemented in the villages. Besides, through in-depth interview with DLO, reported that lack of CCRO/VLUP made many households to graze their cattle within settlement areas which cause frequent incidences of land use disputes (Plate 4.6). Moreover, the researcher observed the reason and found that most agro-pastoralists were not aware of land laws and by-laws guiding Village Land Use Planning. In contrast, a report from an In-depth interview with DLO in Mbarali District availed that Mswiswi village, a village without CCROs were aware of CCROs/VLUP practices to other villages within the Mbarali district because many NGO's/CBO's visited the village to advocate CCROs/VLUP. However, they did not implement due to the shortage of resources. Likewise, a report from FGD participants in Mabadaga village, a village with CCROs, reported that they got aware of the availability of CCROs/VLUP through land offices and meetings conducted by the government officials and NGO/CBO's. NGO/CBO's involved in Mabadaga included WCF, USANGONET, who offered CCROs/VLUP education during the implementation of village land registration and issuance of CCROs in their village. Thus, (Plate 4.4) agro-pastoralists in Mabadaga village graze on a planned area with the construction of a water tunnel for agricultural activities (Plate 4.5). Furthermore, through documentary review, the report from DLO shows that villagers from Mabadaga with 3,234 (61.5%) acres in Utaghe hamlet and Pwaga village with 2,023(38.5%) acres in Ng'honje hamlet with CCRO's they graze their cattle on the planned areas. Nevertheless, DLOs from Mbarali and Mpwapwa districts through In-depth Interview, all had this similar to say:



*“Our Office is trying to implement Sustainable Development Goals by ensuring all land issues in the district are well addressed through advocacy and in addressing the role of VLUP and acquisitions of CCRO’s to people so as villagers can construct water channels and dams for irrigation which will result to improved agro-pastoralists livelihoods.” (Plate 4.7).*



**Plate 4.4: Mabadaga village with CCROs- Mbarali district (Photo by Researcher, February 2018)**



**Plate 4.6: Lupeta village without CCROs Mpwapwa district (Photo by Researcher, November 2017)**



**Plate 4.5: Paddy Farm has CCROs with constructed water channel in Mabadaga village (VLUP) -Mbarali district (Photo by Researcher: February,2018)**



**Plate 4.7: Researcher observes Constructed water Dam in Pwaga village with VLUP Mpwapwa districts: (Photo by Researcher, November 2017)**

The survey results Table 4.8 was consistent with Marwa's (2015) study in Rorya District, Tanzania, found that only 16.0% of his respondents were aware of the issuance of CCROs while 79% were not aware. Moyo (2017; 2018) study in Makete

and Achterberg-Boness (2016) study in Karatu and Districts reported about the low level of awareness of many villagers. Furthermore, Moyo (2017; 2018), Achterberg-Boness (2016) and Notess *et al.* (2020) mentioned a lack of knowledge for the Village land council (VLC), WEO/ VEO's and Ward tribunal members responsible for providing land rights and issuance of CCROs contributing to villagers' lacking awareness. However, survey results Table 4.8 was supported by in-depth interviews with two ward tribunal members from Pwaga (VLC) and Lupeta villages aged 62 and 57 years (man and woman respectively), who claimed that inadequate information on land matters from the government is a barrier to their awareness. However, CBO's/NGO's are doing better in advocacy on the role of CCROs compared to the government. A 55 years old woman from Mabadaga village, a village with CCRO's in Mbarali District, had said the following:

*..... "I know the village has VLUP and people own CCROs because, in our village, there are many NGO's which provide land use planning education and their offices are found here, so it is easy to follow them and ask them on any land issues and other natural resources within our village"...*

Generally, the study observed that many respondents from villages with VLUP's were aware of the issuance of CCROs compared to villages without VLUP in both Mpwapwa and Mbarali districts.

#### **4.3.6 Modes of Land Acquisitions by Agro-pastoralists in Studied Villages**

The study was interested in investigating how agro-pastoralists acquired land in the study villages. The survey results Table 4.9 revealed that about 56.2% of the respondents reported that they access to land through inheritance. These results are consistent with the results of in-depth interviews with WEO/VEO and Village

Chairperson from all the studied villages. The interviewed ward and village leaders reported that based on the traditions and customs of the *prominent tribes in Mbarali District* (Wandari, Wasafwa, Wamalila, Wasangu, and Wanyakyusa and Wagogo and Wahehe in Mpwapwa, only fathers and grandfather can distribute land through inheritance. Thus, only men inherited land and CCRO's from fathers and grandfathers.

An in-depth interview with DLO, CBO/NGO's, and land planners from the studied districts, revealed that the village leaders and representatives from other authorities like TANAPA spend much time to settle land disputes dominated by inheritance issues instead of working of VLUP. However, only 5.0% of the respondents acquired land from other people as a gift. Moreover, the ANOVA test (Appendix 4.10A) indicates that there are no statistical significant differences in the way people access and own land in study areas as  $F(3, 393) = 0.668, p \geq 0.572$ . When the Scheffe Post hoc-test was computed, the results (Appendix 4.10B) indicate that no statistical significant differences occurred across all the studied villages. Furthermore, Chi-square ( $X^2$ ) was adopted to investigate if predictor attributes sex, marital status, education, and years of stay in the study area were factors that influenced the acquisition of land. It was found that sex was at  $X^2(df, 4, N=397) = 3.727, p = 0.446$ , marital status at  $X^2(df, 12, N=397) = 3.868, p = 0.986$  and education at  $X^2(df, 12, N=397) = 13.072, p = 0.036$ . In contrast, years of stay at  $X^2(df, 16, N=397) = 39.766, p = 0.001$ . Statistical analysis implies that years of stay is a dominant factor that influences agro-pastoralists to acquire land compared to other mentioned factors. The study noted the reason for years of stay was that respondents who spent more time

had enough experience in the culture and environment of the villages on how land is being distributed to other groups.

**Table 4.9: Modes of Land Acquisitions by Agro-pastoralists in the Study Villages**

| Villages       | How did you access your land? |                      |                               |                  |             |
|----------------|-------------------------------|----------------------|-------------------------------|------------------|-------------|
|                | Purchased from others         | Given by others/Gift | Government (MoLHS) Allocation | Forest clearance | Inheritance |
| Pwaga          | 7(8.6)                        | 6(7.4)               | 2(2.5)                        | 29(35.8)         | 37(45.7)    |
| Lupeta         | 6(9.7)                        | 4(6.5)               | 4(6.5)                        | 12(19.4)         | 36(58.1)    |
| Mabadaga       | 11(6.1)                       | 8(4.5)               | 14(7.8)                       | 40(22.3)         | 106(59.2)   |
| Mswiswi        | 6(8.0)                        | 2(2.7)               | 7(9.3)                        | 16(21.3)         | 44(58.7)    |
| <b>Total %</b> | <b>7.6</b>                    | <b>5.0</b>           | <b>6.8</b>                    | <b>24.4</b>      | <b>56.2</b> |

**Source:** Field Survey Data, 2017

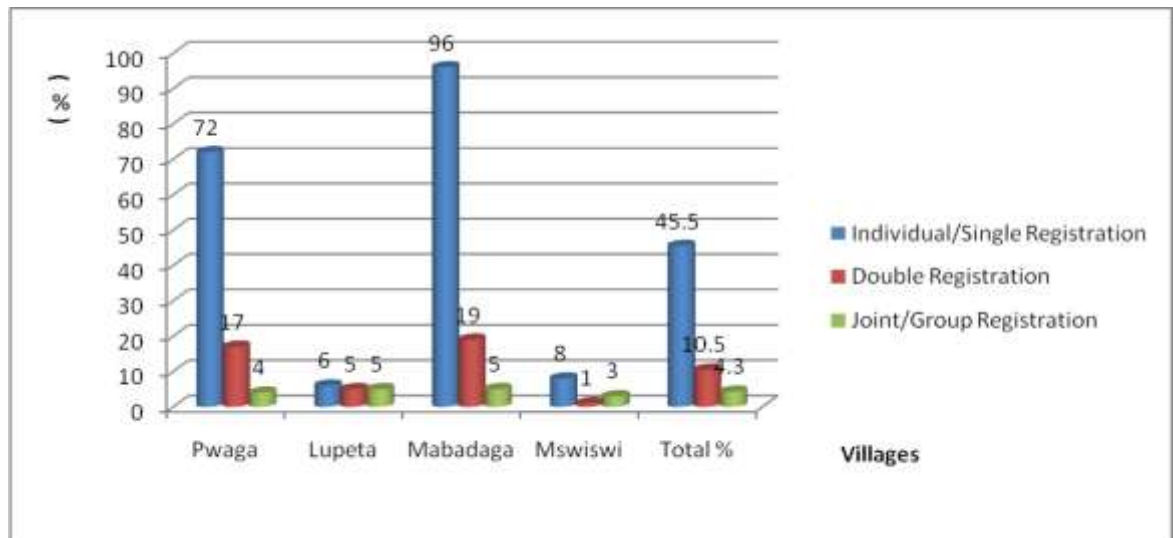
Survey results in Table 4.9 correspond with other studies as reported by Haule's (2012) study in Ludewa District (40.0%), Moyo's (2017) study in Makete (56.0%), Haule's (2017) study in Mbeya peri-urban (55%). All studies reported that respondents acquired land through inheritance. Furthermore, Gross-camp (2017) reported that about 96% of many people in Tanzania access to land through inheritance. Moreover, the survey results in Table 4.9 indicate that the clearing of the forest was also the dominant mode of acquiring land in the study villages which is contrary to the Constitution of United Republic of Tanzania of 1977 and national legal policies like Land policy of 1995, Environmental policy of 1997, Forest policy of 1998, and Water policy of 2002. These national policies prohibit environmental destruction for enhancing sustainable development. However, In-depth Interviews from villagers reported that if the village had VLUP, protection of the potential resource areas like water sources, forests, and others becomes a village plan. For

example, for sensitive areas like village forest reserve protected by Forest law, No.14 of 2002 insists on setting boundaries and management plans (Haule, 2012). Generally, the study observed that many of the respondents across the studied villages acquired land through inheritance compared to other modes of land acquisitions.

#### **4.3.7 Consideration of Gender in the Customary Land Registration Process**

The study assessed the dominant type of land ownership concerning gender based on the number of households registered in their land. The focus was to assess whether the household's land was registered as individual or single, double and group or joint/tenure of common allocations and gender consideration in the right of assessing the ownership of land.

The findings in Figure 4.7 revealed that 45.5% of the agro-pastoralists registered their land as single or individual registration. However, these results indicate that the state of double and joint registration was very minimal, implying that most villagers were not interested in double or joint land ownership and registrations. These findings were in line with FGDs villagers in Pwaga and Mabadaga registered villages who reported their preference to register land on an individual basis. According to the FGDs, individual registration avoids conflicts in case of changing the use of the land compared to other types of registration.



**Figure 4.7: Types of Customary Land Registration in Study Villages**  
**Source: Field Survey Data, 2017: Total Percentage (%) Basing on Average**

Apart from the types of land registration in Figure 4.7, the study indicated the dominant group in terms of gender, which mostly acquired CCRO. Table 4.10, which shows that 56.9% of agro-pastoralists reported that husbands are mainly the owners of any property, including land compared to wives/women. The reason reported by a 65 years old woman from Pwaga village, a village with CCRO's who claimed that:

*..... "Women's in Tanzania are not given an opportunity to access and own land or any family property because of the customs, and traditions we inherited from our ancestors which allow men only to own family property and not women.....because women will be married to different families where they are expected to use their husband's properties" ....*

Similarly, to unregistered villages (Lupeta and Mswiswi) during FGD's opinions, reported that they did not have CCRO's, so they own land without any document. But culture did not allow women to access and own land. The findings from literature Table 2.2 and FGD views are similar to the report from Razavi (2003), and Peterman (2011) study in Andhra Pradesh, who confirmed that 42% of women had

no CCROs by their names and only (4%) had Joint-titling in land ownership. The inequalities of land ownership between men and women affect the livelihoods of agro-pastoralists within rural areas (Dan and De Haan, 2008; Doss *et al.*, 2013; Barry and Danso, 2017).

**Table 4.10: Consideration of Gender Category during Land Registration Process in Acquisitions of CCRO's**

| Attributes   | %   | Pwaga<br>(N=81) | Lupeta<br>(N=62) | Mabadaga<br>(N=179) | Mswiswi<br>(N=75) | Average<br>Total % |
|--------------|-----|-----------------|------------------|---------------------|-------------------|--------------------|
| Husband      | Yes | 78(96.3)        | 4(6.5)           | 141(78.8)           | 3(4.0)            | 56.9               |
|              | No  | 3(3.7)          | 58(93.5)         | 38(21.2)            | 72(96.0)          | 43.1               |
| Wife         | Yes | 6(7.4)          | 1(1.6)           | 18(10.1)            | 1(1.3)            | 6.5                |
|              | No  | 75(92.6)        | 61(98.4)         | 169(89.9)           | 74(98.7)          | 93.5               |
| Husband/Wife | Yes | 11(13.6)        | 5(8.1)           | 27(15.1)            | 1(1.3)            | 11.1               |
|              | No  | 75(86.4)        | 57(91.9)         | 152(84.9)           | 74(98.7)          | 88.9               |
| Boy          | Yes | 15(18.5)        | 4(6.5)           | 54(30.2)            | 3(4.0)            | 19.1               |
|              | No  | 66(81.5)        | 58(93.5)         | 125(69.8)           | 72(96.0)          | 80.9               |
| Girl         | Yes | 5(6.2)          | 0(0.0)           | 16(8.9)             | 1(1.3)            | 5.5                |
|              | No  | 76(93.8)        | 62(100)          | 163(91.1)           | 74(98.7)          | 94.5               |
| Boy/Girl     | Yes | 9(11.1)         | 2(3.2)           | 12(6.7)             | 1(1.3)            | 6.0                |
|              | No  | 72(88.9)        | 60(96.8)         | 167(93.3)           | 74(98.7)          | 94.0               |

**Source:** Field Survey Data, 2017

Furthermore, survey results (Figure 4.10) were tested by ANOVA which indicates that there was statistically significant difference at  $F(3, 393)=135.370$ ,  $p \leq 0.001$ ) on the types of land ownership after acquiring CCRO's on an individual or single and double or joint tenure of land ownership (Appendix 4.11A) and double registration at  $F(3,393)=6.060$ ,  $p \leq 0.001$ .

Besides, computed Scheffe Post hoc test, shows in (Appendix 4.11B) that there was statistical significant difference on response of individual or joint as the type of land

ownership or land registration at ( $P < 0.01$ ) to the following villages, Pwaga and Lupeta with mean difference of -0.609, Pwaga and Lupeta with mean difference of -0.609, Pwaga and Mswiswi with mean difference of -0.722 and Lupeta and Mabadaga with mean difference of 0.689. Results are similar to other studied villages. Statistical analysis indicates that individual or single registration was the dominant type of land registration adopted by agro-pastoralists in study villages. The researcher noted the reason that it was because of the cultural beliefs that women are not allowed to own land.

However, the survey result differed with an In-depth Interview with Commissioner of Land from Southern and Central Zone of Tanzania who quoted the National Land Policy of 1995 and Act 24 (1) of Constitutional of Tanzania of 1977 which states that *“Ensuring equal access to land by all Tanzanians.”* Meaning that it is the objective of the policy to facilitate an equitable distribution and access to land by all citizens. This principle of ensuring equitable distribution is replicated in section 3(2) of the Land Act No. 4 of 1999 which declares that: “The right by women to access, use, distribute and sell it should be known that is the same right to men’s at the same standards and conditions and section 23(2) (c) of the Village Land Act No.5 of 1999 also notes that during the process of the Village Council starts to implement the registration of land within village, it should consider the applications of women’s equal to men’s. Also, section 161(1) and (2) of Land Acts 4 of 1999 notes that the right to own land by joint or double allocation between men and women is mandatory to be in practice. In addition, DLO from Mbarali District reported that the



government under the MoLHS is now doing better in providing CCROs to women so as to increase their security over land ownership (Plate 4.8).

Generally, the study shows that many respondents, who are men, preferred to register their land through the individual type of ownership. The study noted that there were no reasons other than practicing their culture that make them prefer individual registration.



**Plate 4.8: The Minister of Land Housing and Settlement is handing CCRO's to Women's at Mabadaga village in Mbarali District (Source: Photo by Mbarali Districts in 23<sup>rd</sup> September 2018)**

#### **4.3.8 Challenges facing Agro-pastoralists during the Acquisitions of Certificate of Customary Right of Occupancy (CCRO's)**

Understanding the challenges facing respondents to the villages during the implementations of acquisitions of Certificates of Customary Right of Occupancy (CCRO's) was an interest of this study to understand factors affecting agro-pastoralists livelihood during the process of issuing CCRO's. Survey results Table 4.11 shows that most of the respondents from Mabadaga village, a village with CCRO's strongly agree on misplacement of registered documents, cost of the

process, and bureaucratic practices as the main challenges facing respondents in the acquisition of CCRO's.

In contrast to Pwaga village, a village with CCRO's, the study asked respondents to tell why the challenges were not so dominant comparing to Mabadaga village. It was reported by DLO in Mpwapwa District that the officers with help from the department of record and management have played a great role in the safekeeping of the CCROs, as reflected in Table 4.11. The survey results were apparent to Focus Group Discussion (FGD) in Mabadaga village, a village with CCRO's that, majority in the study village fail to pay Tshs 5000/= for CCRO's because it was seen very expensive to them. Contrary to Pwaga village, authenticated that amount of money required to be paid was satisfactory to them because a lot of VLUP costs were incurred by the government under MKURABITA. It was opposite from an 87 years old woman from Mabadaga village who was quoted by addressing that:

*..... "All my children and husband died many years ago. I am alone in this hat where I sleep. Unfortunately, I am not able to work so as to find my basic needs...at present in this village, villagers give me food on their will; I cannot manage such cost for CCRO's acquisition?" .....*

Likewise, respondents from Lupeta and Mswiswi, villages without CCRO's, also reported that they agree on the same challenge reported by Mabadaga village report in Table 4.11.

**Table 4.11: Challenges Faced by agro-pastoralists During the Acquisitions of Certificate of Customary Right of Occupancy (CCROs) in studied villages**

| Attribute  | Pwaga (N=81)     |      |      |      |      | Lupeta (N=62)  |      |      |      |      |
|--|------------------|------|------|------|------|----------------|------|------|------|------|
|  | SA               | A    | N    | SD   | D    | SA             | A    | N    | SD   | D    |
| Misplacement of registration Forms                     | 42.0             | 27.0 | 9.0  | 10.0 | 2.0  | 19.0           | 54.0 | 13.0 | 10.0 | 3.0  |
| Very Costful   | 26.0             | 61.0 | 4.0  | 4.0  | 6.0  | 15.0           | 53.0 | 3.0  | 8.0  | 3.0  |
| Bureaucratic practice                                  | 48.0             | 36.0 | 3.0  | 6.0  | 7.0  | 36.0           | 48.0 | 6.0  | 4.0  | 7.0  |
| Corruption Practices                                   | 24.0             | 11.0 | 10.0 | 15.0 | 17.0 | 12.0           | 10.0 | 5.0  | 14.0 | 7.0  |
| Many people stand in line to DLO office for long time  | 38.0             | 54.0 | 3.0  | 1.0  | 13.0 | 18.0           | 27.0 | 10.0 | 23.0 | 22.0 |
| Attribute  | Mabadaga (N=179) |      |      |      |      | Mswiswi (N=75) |      |      |      |      |
|  | SA               | A    | N    | SD   | D    | SA             | A    | N    | SD   | D    |
| Misplacement of registration Form                      | 70.0             | 25.0 | 2.0  | 2.0  | 3.0  | 27.0           | 65.0 | 2.0  | 4.0  | 6.0  |
| Very Costful   | 68.0             | 29.0 | 1.0  | 2.0  | 5.0  | 18.1           | 63.0 | 6.0  | 7.0  | 4.0  |
| Bureaucratic practice                                  | 61.0             | 37.0 | 3.0  | 23.0 | 19.0 | 17.8           | 53.0 | 5.0  | 11.0 | 9.0  |
| Corruption Practices                                   | 7.0              | 29.0 | 4.0  | 16.0 | 10.0 | 16.0           | 9.0  | 22.0 | 8.0  | 15.0 |
| Many people stands in line to DLO office for long time | 23.0             | 68.0 | 3.0  | 6.0  | 11.0 | 13.0           | 67.0 | 4.0  | 9.0  | 7.0  |

**Key Source:** SA- Strong Agree, A-Agree, N-Neutral, D-Disagree, SD-Strongly Disagree

**Source:** Field Survey Data, 2017

However, results after adopting Mean Index ( $\bar{X}$ ) =2.3689, which indicated 75.3% of all respondents across studied villages reported that they faced challenges on misplacement of registration documents, cost, and bureaucratic actions (Appendix 4.12). Furthermore, statistical analysis through using ANOVA test indicates that there were statistically significant differences in results on challenges faced by household respondents at  $F(3, 393)=20.839$ ,  $p \leq 0.001$ (Appendix 4.13A). Besides,

computed Scheffe Post-hoc test revealed that most attributes were statistically significant like Pwaga and Mabadaga at 0.001 in the mean difference of 0.849, Lupeta and Mabadaga village at 0.001 in the mean difference of 0.840 and Mabadaga and Mswiswi at 0.001 in the mean difference of 0.548 on the reason of misplacement of registration documents and other attributes significance (Appendix 4.13A). The implication of the found result revealed that during the implementation of Village Land Use Planning and acquisitions of CCRO's, many villagers faced challenges which affected livelihood activity to stop working and spending much time-fighting for acquisitions of CCRO's.

The survey results in Table 4.11 are similar to Key informants' arguments from Mabadaga, village, who reported that many villagers lamented on the process of issuing CCROs because when they went to the District Land Officer (DLO) their application forms were not there. The DLO spent one up to three weeks to locate their registration documents, which affected the registration process to villagers. The argument was supported by DLO, who reported that it happens that application forms are being mixed with other documents in our offices because of a lack of resources like files for keeping application forms. On the contrary, there was a different argument from two villagers in Pwaga and Mabadaga villages, villages with CCROs during FGD, who pointed out that despite the challenges for CCRO's acquisitions to their villages, many of the villagers do not follow the procedure necessary during the application process. Incomplete procedures force the DLO to keep aside the forms as incomplete.

Moreover, a growing body of evidence holds the same view with survey results like Dzvimbo *et al.* (2018, 2017) and Chiwene's (2012) study in Zimbabwe and Haule *et al.* (2012) study in Tanzania that many rural people in villages face challenges of high cost, bureaucratic procedures, and corruptions during the process of land registrations. Likewise, the study noted that many agro-pastoralists faced challenges during the acquisitions of CCRO's mainly misplacement of registrations documents, bureaucracy, cost, and corruption during the process, and hence affecting the livelihood activities of the villagers.

#### **4.3.9 Strategies Adopted by Agro-pastoralists in Addressing Challenges Faced During the Process of Certificate of Customary Right of Occupancy (CCROs) Acquisitions**

The study also wanted to find out dominant strategies that were adopted in addressing the challenges facing during implementations of the customary land titling process. Results (Table 4.12) show that 78.9% of the respondents reported that they frequently traveled to DLO office. Through observation, the study noted that strategies adopted varied on the context and nature of the villagers. As it was reported by a 53 years old man from Mabadaga village, a village with CCRO's, that:

*..... "My self am just waiting whether the government will hand my CCRO or not because I am not able to fight with the power of the government and not me only there other people also they just keep silent without shouting to their right of acquiring their CCROs" ....*

**Table 4.12 Strategies Adopted by Agro-pastoralists in Addressing Challenges Faced During the Process of CCRO's Acquisitions**

| Attributes  | %   | Pwaga<br>(n=81) | Lupeta<br>(n=62) | Mabadaga<br>(n=179) | Mswiswi<br>(n=75) | Total<br>% |
|---|-----|-----------------|------------------|---------------------|-------------------|------------|
| Tolerance   | Yes | 67(82.7)        | 48(77.4)         | 55(30.7)            | 22(29.3)          | 44.4       |
|   | No  | 14(17.3)        | 14(22.6)         | 124(69.3)           | 53(70.7)          | 51.6       |
| Reporting to MoLHS                                  | Yes | 28(34.6)        | 22(35.5)         | 54(30.2)            | 23(30.7)          | 32.0       |
|   | No  | 53(65.4)        | 40(64.5)         | 125(69.8)           | 52(69.3)          | 68.0       |
| Up voicing the right to DLO so as to work seriously | Yes | 24(29.6)        | 20(32.2)         | 117(65.4)           | 54(72.0)          | 54.2       |
|   | No  | 57(70.4)        | 42(67.7)         | 62(34.6)            | 21(28.0)          | 45.8       |
| Peaceful Communication to land ministry             | Yes | 31(38.3)        | 21(33.9)         | 81(45.3)            | 30(54.7)          | 41.1       |
|   | No  | 50(61.7)        | 41(66.1)         | 98(54.7)            | 45(60.0)          | 58.9       |
| Frequent traveling to DLO office                    | Yes | 64(79.0)        | 46(74.2)         | 144(80.4)           | 59(78.7)          | 78.9       |
|   | No  | 17(21.0)        | 16(25.8)         | 35(19.6)            | 6(21.3)           | 21.1       |

**Source:** Field Survey Data, 2017

The survey results supported by FGD participants from Mabadaga and Pwaga villages who reported that they do not know the right institutions where they can send their problems relating to implementations of customary land titling process because of laxity of these offices to listen to village's problems. This also was argued by one aged woman from Mabadaga who pointed out that:

*....“From 2012 to 2015, I filled and submitted my forms for application five times to VEO, and I went to DLO ten times, asking what happening in processing CCRO's, but in 2017 I received my CCRO actually it needs tolerance during this process. It affected my life because I failed to take loans from banks by using CCROs as collaterals” .....*

The old woman's view was similar to Wabineno's (2016) study in Uganda, Rigg (2015) study in South Asia, Mondal (2017) study in Bangladesh who reported that most challenges of rural land titling to villagers they either tolerate or keep silent for

days. The study noted the implication of tolerance and frequent travel to the DLO office that most rural people are not aware of laws that stipulate the procedure and rights of CCRO's acquisition, which affects their livelihoods. However, when they are tired of the challenges of achieving the land title, they strike with government authorities. This is also supported by FGD participants from Lupeta and Mswiswi villages, a village without CCRO's, during the discussion it was reported that villagers fought to get CCRO's every year, but there was poor coordination between private and government offices managing land issues which up to now their villages has no Village Land Use Planning.

Moreover, the survey results, also conform with Javelle (2013) study in Cameroon and Schreiber's (2017) study in Tanzania, Chitonge's (2017) study in Zambia who postulated that most rural people were subjected to CCRO's acquisition because of poor management which created land disputes between government and people. This argument was refuted by DLO from Mabadaga and Pwaga villages with CCRO's, who reported that the government and other non-government organizations provided seminars on all procedures, processes, and informing stakeholders involving inland registrations, so villagers know where they can report challenges they face. In addition, the DLO was quoted by saying that:

*...“Many rural people in the African continent are not serious in managing land issues later they condemn the government and land administrative officers. We are trying even to work during the weekend so as to address challenges which would affect our client, and when we arrange village meetings or seminars, they do not attend to listen and learn issues about village land”...*

Furthermore, ANOVA test (Appendix 4.14A) was applied to see the significance of the results. Statistical results indicate that there was statistical significant difference between villages on the tolerance as strategy adopted by villagers to acquire CCRO's at  $F(3,393) = 39.744$ ,  $p \leq 0.000$ ) and there are statistical significant results on violent to DLO as strategy adopted during implementation of customary land titling in the villages at  $F(12.057,88.421) = 17.864$ ,  $p \leq 0.001$ ). Statistical analysis implied that agro-pastoralists tolerate for a long period, but when they become tired with the service provided by Land officers, they start to violate Land officers so as to get their rights. When the Scheffe Post hoc-test was computed, the results showed that differences occur between Pwaga to Mabadaga and Mswiswi at ( $p \leq 0.001$ ) and the mean difference between Pwaga and Mabadaga is 0.520, Pwaga and Mswiswi is 0.534, similar to other villages (Appendix 4.14B). But also, there are no statistically significant differences existed between Pwaga and Lupeta ( $p \geq 0.917$ ) and Mabadaga and Mswiswi ( $p \geq 0.997$ ) on the tolerance strategies adopted by villagers to cope with the faced challenges during implementation of customary titling process (Appendix 4.14B).

The reasons for the agro-pastoralists during FGD reported that villagers are not aware of where to report their claims because every Land officers are not willing to work and support clients. The study probed the reason; it might be due to lack of education and land information in the studied villages, and also, it might be due to the difference in sampling distribution in the village.



#### **4.4 Perceptions of Agro-pastoralists on Land Titling and Registration Processes in Villages**

##### **4.4.1 Agro-Pastoralists Attitudes Towards the Establishment of Customary Land Titling within Study Villages**

The study went further, asking respondents on the attitudes of the agro-pastoralists on customary land titling and the issuance of CCRO's in the study villages. Results Figure 4.8 was computed and transformed into a mean index, which indicates the percentage of perception through Likert scales. Results revealed that at Mean Index ( $\bar{X}$ ) = 3.2040, which denoted that 48.6% of the respondents reported, they felt bad when the government introduced village land formalizations through the use of CCROs across all studied villages (Appendix 4.15). The survey results imply that nearly half of 100% of the respondents did not like land titling across the studied villages. The study investigated the reason through FGDs across studied villages; it was reported that: Most agro-pastoralists in their villages feared that land formalization through the use of CCROs could confiscate their land, which helps them for livelihoods.

Moreover, the ANOVA test (Appendix 4.16A) indicates that there are no differences in the way people perceive the establishment of customary land titling through the use of CCRO's within villages as  $F(4.184, 658.289) = 0.833, P < 0.47$ . Statistical analysis implies that all agro-pastoralists view the establishment of land titling in their villages negatively. However, when the Scheffe Post hoc-test was computed, the results show that differences occur between Pwaga and other villages. Computed Scheffe Post hoc test results (Appendix 4.16B) show that there was no significant difference between all specific village areas ( $P > 0.89$ ). Results (Figure 4.9) implying

that villagers perceived negatively on the initiating of CCRO's and VLUP in the studied villages.

The reason for such negative feelings was reported by the Key informants and Focus Group Discussions findings from the studied villages, fearing that the establishment of these land titles by the government could appropriate their land and remain to own a small piece of the land which would not satisfy their livelihoods. Besides, both key informants and FGD participants complained of a lack of education on the role of new land reformation through the acquisition of CCRO's. The report from key informants matches with results Figure 4.8, revealing that most of the respondents' opinions indicated that they perceived negatively towards new land reformation through the insurance of CCRO's. The reason was reported by DLO/WEO from Mabadaga and Pwaga villages, a village with CCRO's, presented that villagers complained that their land would be confiscated when VLUP will be accepted.



**Figure 4.8: Attitudes towards the Establishment of Customary Land Titling in Studied Villages**

**Source:** Field Data Survey, 2017: **Total Percentage (%) Basing on Average**

These observations are similar to In-depth interview with the Land Commissioner from Central Zone of Tanzania, who had this to say:

*..... “Many people in our country are not ready to trust their government on what in Sustainable Development Goals (SDGs) are being implemented until they are educated a democratic way of being forced to use new land interventions like CCRO’s which is perceived wrongly” ....*

This argument from Land Commissioner from Central Zone differs from a man aged (80) years from Lupeta, who also had this to say:

*... “It is true that the government is a custodian of the land of Tanzania, but the problem comes when it starts to make VLUP and register our land. In most cases, the Land Officers and other government officers use this time of VLUP to convince people to sell land for a very low cost as it happened in Mvomero in Morogoro region and Chunya village in Mpwapwa district and we remain with small pieces of land which do not satisfy our livelihood needs” ....*

The argument is supported by In-depth interview with the Village Chairpersons (VCP) of Mabadaga and Pwaga villages, a village with CCRO’s who asserted that the process of VLUP had affected many people psychologically. The villagers fear their land to be confiscated because of the coming of government officers to the village. In some cases, Land Officers ask people to sell their farms prior to educating them about the process of land reformations through the insurance of CCRO’s. But, according to DLO from Mbarali District, who reported that the government is trying to provide education (advocacy) to agro-pastoralists in the District but most people don’t like VLUP because their land will be minimized (Plate 4.9). Again, it was reported by FGD with villagers in all the studied villages that there is a lack of transparency in land titling programs. In most cases, there are no village meetings where information on land matters can be shared. Furthermore, the study findings

corroborates with Amanor (2009) study in Ghana, Obeng- Mireku *et al.* (2016) and Nkhata *et al.* (2017) study in South Africa, Van Gelder (2010) who contended that the agro-pastoralist communities have negative perceptions towards customary land titling registration processes because they fear to lose their land. Generally, the study observed that most of the villagers perceived negatively the establishment of VLUP and issuance of CCRO's in the villages.



**Plate 4.9: Advocacy on the Role of VLUP/CCROs to Agro-pastoralists in Mbarali District, Government Officers, November 2018 ( Source: Photo Mbarali District)**

#### **4.4.2 Perceptions on the value of Certificate of Customary Right of Occupancy (CCROs)**

The study wanted to find out if respondents from the specific villages are aware of the value of CCRO's or not. Knowing the perception of the value and acceptability of CCRO's is very important to agro-pastoralists. The CCRO's could help them to

possess and use the land for various purposes in improving livelihood. Results (Table 4.13) display that, about 41.6% of the respondents from all villages are not knowledgeable about the value of CCRO's. The results matched with In-depth Interview with a man aged 36 years old who own CCRO (Plate 4: 10) in Mabadaga village, a village with CCRO's who lamented to the government by saying that:

*...“I have my CCRO with reference number 27/MBL/2012, but up to date, I have not benefited from it; thus I do not know the use of it at all. This is because the government is giving us these land certificates while Financial Institutions do not accept our CCROs...so what does it mean?”.....*



**Plate 4.10: Certificate of Customary of Right of Occupancy of the Respondents X in Mabadaga village, Mbarali District (Source: Respondents X, 2017)**

The reason for this quotation was reported through FGDs across studied villages, that there is no education from the government and financial institutions addressing the value of CCRO's. In contrast, 27.9% of the respondents from Mabadaga village, a

village with CCRO's, knows the value of CCRO's compared to those from Pwaga village, a village with CCRO's and Lupeta /Mswiswi villages without CCRO's.

The study further investigated the reasons through observation that many CBOs/NGOs (WCF, RUNAPA, MIICO) in Mbarali district have the potential to provide education on land rights and development. This made Mabadaga village, a village with VLUP to be familiar with the value of CCROs. However, the study found that CCRO's is not accepted by Micro Financial Institutions. This was observed during FGD in Lupeta village, a village without CCROs that CCRO's are just papers that justify the ownership of the property and nothing else. While, it was reported from FGD in Mswiswi village, a village without CCROs that the use of CCRO's does not mean that it can increase something to income and other basic needs but is for justifying the right of owning land to the villages.

**Table 4.13: Response on Value of Certificate of Customary Right of Occupancy (CCROs)**

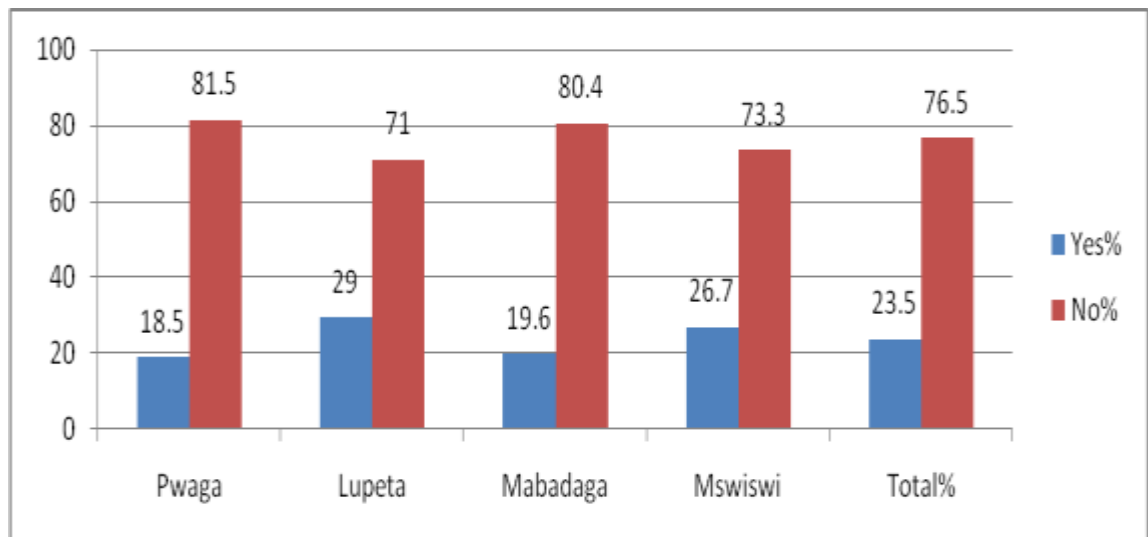
| Attributes                               | Pwaga<br>(n =81) | Lupeta<br>(n =62) | Mabadaga<br>(n =179) | Mswiswi<br>(n =75) | Average<br>Total % |
|--|------------------|-------------------|----------------------|--------------------|--------------------|
| Collateralization                        | 31(7.80)         | 5(8.1)            | 50(27.9)             | 5(6.7)             | 22.9%              |
| Right to transfer land to another person | 5(1.3)           | 1(1.6)            | 26(14.5)             | 4(5.3)             | 9.1%               |
| Land Rent                                | 9(2.30)          | 2(3.2)            | 21(11.7)             | 6(8.0)             | 9.6%               |
| Security of Assurance                    | 6(1.50)          | 7(11.7)           | 29(16.2)             | 3(4.0)             | 11.3%              |
| Right to change land uses                | 7(1.80)          | 3(4.80)           | 8(4.5)               | 4(5.3)             | 5.5%               |
| Not Aware/knowledgeable                  | 23(5.80)         | 44(71.0)          | 45(25.1)             | 53(70.7)           | 41.6%              |

**Source:** Field Survey Data, 2017

In addition, the value of CCRO's was assessed by asking respondents if they are aware of CCRO's being accepted by Micro Finance Institutions (MFI) as collaterals



so they can get loans by mortgaging their land. The survey results Figure 4.9 indicate that 76.5% of all respondents revealed that CCRO's are not accepted by MFI for loans, and 23.5% of the respondents reported that CCRO's are being accepted for loan applications. Moreover, the differences Figure 4.9 occurred between villages with and without CCRO's on study findings, implying that Lupeta and Mswiswi villages, a villages without CCRO's have greater responsibility because they did not use CCRO's for loans applications, automatically did not face banking challenges compared to Mabadaga and Pwaga villages, a villages with CCRO's.



**Figure 4.9: Acceptability of Customary Certificates Right Occupancy (CCRO's) by Financial Institutions for Loans**

Source: Field Survey, 2017: Total Percentage (%) Basing on Average

The results Figure 4.9 are consistent with in-depth interview report from NMB loan officer in Mpwapwa and Mbarali districts, who reported that it is true that CCRO under farms in rural areas are not highly valued compared to business investment loans which are taken seriously to be loaned. The reason was given by a Bank loan officer that villagers had no permanent crops on their farms like palm oil, coconut,

and other; they plant only crops that can not survive during poor climate like maize and other. In the same vein, report from in-depth interview with PELUM and DONET program officer observed that experience from Kilolo village in Iringa Region and Chunyu village in Dodoma Region, it was seen that many people in these villages have large farms with CCRO's and crops within their farms, but when they applied for loans, they failed to get loans because Micro Financial Institutions did not accept their land certificates as collaterals. The findings differed to CRDB loan officer from Mbarali, who claimed that CRDB has been dealing with owners of CCROs for long time and have been accepting CCROs as collateral for loans. The officer argued further that, CRDB provides loans with simple banking conditions which do not affect the smallholder farmers. For instance, through documentary review from CRDB shows that, in 2015 (7), 2016 (11), 2017 (20) and in 2018 (5) farmers with CCRO's in the districts got loans, but only 2018 (3) farmers from Mabadaga applied and got loans by using CCRO as collateral.

However, through Documentary review, in Mpwapwa District it was reported by CRDB Loan Officer that about 30% of 87 of customers in 2014/2018 had got loans through the use of CCROs as collaterals and he added that Private Agricultural Sector (PAS) assisted agro-pastoralists in guaranteeing borrowing money from CRDB that if these people fail to repay the amount of money borrowed from the bank, they will be responsible to repay the loan. Moreover, about 12 farmers with CCRO got loans in 2018 from three villagers in Pwaga, Lumumi, and Kimagai. This was also reported by the District Land Officer (DLO) whose report was addressed to Parliament Committee of Local Government and Governance, indicating that about



20 farmers in Mpwapwa Districts applied for loans by mortgaging CCROs as collaterals and received 100.6 million from CRDB and FINCA (Report, 27 March, 2017).

The results Table 4.13 are supported by Kongela (2018), Schreiber (2017) and Mwamlangala *et al.* (2016) who observed that many people in Tanzania are not familiar with the applicability of land titles especially in rural areas that are most marginalized in different aspects of livelihoods where power relation in wealth distributions becomes unequal. This point is similar to Desoto (2006), and Manji (2006) reported that land as property of ownership, if not used to provide benefit, that property is also termed as dead capital. This argument was also seen in Thailand as reported by Gelder and Louis (2010), Joireman (2007) who observed that the government made VLUP and provided CCRO's in villages, but they were unaware of the use of land certificates.

Furthermore, ANOVA test (Appendix 4.17A) confirms the associations between the knowledge on practices of customary land title through the use of CCRO's and livelihoods effects on study villages, which indicates there are statistical significant differences results between villages at  $F(182.384, 1415.868) = 16.875, p \leq 0.001$ . When the Scheffe Post hoc-test was computed, the results show that differences occur between Pwaga and Lupeta ( $p \leq 0.001$ ), and the mean difference between villages is 0.320. The Scheffe Post hoc test results (Appendix 4.17B) show that there was a significant difference between Lupeta and Mabadaga ( $p \leq 0.001$ ), and the mean difference between these villages is 0.280. Moreover, the significant difference

was between Lupeta and Mswiswi ( $p \leq 0.001$ ), and the mean difference between these villages is 0.326. No differences existed between Mabadaga and Mswiswi ( $p \geq 0.997$ ). The reasons first, might be due to the same geographical positions and culture of people, and secondly, it might be due to the sampling distributions. The general observation of the study was that many respondents were not knowledgeable on the value of CCRO's and agreed that CCRO's is not accepted by MFI, which affects most of the agro-pastoralists livelihoods.

#### **4.5 Rural Institutions Enforcing Land Issues in the Study Areas**

##### **4.5.1 Awareness of Rural Institutions/Committee Enforcing Land Issues in Study Villages**

The survey results Table 4.14 indicates that about 60.0% of the respondents, their opinions show that they are not aware or knowledgeable on rural institutions<sup>12</sup> that enforce land issues<sup>13</sup>. After developing mean index from opinions results (Appendix 4.26) revealed that mean index ( $\bar{X}$ )=2.1385, which denotes 46.3% of the respondents reported that they are not aware of rural institutions that enforce land issues. Similarly, survey results Table 4.14 corroborates with Marwa's (2015) study in Tanzania, who reported that only 16% of his respondents from Rorya District are aware while 79% are not aware of rural institutions which address land issues. The reason for the existed statistical differences was given by elders through an indepth interview, reporting that the incoming generation ignored the past experiences, which

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<sup>12</sup> Rural institutions according to this study mean all formal/informal authorities which govern and administer land matters in rural areas like elders, norms, local leaders, village council, committees, tribunals and others.

<sup>13</sup> Land issues according to this study mean all matters that are being addressed by the rural institutions in order to improve livelihood of the people like land disputes, gender inclusion in land ownership and other.

formed a base of all incoming institutions that are responsible in addressing land issues today.

**Table 4.14: Knowledge/awareness of Rural institutions which enforce land issues in villages**

| Attributes        | Village of the respondents |               |                  |                | Total % Average |
|-------------------|----------------------------|---------------|------------------|----------------|-----------------|
|                   | Pwaga (n=81)               | Lupeta (n=62) | Mabadaga (n=179) | Mswiswi (n=75) |                 |
| Awareness         | 24(29.6)                   | 12(19.4)      | 97(54.2)         | 25(33.3)       | 34.1            |
| Undecided/neutral | 5(6.2)                     | 3(4.8)        | 15(8.4)          | 3(3.7)         | 5.9             |
| Unawareness       | 52(64.2)                   | 47(75.8)      | 67(37.4)         | 49(65.3)       | 60.0            |

**Source:** Field Survey Data, 2017

Furthermore, ANOVA test shows that there are statistical significant difference in the results at  $F(3, 393)=13.215$ ,  $p \leq 0.001$  (Appendix 4.27A). Besides, computing Scheffe Post-hoc test revealed that there are statistical significant differences on awareness of the rural institutions which address land issues between Pwaga and Mabadaga at 0.001 with mean difference of 0.51328, Lupeta and Mabadaga at 0.001 with mean difference of 0.73211 and Mabadaga and Mswiswi at 0.004 with mean difference 0.46093 (Appendix 4.27B). The survey results Table 4.14 imply that villagers are not aware of the rural institutions which enforce land issues in their villages. Through researcher observation, noted that agro-pastoralists fail to know the proper rural institutions which can present their land cases because they are not aware of it. The argument from in-depth interview with elderly participants corroborates with the idea of property right theory, Institutional Economic theory (Borrow, 1990) and DFID model (Chambers and Conway, 1992) who asserted that policies, institutions, and processes are key transforming structures which should be

known to most people for their livelihoods. This is because they influence the positive and negative transformation of development. In the same vein, Nguyen's (2014) study in Vietnam and China, Mburu's (2017) study in Kenya and Okalany's (2018) study in Uganda argued that understanding of the rural institutions and legal framework for agro-pastoralists are very important because helps them to present land issues at the right authority which enable them to spend short period dealing with issues on land ownership.

The study noted the reason that in Mabadaga village, there is enough of CBO's/NGO's compared to Pwaga village, a village with CCRO's which deals with rights on natural resources and agricultural programs and mostly provides educations on land issues Table 4.14. This was supported by one aged 45 years old from Mabadaga village, who was quoted during in-depth interview by saying that:

*....“Actually, I know some customary institutions because I learned from many seminars conducted by LHRC, Haki Ardhi, and PELUM, but knowing is not a key to closing opportunities from buying land through illegal procedures which creates room to have many farms. This is because adopting legal procedures to proper managerial institutions in buying land reduces opportunities of grabbing land through illegal land market”....*

Furthermore, survey results Table 4.14 are in line with results from FGDs from Pwaga village, a village with CCROs and Lupeta village, a village without CCROs who reported that people are not aware of the rural institutions where they can pose their land cases because government or NGO's did not visit to provide legal education on land issues. Thus land exclusion to marginalized groups, conflicts over land is still existing in these villages. The reason was explained by Key informant,

DLO from the studied villages that the government has a strategic plan of implementing VLUP to every village in Tanzania so that villages which are not reached will be visited when their date and day have reached.

Moreover, the study asked respondents to mention rural institution/committees which manage and administer developmental issues in improving their livelihood in the study villages. The results Table 4.15 shows that 26.7% and 22.4% of the respondents reported that, village land council and traditional rulers respectively are the ones who administers all issues about land in improving their livelihoods. The reasons for the dominance of these two rural institutions were reported through in-depth interviews with DLO's in Mpwapwa and Mbarali districts, that VLC members are mostly elders who are also traditional leaders in the villages and are influential people who help to provide decisions on developmental issues within villages.

**Table 4.15: Rural Institutions/ Committees which Address Land Issues in Studied Villages**

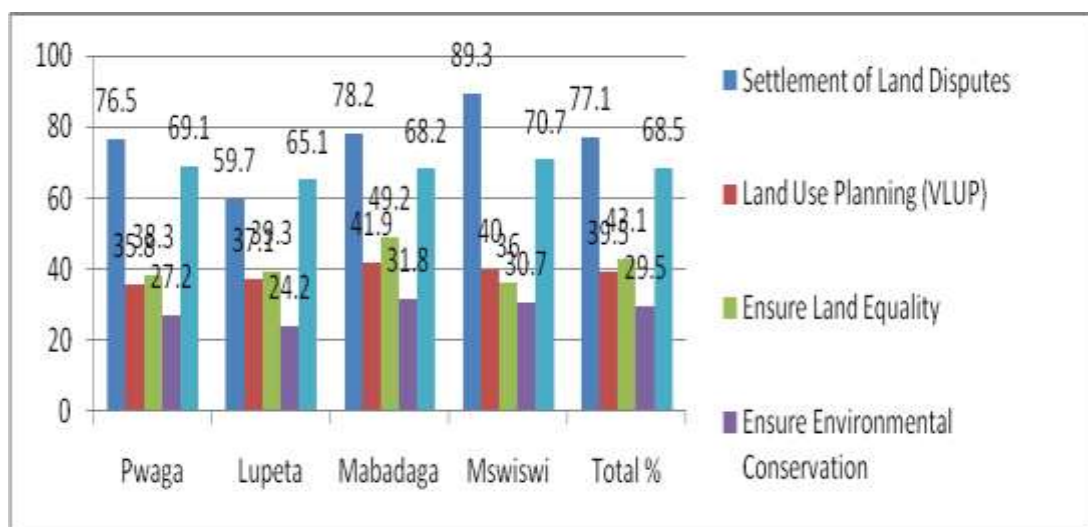
| <b>Villages</b> | <b>Land Institution which Address Land Disputes</b> |  |   |                           |   |
|-----------------|---|--|---|---------------------------|---|
|                 | <b>Village Land Council</b>                         | <b>Community and Social Work Committee</b> | <b>Village Environment Committee/Elders</b> | <b>Ward Land Tribunal</b> | <b>Traditional and Local Leaders (Chiefs)</b> |
| Pwaga           | 21(25.9)  | 8(9.9)                                     | 6(7.4)                                      | 2(2.5)                    | 34(42.0)                                      |
| Lupeta          | 7(11.3)   | 9(14.5)                                    | 14(22.6)                                    | 8(12.9)                   | 15(24.2)                                      |
| Mabadaga        | 66(36.9)  | 31(17.3)                                   | 16(8.9)                                     | 47(26.3)                  | 12(6.7)                                       |
| Mswiswi         | 12(16.0)  | 7(9.3)                                     | 9(12.0)                                     | 13(12.5)                  | 28(37.3)                                      |
| <b>Total</b>    | <b>26.7</b>   | <b>13.9</b>                                | <b>11.3</b>                                 | <b>17.4</b>               | <b>22.4</b>                                   |

**Source:** Field survey Data, 2017

Through FGD's and In-depth interviews, the researcher asked the respondent from the studied villages to identify the type of rural institutions. Therefore, survey results Table 4.15 reported that traditional and local leaders/chiefs are rural institutions that address all issues of village land. Besides that, the results were tested through ANOVA test (Appendix 4.19A) to show the relationship between rural land committees, which ensure the accessibility, usability, and distributions of land within the study villages. It was observed that there are statistically significant results between villages at  $F(3,393) = 4.998$  ( $p \leq 0.002$ ). When the Scheffe Post hoc-test were computed, the results indicated (Appendix 4.19B) that statistical significant differences occur on the response of local leaders that manage land matters between Mabadaga and Pwaga at  $p \leq 0.001$  with mean differences of 0.293 and at  $p \leq 0.001$  with mean difference 0.391 respectively and other significant indicates (Appendix 4.19B). The study probed the reason for the existing differences that it might be due to differences in sampling distribution on the studied villages. Generally, the study findings from the households are in line with results from all four FGD's participants in the villages who mentioned that Village Land Committee, Village Environment Committee, Ward tribunals, Traditional and local leaders are the main organ which administrates all issues about land in the study villages.

Moreover, the study was interested in investigating the role of the mentioned rural institutions. The survey results Figure 4.10 revealed that 77.1% of the respondents reported that rural institutions concern with settlement of land disputes while 68.5% of the respondents reported that they are responsible for regulating rules, laws, customs, and norms abiding by land. However, specific results indicated that Pwaga

76.5%, Mabadaga 78.2% villages with CCRO's while 89.3% and 65.1% of respondents from Mswiswi and Lupeta villages without CCRO's reported that, the mentioned land institutions Figure 4.10 deal with the settlement of land disputes. Survey results imply that the village land council, ward tribunals, and traditional leaders and elders are the focal rural institutions that mediate land disputes compared to the other land institutions in the studied villages.



**Figure 4.10: Roles of Rural Institutions in Addressing Customary Land Disputes**

Source: Field Survey, 2017: Total Percentage (%) Basing on Average

The survey results from Figure 4.10 matched with the role of rural institutions based on FGD's participants in studied villages Table 4.16, which show the role of the rural land institution in managing and administrating land matters in studied villages.

**Table 4.16: Roles of Rural Institutions Based on FGD's participants in the Study Villages**

| S/N | Rural Institutions                            | FGD's Responses  |
|-----|---|--|
| 1   | Village Land Council                          | Management and administration of land in villages, and for related matters.<br>To settlement of land disputes<br>Regulate laws and rules |
| 2   | Community and Social Work Committee           | To empower people and create a conducive environment of living   |
| 3   | Village Environment Committee                 | To guide people in improving Health Hygiene and Sanitation   |
| 4   | Ward Land Tribunal                            | To solve all disputes over land<br>Regulate laws and rules   |
| 5   | Traditional and Local Leaders (Chiefs)/Elders | To solve conflict and maintain peace<br>Regulate laws and rules, norms and customs   |

Source: **Field Survey, 2017**

Moreover, the study observed during an In-depth interview with DLO from the studied villages, who contends that village, ward, and traditional authorities are responsible for overseeing development issues and creating good environmental standard of settlement of disputes within villages. The Central Zonal Commissioner of land argued differently from the DLOs. According to the Central Zonal Commissioner, it is not right for the traditttional leaaaderrrs to involve themselves in cases that are above their authorities as may create more disputes than solutions. Furthermore, it is converse to Freudenthal *et al.* (2015) study in Colombia and Rosendahl's (2018) study in Tanzania and Malawi and Akaateba *et al.* (2018) study in Tamale, Ghana, and Hou (2015) who confirmed that many land disputes in rural areas were addressed by Chiefs under informal negotiations and practical norms so as to create peace for their agro-pastoralists. However, it was reported the same



through In-depth interview with one man aged 58 years old from Lupeta villages, a village without CCRO's; he had this to say:

*.... "We use the elders to settle land-related conflicts. For example, just last month in 2017, there were land disputes in two villages, and the elders were asked to intervene, and the conflict was successfully resolved". ....*

Conversely, In-depth interviews with DLO's in Mpwapwa and Mbarali districts, reported that many sources of land conflicts in villages area are caused by local institutions because they are not conversant with land laws of the country.

However, the results were tested through ANOVA test (Appendix 4.20A) to show the relationship between responsibilities between rural institutions on land issues within the study villages. It was observed (Appendix 4.20) that there is a statistical significant result between villages at  $F(3, 393) = 5.123$  ( $p \leq 0.002$ ). When the Scheffe Post hoc-test was computed, the results revealed that differences occur between Lupeta and Mswiswi unregistered villages at ( $P \leq 0.002$ ), and the mean difference is 0.280 on the responsibility of settlement of land disputes to the villages. However, there are no differences existing between Mabadaga and Pwaga registered villages (Appendix 4.20B). The study probed the reason of the existing differences that it might be due to VLUP that was done to the villages of Mabadaga and Pwaga which created awareness of the people toward their rural institutions in managing land issues within villages and difference in sampling distribution on the studied villages compared to Mswiswi and Lupeta, villages without CCRO's.

## 4.5.2 Approaches of Rural Institutions in Facilitating Customary Land Titling

### Acquisition in villages

To identify proper approaches adopted by rural institutions in facilitating land titling through CCRO's acquisitions was of interest by the study because strategies or approaches are the ones affecting agro-pastoralists livelihoods. Therefore, overall results Table 4.17 revealed that 40.1% of all respondents authenticated that diplomacy, negotiation, and arbitration are used as the main approach in organizing agro-pastoralists during the process of land titling so as they can acquire CCRO's without disputes over land. Whilst, 8.6% of the respondents reported that rural institutions warn agro-pastoralists who were reluctant to accept land titling implementation process in the villages. In the same vein, through in-depth interview with DLO's and FGD's participants in villages reported that the government in most cases use participatory approach by meeting, seminars and information in ensuring land titling through CCRO's acquisition to agro-pastoralists. Survey results imply that rural institutions involve all stakeholders during the land titling process so as to avoid land disputes among agro-pastoralists in villages.

**Table 4.17: Approaches Adopted by Rural Institutions/ Authorities in Facilitating Land Titling and Acquisitions of CCROs in Studied Villages**

|                           | Pwaga    | Lupeta   | Mabadaga | Mswiswi  | Average<br>Total % |
|---------------------------|----------|----------|----------|----------|--------------------|
| Attribute                 | (n=81)   | (n=62)   | (n=179)  | (n=75)   |                    |
| Diplomatic approach       | 51(63.0) | 4(6.5)   | 91(50.8) | 13(17.3) | 40.1               |
| Providing legal Education | 7(8.6)   | 5(8.1)   | 9(5.0)   | 3(4.0)   | 6.0                |
| Punishing                 | 12(14.8) | 18(29.0) | 20(11.2) | 20(26.7) | 17.6               |
| Warming                   | 4(4.9)   | 6(9.7)   | 19(10.6) | 5(6.7)   | 8.6                |
| Enforcement               | 5(6.2)   | 17(28.5) | 28(15.6) | 30(40.0) | 20.4               |

**Source:** Field Survey Data, 2017

Key: Number in parenthesis are percentages (%)

Moreover, the results were tested through ANOVA test to show the relationship between approaches opted by rural institutions in addressing the land titling process

within the study villages. It was found in Table 4.18 that there are statistically significant results between villages at  $F(3, 393) = 27.065$ , ( $p < 0.001$ ), statistical analysis results imply that Rural institutions opted for diplomacy approach in facilitating land titling process in ensuring CCRO's acquisitions among agro-pastoralists in villages.

**Table 4 18: ANOVA Test on Approaches Adopted by Rural Institutions/ Authorities in Facilitating Customary Land Titling and Acquisitions of CCROs in Studied Villages**

|                | <b>Sum<br/>Squares</b> | <b>of<br/>Df</b> | <b>Mean<br/>Square</b> | <b>F</b> | <b>Sig.</b> |
|----------------|------------------------|------------------|------------------------|----------|-------------|
| Between Groups | 217.496                | 3                | 72.499                 | 27.065   | .001        |
| Within Groups  | 1052.736               | 393              | 2.679                  |          |             |
| <b>Total</b>   | <b>1270.232</b>        | <b>396</b>       |                        |          |             |

**Source:** Field Survey Data, 2017

It is concurrent with Institutional Economic Theory through a normative approach; it is argued that the best way to understand the behavior of both individuals and authorities through logical appropriateness, which includes diplomacy and inclusiveness in the whole process of development planning (Olsen, 1984). Similarly, Property Right Theory argues that conflicts over land occur because those powerful people and decision-makers overlay the weaker segment group in accessing rights to land through exclusion approach in any planning activities. This causes the weaker group to lack CCROs which could be used as collaterals for loans into formal financial institutions (Klein and Robinson, 2011; Alchian, 2008).

When the Scheffe Post hoc-test was computed, the results revealed that differences occur between Pwaga and Lupeta villages at ( $P < 0.001$ ) and the mean difference was

-2.099 on diplomacy approach to the villages, Pwaga and Mabadaga village at ( $P < 0.033$ ) and the mean difference is 0.652 and others. However, there is no difference existing between Lupeta and Mswiswi, a village without CCRO's (Appendix 4.21). The study probed the reason for the existing differences it might be due to lack of VLUP in these unregistered villages and differences in sampling distribution on the studied villages comparing to Pwaga and Mabadaga registered villages with CCRO's.

Furthermore, the study findings Table 4.18 corroborates with Kelsey *et al.* (2011) study in Mali and John and Kabote's (2017) study in Tanzania, reported that 57.5% of the respondents in South Agricultural Corridor of Tanzania (SAGGOT) in Rukwa and Katavi reported the government involved agro-pastoralist during the implementation of land titling process through the issuing CCRO's. Conversely, FGD's participants in Mabadaga and Pwaga, a village with CCRO's respectively, reported that these custom laws under the elders and chiefs use force to address problems of land issues that create land disputes among agro-pastoralists. This was argued with the report from the interview with a woman aged 37 years old, from Mabadaga village quoted by saying that:

*... "I had land case from 2008 up to date with my brother who wants to appropriate all the land with CCRO's which were distributed equally by our father to every children, when my brother filed a case to customary land authorities (elders and chiefs) they ordered me to leave my land and give my brother because customary laws do not permit woman to own family land. I went to his home and fought for two hours....he wounded my body with knife...."*

Furthermore, the study findings differed with the argument from the in-depth interview with the Programme Officer from Rujewa. The Integration Efforts to Fight Poverty (RIEFP) in Mbarali District, PELUM in Morogoro Region and PACODECO in Arusha Region who reported that still rural institutions, specifically government officers use force when agro-pastoralists are reluctant to accept VLUP with the issue of CCROs which lead to emerging land disputes in many villages. However, the study noted that many land disputes in rural Tanzania are mainly caused by a lack of skills on approaches to handling land titling process in order to enhance CCRO's acquisitions to agro-pastoralists.

#### **4.5.3 Effectiveness of Rural institutions in Enhancing Customary Land Titling and Issuance of Certificate of Customary Right of Occupancy (CCROs) to Agro-pastoralists**

The study was interested in comparing the effectiveness of informal (norms, customs laws, local leaders, and other forms) with formal institutions (like laws and regulations, policies, village land council, tribunals, and other) in managing land issues for agro-pastoralists livelihoods. Survey results Table 4.19 indicate that villages with and without CCRO's agree on the effectiveness of the informal institution that, they are effective comparing to formal institutions. Moreover, perception of effectiveness by using Likert scales Table 4.19 and 4.20 was measured by Mean Index ( $\bar{X}$ ), which denotes the actual percentage of the responses of Likert scales on informal and formal rural institutions, respectively. Survey results revealed that at Mean Index ( $\bar{X}$ ) = 3.0469 denotes 54.2% of all respondents reported that informal institutions are effective in land management issues (Appendix

4.22) comparing to Mean Index ( $\bar{X}$ )=2.4719 which denotes 65.7% of all respondents reported that formal institutions are not effective (Appendix 4.23).

**Table 4.19: Effectiveness of Informal land institutions**

| Attribute                             | Pwaga    |      |      |      |      | Lupeta  |      |      |      |      |
|---------------------------------------|----------|------|------|------|------|---------|------|------|------|------|
|                                       | SD       | D    | N    | A    | SA   | SD      | D    | N    | A    | SA   |
| Provide land information              | 18.5     | 13.1 | 7.4  | 53.9 | 33.7 | 22.6    | 19.0 | 11.3 | 44.8 | 31.3 |
| Land governance (practice corruption) | 4.9      | 19.8 | 12.3 | 9.2  | 6.7  | 6.5     | 21.0 | 8.1  | 8.1  | 6.5  |
| Managing conflicts over land          | 13.6     | 28.4 | 8.6  | 61.8 | 44.6 | 4.8     | 16.8 | 12.9 | 52.1 | 27.4 |
| Use participatory                     | 17.3     | 28.3 | 8.6  | 51.2 | 49.2 | 21.0    | 17.8 | 4.8  | 46.1 | 32.3 |
| Recognition of land rights            | 25.9     | 40.7 | 4.9  | 9.9  | 18.5 | 22.6    | 38.7 | 4.8  | 6.7  | 4.2  |
| Provide land education                | 10.6     | 18.2 | 31.0 | 11.2 | 15.9 | 9.7     | 35.5 | 9.7  | 16.1 | 19.0 |
| Attribute                             | Mabadaga |      |      |      |      | Mswiswi |      |      |      |      |
|                                       | SD       | D    | N    | A    | SA   | SD      | D    | N    | A    | SA   |
| Provide land information              | 19.5     | 29.6 | 10.1 | 67.4 | 59.4 | 14.7    | 25.3 | 13.3 | 66.7 | 56.7 |
| Land governance (practice corruption) | 5.6      | 28.5 | 9.5  | 12.7 | 15.8 | 8.0     | 13.8 | 10.7 | 13.3 | 15.3 |
| Managing conflicts over land          | 6.7      | 14.7 | 8.4  | 56.3 | 60.2 | 13.3    | 16.7 | 9.0  | 58.3 | 65.4 |
| Use participatory                     | 10.6     | 37.4 | 7.3  | 69.9 | 55.8 | 20.0    | 10.2 | 1.3  | 59.1 | 49.9 |
| Recognition of land rights            | 16.2     | 46.4 | 8.9  | 7.8  | 18.4 | 11.6    | 15.3 | 13.3 | 27.3 | 14.7 |
| Provide education                     | 10.6     | 51.8 | 5.0  | 10.3 | 24.0 | 9.3     | 8.1  | 5.8  | 13.7 | 37.3 |

**Source:** Field Survey Data, 2017

Key: Number within (Table 4.19) are percentages (%)

Further statistical analysis was made by using ANOVA test so as to investigate the statistical significant differences in the results between the villages. It was found that

there are statistical significant differences at (df, 3,393;  $p \leq 0.038$ ) and (df, 3, 393;  $p \leq 0.047$ ) on the response of informal institutions that provide land information and ability to address land disputes in villages. In contrast, statistical significant differences occurred at (df, 3, 393;  $p \leq 0.001$ ) on the response of formal institutions that are capable of addressing rights on land ownership and CCRO's acquisitions (Appendix 4.24A). The implication of the results indicates that informal institutions perceived positively on effectiveness comparing to formal institutions. The reason was given through FGD's in the villages that formal institutions do not use participatory approaches; it excludes agro-pastoralists in decision making, which later creates conflict of interest over land.

In the same vein, Cuskelly's (2011) hold the same view that many conflicts over land emerge due to lack of information, lack of participation of agro-pastoralists in decision making during land titling process. But also, survey results from the study (Table 4.19 and 4.20) corroborates with the idea of Nkhata *et al.* (2017) and Berry (2017) who demonstrate that poor capacities of institutions to use their authority and power by not collaborating with beneficiaries to any intervention like VLUP/CCRO's to agro-pastoralists create conflicts over land. However, the study found the reasons why they prefer informal institutions. Through In-depth interview, two respondents from Mabadaga and Pwaga village with CCRO's aged 65 and 52 years old, respectively, had this to say:

*....“Most local people's preference is to use customary institutions in land disputes settlement because it is easier to reach local leaders (proximity) compared to formal institutions which incur high cost, time, and outlays of resources”...*

The phrase was matched with Hebo's (2006) study in Ethiopia who found that about 70% up to 80% of agro-pastoralists in Arsii Oromo of Southern Ethiopia demonstrated that they appreciate the use of informal institutions because it has no cost, physical closeness with people and it involve people in any activities during land titling process. It was in line with Owoo & Boakye- Yiadom (2014), Findlay *et al.* (2018) study in South Africa, Comaroff and Comaroff's (2018) who affirm that local institutions are always capable of identifying their own problems and need, analyzing and categorizing them, and identifying priorities which improve the efficiency of land titling process in rural areas.

However, survey results Table 4.20 shows that agro-pastoralists disagree on the effectiveness of the formal institutions. Basing on the reason from FGD's in the studied villages, it was noted that many authorities dealing with land issues specifically government uses forces in land use planning to agro-pastoralists, which creates conflicts among land-use planners and indigenous. In parallel to that, through interview with men 45 of years old from Mabadaga, a village with CCRO's, it was reported that formal institution does not address land cases during land titling at specific time, also had this to say:

*... "In all the reviewed cases in the villages, formal institutions have either ignored the pending cases or disregarded the court's injunctions; instead they have gone on evicting agro-pastoralists from the disputed village land and convincing us to sell cattle and land to them ...actually we get loose hope to our land which we could use in productions" ....*



**Table 4.20: Effectiveness of Formal Land Institutions**

| Attribute                             | Pwaga (n=81) |      |      |      |      | Lupeta(n=62) |      |      |      |      |
|---------------------------------------|--------------|------|------|------|------|--------------|------|------|------|------|
|                                       | SD           | D    | N    | A    | SA   | SD           | D    | N    | A    | SA   |
| Provide land information              | 29.6         | 28.4 | 11.1 | 17.2 | 3.7  | 42.6         | 35.5 | 12.9 | 8.9  | 11.0 |
| Land governance (Practice corruption) | 18.5         | 38.3 | 4.9  | 13.9 | 12.3 | 29.0         | 46.7 | 3.2  | 7.1  | 12.9 |
| Managing conflicts over land          | 7.4          | 54.4 | 6.2  | 18.5 | 11.6 | 49.7         | 48.4 | 8.1  | 9.0  | 4.8  |
| Use participatory                     | 21.0         | 45.7 | 4.3  | 14.8 | 10.2 | 54.5         | 37.1 | 2.6  | 15.2 | 12.5 |
| Recognition of land rights            | 38.6         | 30.9 | 3.7  | 27.0 | 19.8 | 28.1         | 41.9 | 6.5  | 25.8 | 17.1 |
| Provide education                     | 44.9         | 35.8 | 9.9  | 12.1 | 20.3 | 34.8         | 37.1 | 8.0  | 15.5 | 13.3 |

| Attribute                             | Mabadaga (n=179) |      |     |      |      | Mswiswi (n=75) |      |     |      |      |
|---------------------------------------|------------------|------|-----|------|------|----------------|------|-----|------|------|
|                                       | SD               | D    | N   | A    | SA   | SD             | D    | N   | A    | SA   |
| Provide land information              | 44.5             | 32.4 | 6.7 | 13.8 | 10.6 | 30.4           | 38.7 | 5.0 | 18.0 | 9.0  |
| Land governance (Practice corruption) | 37.3             | 40.2 | 5.0 | 12.9 | 14.5 | 40.7           | 41.3 | 6.1 | 22.7 | 20.0 |
| Managing Land disputes                | 28.4             | 43.0 | 3.9 | 15.8 | 8.9  | 39.3           | 54.1 | 7.9 | 15.1 | 17.0 |
| Use participatory                     | 29.0             | 39.1 | 2.2 | 21.3 | 7.6  | 22.0           | 44.0 | 4.0 | 24.0 | 16.0 |
| Recognition of land rights            | 36.7             | 38.0 | 3.9 | 36.3 | 15.1 | 24.0           | 48.0 | 7.1 | 26.7 | 14.1 |
| provide education                     | 27.3             | 59.8 | 2.8 | 15.6 | 14.6 | 35.3           | 54.7 | 6.7 | 18.8 | 12.3 |

**Source:** Field Survey Data, 2017

Key: Number within (Table 4.20) are percentages (%)

Reports from Mswiswi and Lupeta, villages with CCRO's was inconsistent with report from the interview in Mabadaga and Pwaga, a village without CCRO's, it was quoted by one woman aged 65 years old who reported that:

*... "Our local leaders in this village are the ones who cause many bad incidences of land disputes between boundary conflicts, person to person. Our leaders are rigid and reluctant to make reformation on customary laws and are not ready to know and practice modern laws that address the demand of the entire world.... We have tried of seeing death's of people in our soil because of the arrogance of our local leaders, but why the government does not force them to change?" ....*

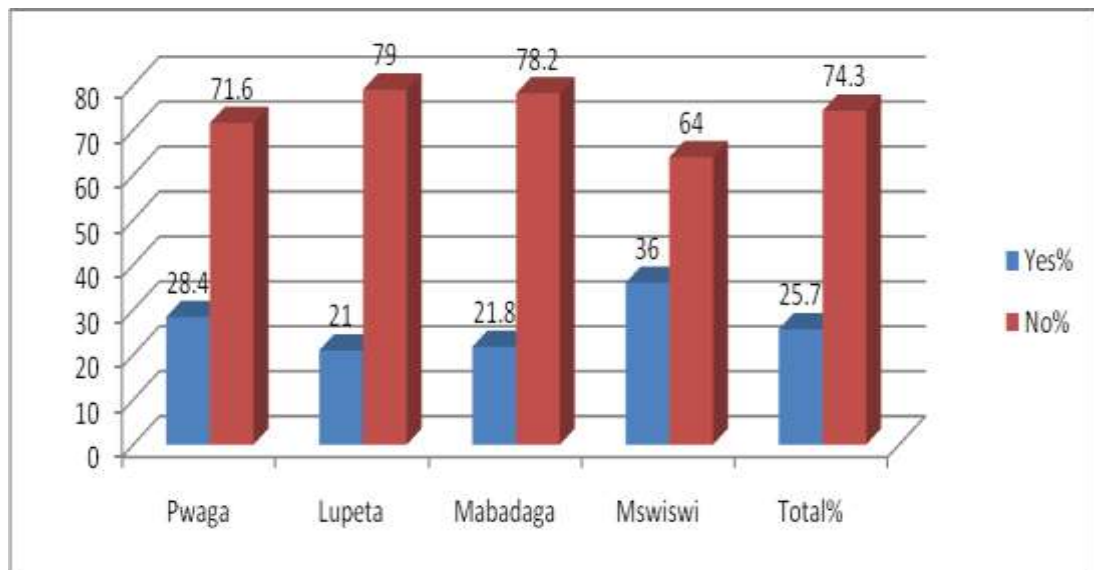
Regarding to the three quotations on the policies and regulations, the study found through documentary review that, Land Act No. 4 of 1999 and Village Land Act No. 5 of 1999 and Tribunal disputes Act 2 of 2002 describe that, the two institutions (formal and informal) are being recognized by land policies and regulations and must work by depending each other in a very participatory way. But, the survey result Table 4.20 found that formal institution is not cooperative with people in studied villages, which cause the process of land titling to be difficult among agro-pastoralists.

The study asked key informants from the studied villages on the reasons to why respondents differ in their interest in assessing the effectiveness of informal/customary and formal institutions?. It was reported that villages with CCRO's when they face challenge and need assistance from formal institutions like DLO's, MoLH they are reluctant to come to the villages meeting so as to address the challenges while villages without CCRO's condemn customary institutions because they fail to negotiate with the government in order to implement VLUP through

providing CCRO's fearing that their land will be confiscated by the government and investors. The general observation from the study results was that formal institutions do not perform effectively compared to customary institutions in facilitating land titling by ensuring CCRO's acquisition by agro-pastoralists.

#### **4.5.4 Roles of Rural Institutions in Addressing Land Acquisitions by Women and Children**

Asking the respondents on the role of rural institutions in addressing land rights was also mandatory to this study so as to understand the livelihood dynamics in local land administrations regarding marginalized groups. Results from Pwaga and Mabadaga villages with CCRO's and Lupeta and Mswiswi villages, a village without CCRO's, Figure 4.11 indicates that 74.3% of the respondents from the study villages reported that rural land institutions do not enforce land rights acquisitions to marginalized groups, specifically women and marginalized groups. Also, it can be drawn from studied villages that customary land institutions ignore women and children's land rights because they follow cultural directives, norms, traditions, and ethics which ignore them to own land.



**Figure 4.11: Role of Rural Institutions in Addressing Land Acquisitions by Women and Children in land right acquisitions**

Source: Field Survey Data, 2017: Total Percentage (%) Basing on Average

The findings Figure 4.11 were supported by Isinta's (2018) study in Kenya, which revealed that the 2010 constitution of Kenya accords women full land ownership rights, but in practice, women are not prioritized to own land. Concurrently, Bernstein's (2012) study in Zimbabwe posits out that customary land institutions' reforms have incorporated processes of exclusion, worsening social divisions and class disparity, which created mass unemployment to most women and children. Furthermore, it was apparent with women's results from FGD's participants from the study villages, who reported that customary laws undermine women's right in land acquisition and forced to leave their land to men. This is supported by in-depth discussion with women aged 51 years old from Lupeta, who was quoted by saying that:

*....“Oooooooh, my husband died in 2001. He left me with six (6) children who are all girls. Before his death, we had two houses and four farms, but as per Gogo tribe customs, all these properties are under father. In that*

*case, me and my girls we had no right to these properties, and my husband's relatives gave us another farm to cultivate, which does not produce more crops because of bad soil in the area...I don't want these customary authorities anymore, exclusion from resource and properties is a sin to God"...*

The results from Key informant through in-depth interview corroborates with the idea of Institutional Economic Theory which demonstrates that security of property rights to all groups (women and men) is very important in order to increase the efficiency of resource use to suit the demand of the entire community (Barrows and Roth, 1990). This is in line with the Sustainable Livelihood Approach (SLA), which addresses that policies, institutions, and processes are key transforming structures for livelihoods when people have ensured the security of equal access to land as a natural asset, which contributes to positive and negative transformation (DFID, 2000).

Moreover, the survey results Figure 4.11 were contrary to the National Land Policy of 1995 and Act 24 (1) of Constitutional of Tanzania of 1977, which states that ensuring equal access to land by all Tanzanians. This principle is replicated in section 3(2) of the Land Act No. 4 of 1999 which declares that the right by women to access, use, distribute and sell should be known that is the same right to men's at the same standards and conditions and section 23(2) (c) of the Village Land Act No.5 of 1999 also notes that during the process of the Village Council to implement registration of land within village, it should consider the applications of women equals to men. Also, section 161(1) and (2) of Land Acts 4 of 1999 notes that the right to own land by joint or double allocation between men and women. In spite, of

this principle from constitutions, it was rejected by Ossome's (2014) and Cuskelly's (2011) study in Nigeria arguing that customary law secured women's land rights better than formal laws because it is very close to all minority groups.

Generally, observation from the study revealed that the majority reported that rural institutions are not effective in addressing land rights to the marginalized groups in the study villages; this affects low production in economic activities hence poor sustainable development.

#### **4.5.5 Tribunal Land Disputes Court and Conflicts Resolution which**

##### **Facilitated Certificate of Customary Right of Occupancy (CCROs)**

##### **Acquisitions Process to Agro-Pastoralists**

Understanding the Land dispute court (at Village, Ward, and District levels) was very important to this study. This is because it helped the researcher to know if the respondents were aware or know the real authority, which addresses land cases when facing the challenge of acquiring CCRO's and own land. The study asked respondents to mention all land courts. The survey results Table 4.21 indicates that 36.0% of the respondents mentioned Village Land Tribunal, and 23.9% mentioned Ward Tribunal Court. The survey results imply that Village and Ward tribunals are the main organ that helped to settle cases relating to CCRO's acquisitions. The implication of the study results concurred with in-depth interview with DLO who reported that, when agro-pastoralists are entered into conflict either boundary or ownership of the farm, then these organ gives right of ownership to a person who owns land through acquiring CCRO.

**Table 4.21: Agro-pastoralists Knowledge on Land Court which Address Land Cases**

| Villages        | Mention Tribunal Land Courts |               |                                    |                             |                 |
|-----------------|------------------------------|---------------|------------------------------------|-----------------------------|-----------------|
|                 | Village Land Tribunal        | Ward Tribunal | District Land and Housing Tribunal | Land Division of High Court | Court of Appeal |
| Pwaga (n=81)    | 23(28.4)                     | 19(23.5)      | 17(21)                             | 7(8.6)                      | 6(7.4)          |
| Lupeta (n=62)   | 25(40.3)                     | 18(29.0)      | 7(11.3)                            | 5(8.1)                      | 2(3.2)          |
| Mabadaga(n=179) | 62(34.6)                     | 43(24)        | 42(23.5)                           | 6(3.4)                      | 15(8.4)         |
| Mswiswi(n=75)   | 33(44)                       | 15(20)        | 7(9.3)                             | 5(6.7)                      | 11(14.7)        |
| <b>Total %</b>  | <b>36.0</b>                  | <b>23.9</b>   | <b>18.4</b>                        | <b>5.8</b>                  | <b>8.6</b>      |

**Source:** Field Survey Data, 2017

The survey results Table 4.21 is supported by FGD's participants from the studied villages and interview from Village Chairperson in Mabadaga and Pwaga villages, who reported that most agro-pastoralists know tribunals because they solve many land disputes existing to the villages. This made many agro-pastoralists to visit into these tribunals so as they can address their land cases. The survey results. Table 4.21 is also consistent with statements from an old woman aged 63 years old, who is aware of many historical events about informal and formal or legal instruments and authorities addressing land issues with CCRO's acquisitions. She was quoted saying that:

*....“From the historical perspective, these instruments addressing land cases were present. Since colonial regime which undermines human right, specifically to women who were not allowed to own land....is where I started to fight for my right to land ownership for farming and pasturing my cows. But, after land formalization, tribunals emerged in our villages.I forced to see this court against my opponent (men 73 years old), and the registered case was at Mbarali District Court with Criminal Trespass Case Number 13/201. These challenges forced me to know these tribunals which address land disputes and provide the role of CCRO's education”.....*

Moreover, the findings Table 4.21 differs from Sutanto *et al.* (2016) study in Indonesia, who claimed that their livelihoods were affected because many agro-

pastoralists failed to acquire right in owning CCRO's because they lack education on where they can present their problems. Conversely, Adam and Birhanu's (2017) study in rural Ethiopia found many people knowns tribunals because the government facilitated education on the roles of tribunals in settling disputes over land. In the same vein, Hebo's (2006) in Arsii Oromo of southern Ethiopia, reported that about 52% grazing, 18% farm field and 20% farm and grazed land for agro-pastoralists faced challenges of land disputes in which tribunal courts helped to solve land cases. Concurrently, Shimwela's (2018) study in Tanzania, confirmed that indigenous in Mbozi district are well familiar with tribunal as it facilitate the process of land titling in managing land matters when agro-pastoralists wants to get rights during CCRO's acquisitions.

But also, survey results Table 4.21 is apparent to Moyo's (2018) study in Tanzania who reported that tribunals have helped agro-pastoralists to acquire CCRO's rights through addressing land acquisitions disputes, about 19% of women reported their cases to hamlet leaders, 52%t to the VillageeLand Council (VLC), 19% to clan members while 5% the ward tribunal in Makete District and land cases have been solved.

Furthermore, the results (Appendix 4.25A) were tested by ANOVA in order to know the relationship of the results between the villages. It was shown that there were no statistical significant differences in the results between the study villages (at,  $df, 3, p \geq 0.493$ ). In comparison with computed Scheffe-post hoc results (Appendix 4.25B) shows that there are no statistical significant differences across all the



villages. The study probed the reason that lack of statistical significant differences was due to differences in sampling distributions of study villages. Generally, the study noted that many respondents in the study villages reported that tribunals have helped agro-pastoralists to get their rights in CCRO's acquisitions in the studied villages.

Changes of Livelihoods Associated with the Use of Customary Land Titling Among Agro-Pastoralists in the Study Areas

#### **4.6.1 Dominant types of Formal Financial Institutions used by Villagers for Accessing Loans in Study Areas**

The study interested in investigating if respondents are aware of formal financial institutions that provide loans through using CCRO's as collaterals. Table 4.22 display that, most of the respondents are not familiar with formal financial institutions which accept CCRO's, but only few respondents acknowledged that CRDB accepts CCROs as collaterals for loans compared to other banks.

**Table 4.22: Dominant types of Financial Institutions used by Villagers for Accessing Loans**

| Villages            | NMB        | NBC        | POSTAL<br>BANK | CRDB       | SACCOS     | OTHER BANK |
|---------------------|------------|------------|----------------|------------|------------|------------|
|                     |            |            |                |            |            |            |
| Pwaga<br>(n=81)     | 1(1.2)     | 0(0.0)     | 0(0.0)         | 5(6.2)     | 1(1.2)     | 0(0.0)     |
| Lupeta<br>(n=62)    | 0(0.0)     | 0(0.0)     | 0(0.0)         | 3(4.8)     | 0(0.0)     | 0(0.0)     |
| Mabadaga<br>(n=179) | 4(2.2)     | 3(1.7)     | 1(0.6)         | 12(6.7)    | 0(0.0)     | 1(0.6)     |
| Mswiswi<br>(n=75)   | 1(1.3)     | 0(0.0)     | 0(0.0)         | 1(1.3)     | 1(1.3)     | 0(0.0)     |
| <b>Total %</b>      | <b>1.5</b> | <b>0.8</b> | <b>0.3</b>     | <b>5.3</b> | <b>0.5</b> | <b>0.3</b> |

**Source:** Field Survey, 2017

In the same vein, a report from the In-depth Interview in Pwaga village with old women (66) with CCROs (Appendix), She had this to say:

*...“Actually I know many micro-financial institutions in Dodoma Region which provide financial services, but I do not know a true bank which issues loans. This is because I am always traveling with my CCRO’s in my hand to the center of the district, where many banks originate, but I am returning with unanswered questions about the true bank which provide loans”...*

The study findings Table 4.22 are in line with the idea of Desoto’s (2000) study in Africa, Schreiber’s (2017) study in Tanzania, Mouchenga *et al.* (2018) study in China, Rignall and Kusunose’s (2018) study in Morocco and Barrow *et al.*, (2016) who reported that rural people are facing challenges in struggling for opportunities because they are not aware of financial institutions which provide loans through the use of CCRO’s as collaterals.

Moreover, the study interested to know the extent of the respondents who own CCROs and used it as collaterals in borrowing money from formal financial institutions. Table 4.23 displays that, about 137(71.4%) and 55(28.6%) of the respondents, men from Mabadaga and Pwaga own's CCROs, respectively. But also, 21(52.5%) and 19(47.5%) of women's own CCROs from Mabadaga and Pwaga village, respectively. Furthermore, the study observed that about 20 in number of the respondents accessed loans by using CCROs as collaterals. This can also be seen during FGD across studied villages with CCROs, reported that most people did not use CCROs as collateral for loans. The reason found during In-depth Interview with woman, 45 years of old, reported that women are not able to read and present their needs into financial institutions until other people who are familiar with loans can assist them.

**Table 4.23: The use of CCROs as collaterals for Loans by agro-pastoralists Basing on Gender**

| Villages             | Respondents who Own's CCROs |              |           | Total %      | Accessed Loans using CCROs as collaterals |          |           |
|----------------------|-----------------------------|--------------|-----------|--------------|---|----------|-----------|
|                      | Men                         | %            | Female    |              | Men                                       | Female   | Total     |
| Pwaga (n=81)         | 55                          | 28.6         | 19        | 47.5         | 5   | 1        | 6         |
| Mabadaga(n=179)      | 137                         | 71.4         | 21        | 52.5         | 11  | 3        | 14        |
| <b>Total (n=260)</b> | <b>192</b>                  | <b>100.0</b> | <b>40</b> | <b>100.0</b> | <b>16</b>                                 | <b>4</b> | <b>20</b> |

**Source:** Field Survey Data, 2017

The study extended discussion through documentary review and in-depth interviews with loan Officers from formal financial institutions who provided a list of respondents applied for loans by using CCROs as collaterals. Table 4.24 display that

CRDB accepted CCRO's compared to other banks. The results imply that most of the respondents across villages didn't access loans by using CCROs as collaterals. The result correspond with FGDs report across villages, the researcher observed that most people were not satisfied with difficult conditions posed by formal financial institutions.

**Table 4.24 The Extent of Agro-pastoralists who Borrowed Money by using CCROs as Collateral from Formal Financial Institutions Basing on Villages with CCROs**

| District       | Village         | Types of Formal Financial Institutions |        |        |     |      | Total     |
|----------------|-----------------|--|--------|--------|-----|------|-----------|
|                |                 | NBC                                    | POSTAL | SACCOS | NMB | CRDB |           |
| <b>Mpwapwa</b> | <b>Pwaga</b>    | 0                                      | 0      | 0      | 1   | 7    | <b>8</b>  |
| <b>Mbarali</b> | <b>Mabadaga</b> | 0                                      | 0      | 0      | 4   | 11   | <b>15</b> |

Source: Field Survey Data, 2017

Moreover, the study was interested in finding out such loan conditions posed by formal financial institutions to agro-pastoralists in accessing loans. It was reported from CRDB and other banks that, firstly, application letter; secondly, situational analysis of the physical asset with history of the farm production which has permanent crops and other. The study asked agro-pastoralists through FGD's across studied villages if they are conversant and satisfied with the mentioned loan conditions. Respondents reported that they are discomfort with the loans conditions posed by banks because they are difficult. Furthermore, the study noted the reasons through FGDs across studied villages as to why agro-pastoralists dislike procedure and loan conditions. They also reported that they had not received education on acquiring loans through the use of CCRO's as collaterals and had no permanent crops in their farms.

The study results are also contrary to the interview from District Land Officer, NMB and CRDB loans officers who reported that the government under the program of VLUP in the piloted rural areas of Tanzania, specifically Mpwapwa and Mbarali districts, invited stakeholders who implements VLUP like financial institutions (banks) and other players so as to provide awareness and knowledge on the use of land certificates (CCRO's) as collaterals for loans, by introducing all banks responsible for provision of loans. This report matched with the interview with a young man (29) years old from Mabadaga village, a village with CCROs, who had this to say:

*.... "It was not easy to know the true bank which accepts CCRO's for loans; what I did was to make follow up to my friends, lawyers, and into many banks, but CRDB loan policy was very simple to adhere to conditions compared to other banks like NMB, NBC and others. Knowing banks which deal with CCRO's needs time because bank officers use a long process to explain the relationship between CCRO's and bank conditions".....*

Again, the report from Loans Officers differed with the statement from one of the women of 56 years old from Pwaga village, a village with CCROs; She had this to say:

*..... "You know I am not aware, and I believe even my friends in our village are like me. We lack knowledge on loans conditions from formal financial institutions, and most banks are not accepting CCRO's. Thus most people prefer informal loans from friends and relative who has no difficult conditions".....*

#### **4.6.2 Changes in Physical Assets Associated with the Use of Certificate of Customary Right of Occupancy (CCROs) in studied Villages**

The study wanted to find out what were the changes in physical asset after receiving and using CCRO's by the respondents in study villages. Overall results Table 4.25

shows that less than 15% of the respondents in the study village increase land size after receiving CCRO's. The survey results were tested by using ANOVA test on the increasing of land size as the highly scored response compared to the others in order to confirm the statistical significant differences of the results due to the use of CCRO's as collaterals. It was found (Appendix 4.28A) that, there are no statistical significant differences on the changes of a physical asset of agro-pastoralists at  $F(0.155, 18.838) = 1.077$ ,  $p \geq 0.359$ . Results imply that there is slightly changes in physical asset because CCROs are mostly denied by financial institutions across villages.

**Table 4.25: Changes in Physical Assets Associated with Certificate of Customary Right of Occupancy (CCROs) for Loans from Micro Financial Institutions**

| Attributes  | %   | Pwaga<br>(n=81) | Lupeta<br>(n=62) | Mabadaga<br>(n=179) | Mswisi<br>(n=75) | Average Total<br>% |
|---|-----|-----------------|------------------|---------------------|------------------|--------------------|
| Land size increased for agriculture                             | Yes | 15(18.5)        | 6(9.7)           | 30(20.1)            | 5(6.7)           | 14.0               |
|   | No  | 66(81.5)        | 56(90)           | 149(79.9)           | 70(93.3)         | 86.0               |
| Constructing water infrastructures like wells, canals and other | Yes | 6(7.4)          | 3(4.8)           | 8(4.5)              | 1(1.3)           | 4.5                |
|   | No  | 75(92.6)        | 59(95.2)         | 171(95.5)           | 74(98.7)         | 95.5               |
| Buying modern farm machines like the tractor, power tiller      | Yes | 5(6.2)          | 2(3.2)           | 24(13.4)            | 35(8.8)          | 8.8                |
|   | No  | 76(93.8)        | 60(96.8)         | 155(86.6)           | 362(91.2)        | 91.2               |
| Buying animals and poultry                                      | Yes | 11(13.5)        | 4(6.5)           | 27(15.1)            | 4(5.3)           | 10.2               |
|   | No  | 70(86.5)        | 58(93.5)         | 152(84.9)           | 71(94.7)         | 89.8               |
| Establishing investment projects like shops and other           | Yes | 8(9.8)          | 5(8.1)           | 20(12.6)            | 4(5.3)           | 9.0                |
|   | No  | 73(90.2)        | 57(91.9)         | 159(87.4)           | 7(94.7)          | 91.0               |
|   | Yes | 6(7.4)          | 4(6.5)           | 22(12.3)            | 8(10.7)          | 10.1               |
|   | No  | 75(92.6)        | 58(93.5)         | 157(87.7)           | 67(89.3)         | 89.9               |
| Bulding modern house  | No  | 75(92.6)        | 58(93.5)         | 157(87.7)           | 67(89.3)         | 89.9               |

**Source:** Field Survey Data, 2017

In additional, results imply that there are insufficient benefits from the use of CCRO's as collaterals to financial institutions. Survey results matched with Ali *et al.* (2011) study in Rwanda, who found no clear indication that recognition of CCRO's ownership increased livelihood's assets to agro-pastoralists. Furthermore, when Scheffer Post hoc test (Appendix 4.28B) was computed, the results show that no statistical significant differences on increased land size across all studied villages.

Furthermore, results from the FGD participants in Pwaga and Mabadaga villages, villages with CCROs, respectively, shows that changing of livelihood asset is not achieved because of agro-pastoralists did not borrow money from formal financial institutions. Because of difficult conditions posed by banks like to own permanent crops on the farm, which will be mortgaged by using CCROs as collaterals. Therefore, researcher observations, villagers use CCRO's an informal agreement among themselves by giving CCRO's to a person who had financial assets and loaned by expecting to get a certain percentage of money as a benefit. This can be observed with In-depth Interview, that few respondents changed their livelihood asset through informal loans (Plates 4.11 and 4.12) a respondent X who is a man age 55 years from Mabadaga, had this to say:

*.....“My CCRO registration number is 29/MBL/2012 which I used to borrow ten million from my friend and not from the banks, and I spent on buying power tiller and increased land size of my farm from five (5) to seven (7) acres, and I am paying him five percent as a benefit. But if I fail to pay his money my farm will be confiscated by him” .....my income increased, I built a new good house”...*



**Plate 4.11: House before the use of CCRO for loan**



**Plate 4.12: House after the use of CCRO for loan**



The study extended investigation on finding justification on the truth about informal loans, through observation and In-depth Interview, it was observed that, five (5) agro-pastoralists who provided informal loans to their friends and relatives, four (4) from Mabadaga and one (1) from Pwaga villages in Mbarali and Mpwapwa district, respectively. The study noted that the time to repay the loan and interest dependent on the amount of money borrowed. The study found that the first respondents from Mabadaga and Pwaga villages who borrowed ten million, were given five years of repayments, at 5% interest rate. The study asked agro-pastoralists during FGD and Interview if they are satisfied with the informal loans. It was reported that they enjoy much because the procedure is simple, and they get money in time compared to NMB and other financial institutions in their districts.

Apart from informal loans in studied villages, but few respondents acknowledged the role of formal financial institutions, specifically CRDB. Report from observation and In-depth interview with a man aged 54 years old from Mabadaga village supported that, after receiving CCRO's for five rice farms, he used four CCRO's to borrow Tshs 25, 000,000/= from Mbarali CRDB. Furthermore, the man used the borrowed money to buy power tiller and five cows as an investment project (Plate 4.15 and 4.16). Therefore, the general survey results on changes of the physical asset it was found that there was low changes on physical asset due to the use of CCROs across all studied villages.



**Plate 4.13: Goat after the use of CCRO for loan** **Plate 4.14: Pig after the use of CCRO for loan**



**Plate 4.15: Power Tiller after the use of CCRO for loans** **Plate 4.16: Cows after the use of CCROs for loans**

#### **4.6.3 Changes of Household Income before and after Acquisitions of CCRO**

The status of income owned by respondents in the study villages was very important because it helps to understand their opinions on the impact of using CCRO's in different livelihood activities. The study applied the formula of household income change, which was also used by Beck (2018) to find changes in income before and

after the intervention. The results Table 4.24 shows that about 56.7% of the respondents experienced slight changes in income after the use of CCRO's. Additionally, 62.9% of respondents without CCRO's Table 4.25 indicate that their income was similar to respondents who own CCRO's.

The results in Table 4.24 are in line with Mpamba (2015) study in Basutu and Basodeshi ward, Tanzania, who found that CCRO's had impacts on agro-pastoralists livelihoods slightly. In the same vein, Dube *et al.* (2013) study in Zimbabwe, reported that about 100% of the pastoralists and agro-pastoralists in these wards reported that CCRO's had slightly effect on income change because financial institutions do not accept them as collaterals for loans so as to increase their capital for agricultural investments. Furthermore, it was reported through FGDs, and In-depth interview in the studied villages that there are no financial institutions that accept CCRO's as collaterals but also had difficult loan conditions like agro-pastoralists must own farms with permanent crops, for example, cocoa, palm oil, cashew nuts, and others.

**Table 4.226: Changes in Household Income due to the use of CCRO's in Study Villages**

| Household Income<br>(Monthly)<br>(Tshs) | Income<br>Before<br>CCRO's<br>(n=227) |      | Income<br>After<br>CCRO's<br>(n=227) |      | Household Income Change (%) |
|---|---------------------------------------|------|--------------------------------------|------|-----------------------------|
|   | F                                     | %    | F                                    | %    |                             |
| 100000-200,001                          | 129                                   | 56.8 | 131                                  | 57.7 | 56.7                        |
| 200,000 -300,001                        | 67                                    | 29.5 | 68                                   | 30   | 29.0                        |
| 300,000-400,001                         | 10                                    | 4.4  | 11                                   | 4.8  | 0.08                        |
| 400,000-500,001                         | 12                                    | 5.3  | 12                                   | 5.3  | 0.0                         |
| 500,000-600,001                         | 5                                     | 2.2  | 3                                    | 1.3  | -1.39                       |
| 600,000 ≥                               | 4                                     | 1.8  | 2                                    | 0.9  | -1.1                        |

**Key:** **F**-Frequency, **HIC**-Household Income Change, **Fv**-Final value earned by household, **Iv**-Initial value which was previously owned by household, %-Percentage

**Table 4.27: Household income of the respondents without the use of CCRO's**

| Household Income<br>(Monthly)<br>(Tshs) | Current Household income (n=170) |      |
|---|----------------------------------|------|
|   | F                                | %    |
| 100000-200,001                          | 107                              | 62.9 |
| 200,00-300,001                          | 48                               | 28.2 |
| 300,000-400,001                         | 8                                | 4.7  |
| 400,000-500,001                         | 5                                | 2.9  |
| 500,000-600,001                         | 1                                | 0.6  |
| 600,000 ≥                               | 1                                | 0.6  |

**Source:** Survey Data, 2017

Furthermore, using Paired Sample t-test Table, 4.26 indicate that there were no statistical significance differences in income before and after receiving CCRO's.

Furthermore, the study investigated the magnitude of the change or size of the effect

after-acquired CCRO's by respondents; the study used eta squared formula. It was found that 0.005 was an eta squared whereby Cohen (1988) interpreted this result that CCRO's has a small effect change on household income.

**Table 4.28: Status of Income Before and After Acquisition of CCRO's**

| Income                        | N   | Mean ( $\bar{X}$ ) | Standard Deviation (SD) |
|-------------------------------|-----|--------------------|-------------------------|
| With CCRO's                   | 227 | 171806.17          | 110900.567              |
| Without CCRO's                | 227 | 165198.24          | 99000.896               |
| t- value= 1.033      p= 0.303 |     |                    |                         |

This implies that the acquisitions of CCRO's by most respondents in the studied villages had not changed their income. This might be due to the fact that CCROs were not used by the respondents to mortgage as collaterals to loans from formal financial institutions. Results (Table 4.26) are similar with Fitz (2017) study in Latin America, Buntaine *et al.* (2015) study in Morana–Saintago, Ecuado Baland *et al.* (2013) study in Argentina who found that customary land titling program through issuing CCRO's has insignificant improvement in income in rural areas of this country.

This was argued during In-depth Interview with one of the respondents from Pwaga village, a woman aged 45 years old, had this to say.

*... “From 2012, when I received land certificates there are no changes occurred due to owning this land certificate. Thus made me put inside of beg.....may be It will help me later” ....*

This In-depth Interview was supported by a PELUM program officer who reported that in Njombe, Mufindi, and Iringa regions, people in some villages received

CCRO's, but up to date, there are no livelihood changes of wellbeing by using CCROs.

However, the findings Table 4.24 and Table 4. 25 were differed from Shimwela's (2018) study in Mbozi, Tanzania, where analysis results between with and without CCROs of studied villages, found that 25.3% of the respondents who had permanent crops like cocoa and owned CCROs were found that their income changed because used CCROs as collaterals for loans. Concurrently, Nguyen's (2014) study in China found that only 14.7% of the agro-pastoralists with CCROs was financed by a loan from commercial banks and credit unions which significantly increased their income and they started to develop many investments in agriculture.

However, it was the opposite of the study reports by WEO/VEO from Mabadaga and Pwaga villages, who reported that villagers are not knowledgeable about the procedure and conditions of how to access loans from financial institutions. It is reported during FGD's discussion in Pwaga and Mabadaga villages, a village with CCROs that there are slightly changes in livelihood income. Despite the government intervention in introducing CCRO's in the villages, they are similar in income status with villages which have no CCROs. While FGD's participants from unregistered villages, Lupeta and Mswiswi, it was reported that the status of household income is very low because there is no intervention which can boost capital investment. In the same vein, it was reported during the interview from Mbarali in Mabadaga as a village with CCROs, by men (56) years old who own CCRO with registration number 27/MBL/128/2013 and 13.741 hector, was quoted saying that:

.... *“My son, who is a government servant in a certain ministry working in Rukwa region, used his time to process the CCRO’s after MKURABITA completed the project of VLUP and issuance of CCRO’s to villagers. Then, he assisted me in processing the loan by using CCRO as collateral to CRDB, which I used to invest in modern crop farming, which improved by income from 300,000-500,000Tshs per month” .....*

The study went further to investigate what is missing in the land policy of 1995 and revised the New Draft of Land Policy of 2016. It was observed through a documentary review that the land policy does not address enforcement mechanism to formal financial institutional to accept CCROs with simple loans conditions. Generally, the study results showed that, respondents did not change income because most of them did not take loans by using CCROs as collaterals from formal financial institutions.

#### **4.6.4 Status of Wellbeing After Acquisitions of CCRO’s by Agro-pastoralists in Study villages**

The Factor Analysis was used to model Composite of Wellbeing Index (CWI) using variable of Physical Asset (land size, house, water infrastructure, farm modern machines, animal or poultry and investment project) were used in modeling process. The results from Principle Component Analysis (PCA) revealed that Keiser-Meyer-Olkin (KMO) at 0.713 and Bartlett’s Test of Sphericity (BTS) were significant at  $p \leq 0.001$  indicating the factability of the variables included in the analysis PCA model. Furthermore, the analysis generated three component with Eigen Value of 1 or more which were aggregated using proportional of variance explained to form wellbeing asset index.

Then, the Independent Simple t-test was used to test whether there were a statistically significant differences in wellbeing between those with and without CCROs. The lavene's test for equality of variance indicates that f-value of  $F=1.509$  at a 0.220 indicate that equal variances were assumed. The results in a t-test analysis revealed that there were no statistically significant differences between agro-pastoralists with and without CCROs at  $t(395) = -1.427$ ,  $p=0.154$ . While, the mean of wellbeing Table 4.29 for households with CCROs was larger than the mean index without CCROs but there was no statistically significant differences. These results imply that acquisition and use of CCROs by agro-pastoralists had no change in their wellbeing

**Table 4.29: Status of Wellbeing After Acquisitions of CCRO's by Agro-pastoralists in Study village**

| Household (H)  | N          | Mean( $\bar{X}$ ) | Std Deviation     | Std. Error Mean   |
|----------------|------------|-------------------|-------------------|-------------------|
| With CCRO's    | 233        | 0.0599923         | 1.03467219        | 0.06778363        |
| Without CCRO's | 164        | -0.0852330        | 0.94513028        | 0.07380228        |
| <b>Total</b>   | <b>397</b> | <b>-0.0252407</b> | <b>1.97980247</b> | <b>0.14158591</b> |

$t(395) = -1.427$ ,  $p=0.154$

However, the study went further by investigating the statistically significant differences among independent physical asset so as to identify statistical significances between each asset which indicates the status of wellbeing among agro-pastoralists with and without CCRO's in Mpwapwa and Mbarali districts. After adopting Factory Analysis, then Z-test score for difference and Pearson Chi-square test was used and the procedure has been explained in chapter three in data analysis section 3.14. It was found Table 4.28 that villages in Mbarali district had statistically significant differences or changes after acquisition and use of CCRO's



on land ( $p \leq 0.033$ ), increased poultry ( $p \leq 0.024$ ) compared in Mpwapwa district where statistically significant differences occurred only in increasing acres of land size at ( $p \leq 0.013$ ).

**Table 4.23: Statistical Analysis on Status of Well-being through Z-test Score for Difference and Pearson Chi-square Test Results of Physical Assets**

|  |  | Mpwapwa District      |                           |                                | Mbarali District         |                            |                                |
|--|--|-----------------------|---------------------------|--------------------------------|--------------------------|----------------------------|--------------------------------|
| Physical Assets  |  | Pwaga with CCRO's (%) | Lupeta without CCRO's (%) | Differences ( <i>p-value</i> ) | Mabadaga with CCRO's (%) | Mswiswi without CCRO's (%) | Differences ( <i>p-value</i> ) |
| Land size increased per acre for agriculture                   |  | 28.4                  | 11.3                      | 0.013                          | 20.1                     | 13.3                       | 0.033                          |
| Constructing water infrastructure like wells, canals and other |  | 7.4                   | 4.8                       | 0.531                          | 56.9                     | 36.0                       | 0.213                          |
| Buying farm modern machines like tractor, power tiller         |  | 6.2                   | 3.2                       | 0.418                          | 13.4                     | 8.8                        | 0.366                          |
| Establishing investment projects like shops and other          |  | 25.9                  | 17.7                      | 0.168                          | 44.1                     | 33.3                       | 0.11                           |
| Buying animals and poultry                                     |  | 24.7                  | 14.5                      | 0.134                          | 40.2                     | 25.3                       | 0.024                          |

**Source:** Field survey, 2017

The results Table 4.27 and Table 4.28 imply that CCRO's acquisitions have not adequately changed the well-being of the respondents within studied villages. However, the study asked key informants on the variation of statistical significances differences between Mpwapwa and Mbarali districts. It was reported by DLO's from the two districts that Mbarali is found in Southern Highland Agricultural Corridor where climate is so good in favoring agriculture which mostly acts as an engine of the economy to village households. But also Mabadaga and Mswiswi villages in Mbarali located along the main road from southern countries like Zambia, Malawi

and other to Dar-es-salaam trade city which open different opportunities like trade contrary to Mpwapa districts which is found in semi-arid desert where agriculture is minimally practised, in that case it affect other economic activities like trade to occur in Pwaga and Lupeta villages.

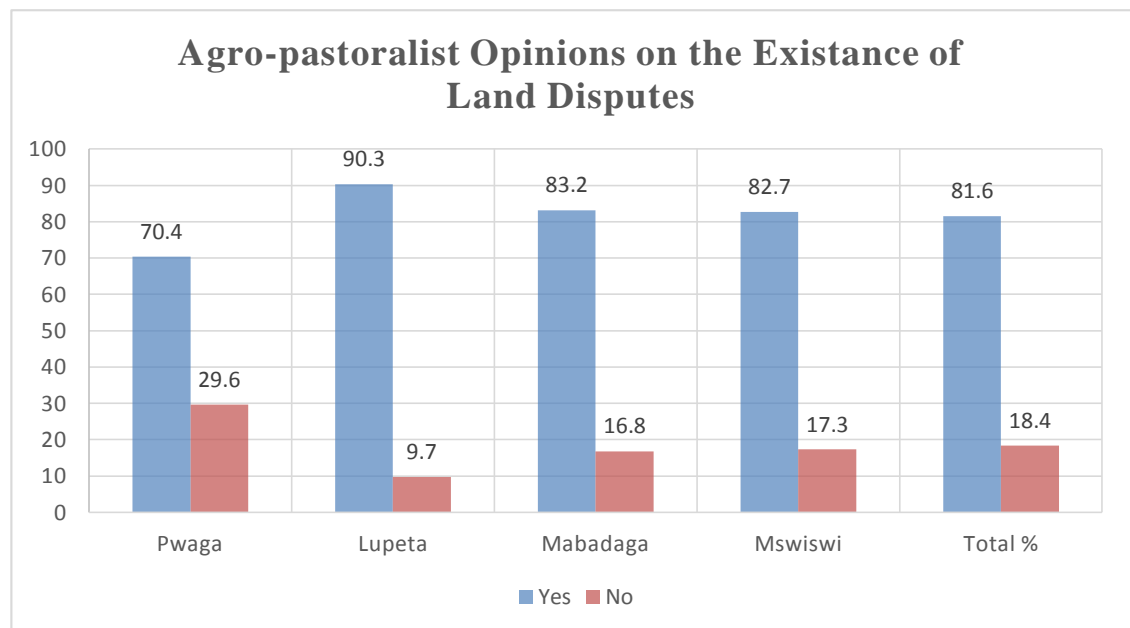
Similarly interview with one of the respondents from Mabadaga, man a 49 year old, who had this to say:

*... “It is ten years since I picked my CCRO’s from the VEO where MKURABITA handled our village land certificates ... you can not believe that this certificate has not assisted me in any way .I survive by other means...I can not take loan from financial institutions because are not being accepted as collaterals” .....*

Furthermore, study results correspond with Ali *et al.* (2011) study in Rwanda, claimed that despites rural people in Rwanda manage to own CCRO’s their well-being not changed. Because they were informed by formal financial institutions that their land owned by individuals has no permanent crops which are valued like cocoa, banana, palm oil and others (Sitko *et al.*, 2014).This has resulted to fail to buy manure for agriculture (Jiao *et al.*, 2017; Jagisso *et al.*, 2019). But also, the study by Ali *et al.* (2011) corroborates results from FGD’s participants in the study villages, it was reported that CCRO’s are being rejected as collaterals by formal financial institutions because they do not own permanent crops like cocoa and other which have market value thus their well-being could not change due to CCRO’s. Generally, the study observed through statistical analysis that CCRO’s ownership by respondents has slightly or low impact to agro-pastoralists well-being in Mpwapa and Mbarali districts.

#### 4.6.5 Agro-pastoralists Opinions on the Existence of Land Disputes in the Study Villages

Conflict arises when two or more groups believe their interests are incompatible and when it occurs to any community affects their livelihoods. But, the introduction of CCRO's was to address challenges of land disputes, insecurity of land tenure, social exclusion and other. Thus, the study went further by asking respondents from Pwaga and Mabadaga villages with CCRO's and Lupeta and Mswiswi without CCRO's if they faced land disputes in their village or not. The survey results Figure 4.12 indicates that 81.6% of the respondents who reported that they are facing land disputes compared to 18.4% of the respondents reported that no land disputes. Survey results imply that all studied villages are facing land disputes.



**Figure 4.12: Existence of Customary Land Disputes in the Study Villages**

Source: **Field Survey Data, 2017: Total Percentage (%) Basing on Average**

These results are similar to Wiley's (2005) who observed that, since 2000, 48 % of internal conflicts over land have taken place in Africa. Moreover, 55 of the 70

conflicts of in 2009 are rapidly increasing in developing agrarian economies like it happened in Sudan, Colombia, Cambodia and Rwanda. This finding corroborates with FGD's participants from studied villages, who reported that, land disputes always exist because agro pastoralists grabe enough land for pasture and to keep social status.

Besides, the study enquired on the types of land disputes facing the respondents. The survey results Table 4.29 show that the dominant types of land conflicts in the study villages are boundary conflicts between farmer and farmer (92.2%), farmer against pastoralists (84.4%) and pastoralists against pastoralists (76.4%). Also, the investor and villagers land disputes was also dominant in Mabadaga and Mswiswi villages. The respondents indicated that trespassing in land among farmers is the major cause of boundary conflicts.

**Table 4.31: Nature/Types of Customary Land Disputes in the Villages**

| Attributes                              | %   | Pwaga<br>(n=81) | Lupeta<br>(n=62) | Mabadaga<br>(n=179) | Mswiswi<br>(n=75) | Average<br>Total % |
|---|-----|-----------------|------------------|---------------------|-------------------|--------------------|
| Farmer /Pastoralists                    | Yes | 63(77.8)        | 49(79.0)         | 163(91.1)           | 60(80.0)          | 84.4               |
|   | No  | 18(22.2)        | 13(21.0)         | 16(8.9)             | 15(20.0)          | 15.6               |
| Farmer/Farmers<br>(Boundary Conflicts)  | Yes | 73(90.1)        | 56(90.3)         | 166(92.7)           | 71(94.7)          | 92.2               |
|   | No  | 8(9.9)          | 6(9.7)           | 13(7.3)             | 4(5.3)            | 7.8                |
| Pastoralists/Pastoralists               | Yes | 66(77.8)        | 48(77.4)         | 126(70.4)           | 60(80.0)          | 76.4               |
|   | No  | 18(22.2)        | 13(22.6)         | 53(29.6)            | 15(20.0)          | 23.6               |
| Investor/Villagers                      | Yes | 9(11.1)         | 23(37.1)         | 130(72.6)           | 54(72.0)          | 54.4               |
|   | No  | 72(88.9)        | 39(62.9)         | 49(27.4)            | 21(28.0)          | 45.6               |
| Government/Villagers<br>(TANAPA)        | Yes | 11(13.6)        | 22(35.5)         | 143(79.9)           | 55(73.3)          | 58.2               |
|   | No  | 70(86.4)        | 40(64.5)         | 36(20.1)            | 20(26.7)          | 41.8               |
| Village/Village<br>(Boundary Conflicts) | Yes | 37(45.7)        | 50(80.6)         | 89(49.9)            | 62(82.7)          | 59.9               |
|   | No  | 44(54.3)        | 12(19.4)         | 90(50.3)            | 13(17.3)          | 40.1               |

**Source:** Field Survey Data, 2017

The land disputes between investors and villagers are common in Mbarali District which had large investors, like the KAPUNGA RICE FARM INVESTMENT. Also, the study found that Mbarali District is geographically situated in a strategic area of Ihefu valley and forest reserve. In that case, people encroach the protected areas which against Forest law No.14 of 2002 which states that it is unlawful to enter into Nation Park, it is similar to section 21(1) and 29(1) of the National Park Act of (Cap 282) revised in 2002 also which emphasized on setting boundaries and management of plans for sensitive areas like villages forest reserve to be protected. However, the conflicting areas of Ihefu and Mpwapwa forest reserve were managed by using statutory laws and maps which shows boundaries of land prior to VLUP.

The results are consistent with report from the District tribunal court, magistrate from Mbarali District who explained the conflicts between investors and villagers and other types of land disputes, he had this to say:

*....“Many agro-pastoralists lived in Urunda village from 1972 and investor came after, but the reality was that the investor was there before 1972 and Villagers where there from 1980. Thereafter, villagers opened and filed a criminal case No.11/2018 after judgement of the case, defendants (the investor) won the case”. ...*

The report from District tribunal court, magistrate from Mbarali District was similar to Cotula's (2004; 2007) and Dadashpoor and Somayeh (2019) who asserted that in Sub-Saharan Africa countries when customary rights are recognized in the national registration, it may still be difficult for local people to defend their rights against investors because their holdings have no proof of certificates of ownership. The above observations were apparent to results from FGD's participants from Mbarali

and Mpwapwa districts. It was reported that, every year during rain season people are trespassing their boundary without following farm maps from their land certificates (CCRO's) and they are doing so for prestige of land ownership and expecting to harvest more crops. The study asked DLO from Mbarali and Mpwapwa Districts, why villagers always trespass the boundary?, it was reported through Indepth Interview with DLOs that villages has no Village Land Use Planning, hence becons have not yet been implemented still people trespass their boundary which creates frequently land disputes. The report from DLO was in line with Fabusoro and Sodiya's (2011) study in Nigeria, who hold the same view that, continuing of boundary conflicts of agro-pastoralists in Southwest Nigeria are boundary conflicts because of land encroachment. This was also observed in Lupeta village during Indepth Interview with Village Chairperson (VCP) who reported that, there was historical boundary conflict between Lupeta and Bumira villages. The conflicts caused death of one young man aged 35 years old from Bumira who was killed by a young men aged 32 years old from Lupeta village in 2015. The two villages are scrambling for *Chibwe Changula*<sup>14</sup> (Plate 4.16). The VCP further reported that, every village wanted to own it because the area is very potential for economic purposes like irrigation and other activities. The study found that the area Chibwe Changula has good soil fertility and soil moistures with good scenery of vegetations which attracts people to invest in agriculture. But, local leaders settled that disputes by ordering that Chibwe Changula will demarcate the two villages and all people will benefit from it.

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<sup>14</sup>In this study the word Chibwe Changula is a name of gogo tribe from Dodoma Region which means the the big and hard rock which is the source of water and found between Lupeta and Bumira villages.



**Plate 4.10: Chibwe Changula which Divides Boundary Between Lupeta and Bumira Villages.**

**Source:** Field Survey, 2017

Moreover, the study result were confirmed by the Chairperson and VEO from Mabadaga and Pwaga villages during indepth interview, who reported that there are many land conflicts cases which is caused due to informal land renting by using CCRO's as collaterals, in Mabadaga (15) and Pwaga (7) land cases because villagers fail to access loans from formal financial institutions due to difficult conditions while they use informal loans among villagers CCRO's has not benefited the increase of livelihood asset in all villages compared to one or two people who are powerfull in income so it is easier to get loans.

Furthermore, results Table 4.30 based on FGD's participants and Key informants show that, land disputes among agro-pastoralists is caused by population growth, bureaucracy practices and land information's from authorities. Moreover, during FGD's and indepth interview with DLO, WEO and District land court, revealed that



the increase of population pressure on many areas in the villages led the scarcity of productive land hence sparking land conflicts. These arguments match with the idea of Shimwela's (2018) study in Mbozi Districts (Tanzania), Mburu's (2017) study in Kenya and Haule's (2012) study in Ludewa Districts (Tanzania) and Isdory's (2016) study in Ethiopia who reported that, conflicts over natural resources in many rural areas are caused by increase of population pressure. Moreover, participants of FGDs and Key informants reported that informations on land issues especially VLUP and land registration process was the challenge to most of the agro-pastoralists as the government did not announce to all village. This can be matched with Schreiber's (2017) study in Tanzania, who observed that many rural people are typically in remote areas; they fail to access land informations from their local government officers.

**Table 4.32: Key Informants and FGD Results on Factors Causes Customary Land Disputes**

| <b>Key Informant Results</b>                         | <b>FGD Results</b>                 |
|--|------------------------------------|
| <b>Main Factors</b>                                  | <b>Main Factors</b>                |
| 1 Population growth to Villages                      | Increase of immigrants             |
| 2 Lack of land information (distance from villagers) | Bureaucracy practices in land      |
| 3 Unawareness of land laws                           | Cultural and traditions in land    |
| 4 Lack of commitment to some Land Officer            | Distance from land offices         |
| 5 Lack of land survey                                | Political and Geographical factors |
| 6 Poverty  | Income                             |

**Source:** Field Survey Data, 2017

Moreover, the study asked respondents and key informants on the trend of land disputes existing within villages, because it helps to know the extent of respondent's

livelihoods being affected. Results from the respondents Table 4.31 show that, 2012 up to 2017 the trend of land disputes were increasing. The study asked DLO/WEO from studied villages through indepth interview. He reported Table 4.31 that population growth, land informations and poverty influenced the trend of land disputes had increased compared to 2015 and April, 2018 when the government managed to increase VLUP through providing land education in different medias like Televisions, radio and newspaper. The results imply that land disputes within villages are rapidly increasing in all the study villages which affect livelihoods of many villagers.

**Table 4.33: Agro-pastoralists Opinions on Trend of Customary Land Disputes in the Villages**

| Trend of Customary Land Disputes in the Villages |             |             |             |             |             |             |             |
|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Villages   | 2012        | 2013        | 2014        | 2015        | 2016        | 2017        | April, 2018 |
| Pwaga  | 11.1        | 14.8        | 23.5        | 9.9         | 19.8        | 21          | 7.4         |
| Lupeta   | 16.1        | 11.3        | 21.0        | 12.9        | 24.2        | 14.5        | 9.6         |
| Mabadaga   | 13.4        | 10.6        | 13.4        | 11.2        | 21.8        | 29.6        | 10.2        |
| Mswiswi  | 14.7        | 20.0        | 17.3        | 12          | 10.7        | 25.3        | 11.1        |
| <b>Total %</b>                                   | <b>13.6</b> | <b>13.4</b> | <b>17.4</b> | <b>11.3</b> | <b>19.6</b> | <b>24.7</b> | <b>9.6</b>  |

**Source:** Field Survey Data, 2017

The study went further to find statistical significances through ANOVA test. It was found that Table 4.32, the results were no statistically significant differences on the trend of customary land disputes in studied villages at  $F(df, 3, 393)=2.113$ ,  $P=0.098$ . When Scheffe Post-hoc was calculated. Anova test results (Appendix 29) show that there were no statistical significant differences across the studied villages. The statistical results imply that the occurrence of land disputes in villages

is always happening. But also, the insignificant of the results might be due to differences in sampling distributions of the respondents in the studied villages.

**Table 4.34: ANOVA test on Trend of Customary Land Disputes in the Villages**

| <b>ANOVA test</b> |                       |            |                    |          |             |
|-------------------|-----------------------|------------|--------------------|----------|-------------|
|                   | <b>Sum of Squares</b> | <b>Df</b>  | <b>Mean Square</b> | <b>F</b> | <b>Sig.</b> |
| Between Groups    | 19.531                | 3          | 6.510              | 2.113    | .098        |
| Within Groups     | 1210.821              | 393        | 3.081              |          |             |
| <b>Total</b>      | <b>1230.353</b>       | <b>396</b> |                    |          |             |

**Source:**Field Data Survey

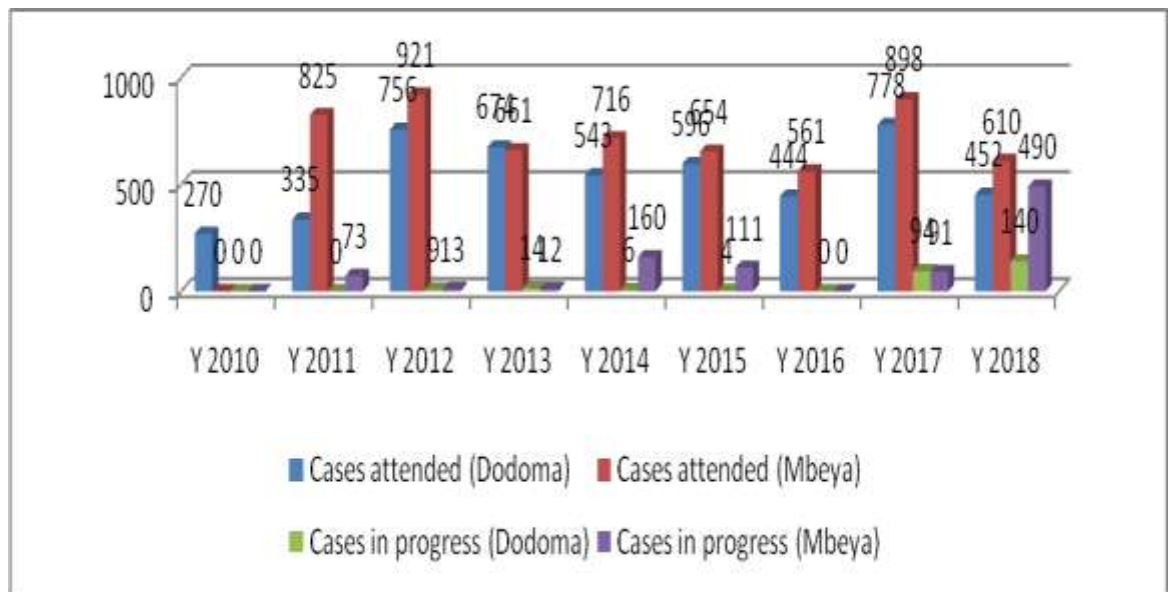
The survey results Table 4.31 and Table 4.32 is in the same vein with FGDs participants from studied villages, who asserted that, land disputes always exist in the villages. This is supported by FGD's participants in Lupeta and Mswiswi, villages without CCRO's, who suggested that, the shortage of land due to the increase of population is likely to cause land disputes.

These arguments match with the idea of Shimwela's (2018) study in Mbozi district (Tanzania), Mburu's (2017) study in Kenya and Haule's (2013) study in Ludewa District (Tanzania) who pointed out those conflicts of land in many rural areas caused by increase of population pressure and lack of land information. This also can be evidenced from one of the women aged 45 years old, from Mswiswi village who was quoted saying that...

.....*“Without no any information from Game Reserve Authority my farm was confiscated by RUNAPA/ TANAPA. Then, Game Reserve Police took my six (6) cows and paid fine. Because I lived within the game reserve. I started to fight with them for my cows”..*

This similar to Wily's (2017), June *et al.* (2018), Chitonge's (2017) study in Zambia and Javelle's (2013) study in Cameroon who asserted that in most African countries land conflicts do occur because of bureaucratic practices in land management caused by lack of political will. Generally, the study observed that across to all villages were existed land disputes which lead respondents to migrate to other areas so as to rescue their livelihoods and families.

The survey results Figure 4.13 were consistence with key informants results on status of land disputes cases in their zones which affected changes of agro-pastoralists livelihoods. It was reported Figure 4.13 by tribunal's court magistrate from central and southern zone of Tanzania, that land dispute cases in villages are still increasing. The survey Table 4.13 makes a total number of land disputes cases of 5125, while case attended 4848 and cases in progress 267 in central zone of Tanzania. The total number of land case 7538, while case attended 5846 and cases in progress 950 in southern zone of Tanzania.



**Figure 4.13: Number of Land Cases in Tribunals Court from Central and Southern Highland Zones**

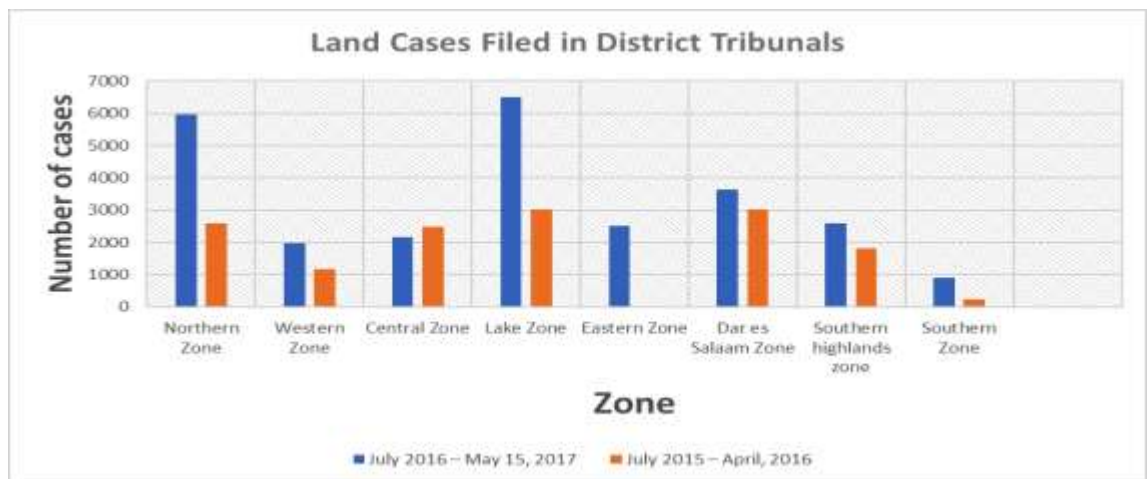
**Key:Y-Year**

Source: **Districts Tribunal Courts, 2017**

The survey results Figure 4.13 were similar to OXFAM (2018) who reported Figure 4.14 that in 2015 up to 2016 about 1,872 land cases increased in 2016 up to 2017 of 2996 land cases in Southern Highland while in Central zone 2015 up to 2016 about 2011 of land cases and in the year 2016 to 2017 about 2009 of land case were filed in the tribunal court. The results from the study and documentary review, showed the rapid increase of land cases compared to Kironde's (2009) study in Tanzania who reported that, in 2006, 5,583 cases had been filed in land tribunals and 2,632 have been decided and 2,951 cases were pending; and from 2005 up to 2008, 33,163 cases were lodged with District Land and Housing Tribunals out of which 15,149 (48%) were heard and decided upon.

The findings Figure 4.14 hold similar views with FDG participants from study villages, who reported that land disputes within villages are still existing and it does

not stop due to the increase of rapid population in areas they pasture and cultivate crops. This argument was in line with Schreiber's (2018) study in Tanzania, Shimwela's (2018) study in Tanzania and Mwamlangala *et al.* (2016) study in Tanzania who reported that land disputes in rural and urban areas of Tanzania are unavoidable and will still continue to grow due to different interest over land and unawareness of legal instruments which address land issues.



**Figure 4.14: Land Cases Filed in District Tribunals on Zones of Tanzania**

**Source:** OXFAM, 2018

Moreover, results were parallel to interview from the chairperson of the Ward Tribunal land court from Mbarali and Mpwapwa districts who claimed that there are about 6 to 5 land cases per week which make 24 to 20 land cases per month especially during the rainy seasons. This also was agreed by District Land Tribunal Court magistrates from Central and Southern Highland zones of Tanzania who reported that every week of the month people are coming to open and file land cases Figure 4:13 which show in 2010 up to 2018 there was rapid increase of land disputes

cases in rural areas, the incidences affects the practices of economic activities to agro-pastoralists livelihoods. The study also observed in the villages that land disputes are rapidly increasing from 2008 up to 2018 both to registered and unregistered villages. For example, in Mabadaga and Pwaga village there was 15 and 13 land disputes case respectively while in Lupeta and Mswiswi villages there was 18 to 21 land disputes case in January, 2018 respectively. This was agreed by old men (77) years old who had land case filed 2013/162/123 from Mabadaga village during an interview, politely had this to say:

*.....“Land disputes in Mbarali and other areas of Tanzania will never end and every coming year there will be an increase because of the practices of corruptions and shortage of labour power in the tribunal courts. There are few tribunals in zones, every zone has one land tribunal court which resolves land disputes this leads to institutional incapacities to address land disputes which caused my case to be resolved in land tribunal court” .....*

Generally, the study observed that land disputes in the study villages are still increasing which results to the increase of land cases among agro-pastoralists. These cause negative effects like death of agro-pastoralists, shortage of land, food insecurity, poverty do affects the livelihoods of agro-pastoralists in the villages.

## **CHAPTER FIVE**

### **CONCLUSION AND RECOMMENDATIONS**

#### **5.1 Overview**

This chapter summarises the results, provides the conclusion for the findings, recommendations for policy and practice, and recommendations for future research concerning the objectives of the study. The thesis has mainly investigated the impact of customary land titling on livelihood in rural areas, particularly among agro-pastoralists taking Dodoma and Mbeya regions as a case. Specifically, the study examined the rural land titling and registration processes among agro-pastoralists, assessed the perceptions of agro-pastoralists on land titling process, reviewed the use of the existing rural institutions in enforcing land issues to agro-pastoralists, and evaluated the livelihood's changes associated with the use of customary land titling among agro-pastoralists in the study areas.

#### **5.2 Summary of the Major Findings**

According to the study objectives, the researched questions have been answered by the study that, in many villagers did not own CCRO's and the trend of CCRO's acquisitions is decreasing. Also, few women's own CCRO's. But also, respondents were not aware with the implementation VLUP in the studied villages due to lack of education and information. But bureaucratic practices were a challenge faced by respondents during acquisitions of CCRO's. Moreover, respondents were not aware of the rural land institutions which address land issues, where formal rural land institutions are not active compared to informal land institutions in managing



land cases. However, informal land institutions exclude women's in owning, use and distribute land. Furthermore, it was reported by study that there were slightly changes in physical asset, income and wellbeing after CCRO's acquisitions by respondents. In that case, livelihoods changes were being affected by land disputes between pastoralists and farmers who destroy agricultural products, death of people and others within the studied villages. The study results inform theories, policies and practitioners that stakeholders like government and non-government organizations should adopt participatory approach by practicing good land governance so that every institution could ensure sustainable issuance of CCRO's for agro-pastoralists livelihoods development.

### **5.3 Conclusion**

#### **5.3.1 Rural land titling and Registration Process in study villages**

According to objective number 1: The results showed that many villagers did not own CCRO's while the trend of CCRO's acquisitions is decreasing due to lack of education and information on VLUP with the uses CCROs. However, agro-pastoralists access land individually or singly through inheritance, where men are the dominant group in owning land compared to women. The main reason was that the culture, norms, and traditions of many tribes in study regions do not allow women to own property, including land. Moreover, CCRO's acquisition process took up to one year due to bureaucratic practices. Furthermore, study results showed that the agro-pastoralists experienced misplacement of uncollected certificates (CCROs) and registration documents during the process of acquisitions.

### **5.3.2 Perceptions of Agro- pastoralists on Rural land titling and Registration**

#### **Process in study villages**

According to objective number 2: The results have shown that the introduction of VLUP with CCRO's issuance was perceived negatively by agro-pastoralists. Because are fearing that the government and the big investors could confiscate their land. Also, the findings showed that the CCRO has no value as collateral for loans. The study noted the reason that Formal Financial Institutions do not accept CCRO's because agro-pastoralists farms have no permanent crops like cocoa, palm oil, rubber, and others that have economic value.

### **5.3.3 Existing Rural Institutions in Enforcing Land issues to Agro-pastoralists**

Furthermore, according to objective number 3, the results have reported that most of the household in studied villages were not aware of the customary land institutions and legal framework which address land issues. The reason is that the government did not provide land education, which results in frequent land disputes. Also, respondents were able to mention traditional and local leaders who were the ones who deal with all land matters and developmental issues within the villages. The role of traditional and local leaders was to settle land disputes within communities. The study investigated that they use diplomacy, negotiation, and arbitration in resolving land disputes. Besides, formal institutions like tribunals, laws, and others were not effective in addressing land disputes in the villages compared to informal institutions that can address land issues through diplomacy. However, the informal institutions were not involving women in land ownership and hence violating the stipulations of

Village Land Acts No.5 of 1999, Land Policy of 1995 with its New Draft Land Policy of 2016 and Constitutions of the United Republic of Tanzania of 1977.

Furthermore, due to the increase of land disputes within villages, the study found that Village land tribunals and Ward tribunal court are the primary legal institutions which address land cases in studied communities. However, the study noted that respondents did not know how to file and prosecute land cases when they face challenges of land disputes. Also, results indicated that women are not being involved in providing decision and running or administering claims in tribunals. The reason was that men do not allow women to participate in tribunals for decision making. Furthermore, the respondents knew the responsibility of land institutions that is to settle land disputes within villages.

#### **5.4.4 Changes of livelihoods associated with the use of customary land titling among agro-pastoralists in study villages**

The results in objective number 4 showed that there were slight changes in physical assets related to the use of CCROs acquisitions through informal use. The study observed that few agro-pastoralists they use the land certificate by mortgaging their properties like houses, farms, bicycle and other attached with CCROs as collaterals for informal loans from their friends and relatives and not formal financial institutions. Also, it was found by the study that there were slight changes in income after acquisitions of CCRO's to the respondents. Furthermore, the study found that they were also no changes in wellbeing after acquisitions and use of CCRO's. The reason was that most agro-pastoralists did not use CCROs as collaterals for loans

because formal financial institutions did not accept them due to lack of permanent crops in their farms, which has value. Also, changes in livelihoods were affected by the existence of land disputes against pastoralists and farmers.

### **5.5 Appraisal of Theories and Models**

The contribution of the study in knowledge generation depended on the use of theories and models. Therefore, the study employed Property Right Theory, Institutional Economic Theory, and Sustainable Livelihood Framework adopted from the DFID model in investigating the impacts of customary land titling on livelihood among agro-pastoralists in the study areas. Most theories were designed from metropolitan countries and used in their context. However, the study has extended the geographical application of these theories by adding new knowledge on land titling through the use of CCRO to rural African people. Basically, on the aspects of the process, accessing, distributing, and using it so as rural people can improve their livelihoods. Additionally, the study has contributed to the conceptual knowledge by developing concepts and linking variables in the framework, which has helped to get the expected results. Also, methodologically, the study has used the existing methods and approaches to triangulate information, which has generated knowledge on the research results for further studies.

Moreover, before the study, the researcher knew that there was a simple process of issuing CCRO's. However, the study found that it took up to one year to acquire CCRO; it also saw the negative perception of agro-pastoralists on the emerging of customary land titling through the use of CCRO's on their livelihoods. Furthermore,

the study also generated knowledge on the role of customary institutions on how to address land issues in rural areas. Moreover, after the introduction of CCROs, it was expected that CCROs could address challenges facing agro-pastoralists like poverty, land disputes, social exclusion, and other expectations. Unfortunately, the study has found in studied areas that CCRO's has slightly influenced changes of agro-pastoralists livelihoods unless loan conditions posed by Formal Financial Institutions could be friendly with the environment of agro-pastoralists in the country.

## **5.6 Recommendations**

As a review of findings and conclusions, the following are the recommendations for policy, practices and future study.

### **5.6.1 Recommendations for Policies and Practices**

The development of land formalisation in rural areas, nationally and internationally depends much on the developmental policies and practices. This help to address challenges facing land security to agro- pastoralists. Therefore, in order to increase customary land tenure security through the use of Certificate of Customary Right of Occupancy (CCROs) so as to improve agro-pastoralists livelihoods. The study basing on the findings recommend the following important areas to be attempted by government of Tanzania under its ministries and other key players within and outside of the country.

The Ministry of Land and Human Settlement (MoLHS) and other practitioners deals with land governance should provide VLUP education so as villagers and local

leaders to have awareness on the implementation process, procedure, and regulations abiding land development. The MoLHS, Non-Government Organizations (NGO's), and Community Based Organisation (CBO's) should continue to implement land use planning in villages jointly to reach all rural people in the country.

The MoLHS should learn the system of online registrations from other African countries like in Rwanda and South Africa to use a short period of VLUP and CCRO's issuance to villagers.

- i. The MoLHS NGO's and CBOs should provide adequate resources to village and districts offices like registry bank, electronic machines like computers and other which will keep data at a very safe environment to avoid misplacement of documents and bureaucracy like happened in studied villages.
- ii. The government under the MoLHS should provide enough land by separating the users like pastoralists, agro-pastoralists, and large investors to have their land with strictly abiding laws which guide the distributed land to the entire community in the villages.
- iii. The government of Tanzania under Ministry of Constitutional and legal Affairs and other developmental partners in land management and administration should make a plan of imparting legal contents, techniques, strategies, skills and methods of addressing land matters to judicial officers, tribunals (at village and ward level) and the magistrate. All these officials can be able to provide rights decision on their land for sustainable development.

- iv. MoLHS should continue to recognize the Public-Private Partnership (PPP) in planning, surveying, and registration of village land. The ministry should register more private surveyors and land valuers in the country. With this, informal land acquisitions will be reduced, and land allocated by the government will surpass other forms of land acquisition.
- v. It is recommended that the government, NGOs and CBO's should always adopt frequently monitoring and evaluation of legal and policy, compliance through the practices of reviewing the regulations and guidelines for implementation of the Land Policy (1995) with its new draft land policy of 2016, Land Act 4 and Village Land Act of 1999 so as to identify gaps which affect land tenure security to agro-pastoralists.
- vi. All formal financial institutions should provide education on loans and accept the use of customary land certificates as collaterals so that every individual can access loans for their livelihoods. Also, it should disseminate information on the role of CCRO by using Televisions, Radios, Magazine, and other media. Also, the study recommends to the formal financial institutions that, should find other economic and legal procedure which will help rural people to get loans with conditions which do not affect beneficiaries.
- vii. Also, villagers should cultivate permanent crops depending on geographical characteristics to comply with loan conditions from formal financial institutions.

#### **5.6.2 Recommendations for Further Research**

- i. There are five essential areas for research that results from this study:

- ii. The effects of livelihood change on agro-pastoralists livelihood in other regions
- iii. The impact of informal loans through CCRO's mortgaging as collateral to local people.
- iv. Moreover, research should be carried out on the role of a formal financial institution in granting mortgage with CCROs.
- v. Further research should be carried out on the effectiveness of customary land institutions on land management.
- vi. Another study is needed to uncover the extent to which customary land titling influence the tenure security in rural areas.



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## APPENDICES

### Appendix 1: Household's Questionnaire

**I am a PhD student at the Open University of Tanzania with registration number PG2017/00637 and currently involved in the collection of field data on the “Customary land titling and livelihood dynamics among agro-pastoralists in Dodoma and Mbeya Regions, Tanzania”.**

You are therefore kindly asked to participate in this questionnaire survey. The information collected is strictly confidential and will only be used for the purpose of this study and not otherwise. Thank you for your understanding.

Sincerely,

Maclean Charles Mwamlangala

PhD Student

#### **PART A: General Information**

1. Date of Interview..... Questionnaire Number.....

2. District..... Ward.....

3. Village..... Divison.....

...

4. Age of respondents

| Number | 1        | 2     | 3     | 2     | 4     | 5        |
|--------|----------|-------|-------|-------|-------|----------|
| Age    | Below 20 | 21-30 | 31-40 | 41-50 | 51-60 | Above 60 |

#### **Category**

5. Marital Status of the respondents

| Number | 1       | 2        | 3         | 4           |
|--------|---------|----------|-----------|-------------|
| Status | Married | Divorced | Separated | Widow/Widoe |

## 6. Education level of the respondents

| Number           | 1           | 2         | 3         | 4         |              |  |
|------------------|-------------|-----------|-----------|-----------|--------------|--|
| Levels           | Informal    | Primary   | Secondary | Tertiary  |              |  |
| Category         | Education   | Education | Education | Education |              |  |
| Duration of stay | Below 1year | 1-4       | 5-8       | 9-12      | 12 and above |  |

## 7. What is your Economic Activities you do-before and after acquisitions of Certificates of Right of Occupancy?

| Number     | 1           | 2        | 3      | 4      |
|------------|-------------|----------|--------|--------|
| Activities | Agriculture | Non Farm | Public | Others |

**PART B: Trend and Process of issuing Customary land titles**

## 8. How your land was accessed?

| Number         | 1           | 2                    | 3                      | 4               | 5                     |
|----------------|-------------|----------------------|------------------------|-----------------|-----------------------|
| Access of land | Inheritance | Clearance of forests | Government Allocations | Given by others | Purchased from others |

## 9. Do you know the process of acquiring CCROs      Yes      No

## 10. The following are registration process of CCRO's acquisitions. Please tick (✓) appropriately

The owner of a land parcel claiming an interest in an adjudicated area fills in the application form No.18 and submits to the VEO who submits the applications to the District Land Officer (DLO)

The DLO opens a file for preparation of CCRO using the SARF and prepares a CCRO in triplicate and sends them to the VEO

The applicant signs the CCRO before the VEO and pays the necessary fees

The village chairperson and VEO signs and seal/stamp the CCRO and sends the signed CCROs to the DLO and the CCRO is deemed complete and final ready for issuing to the applicant

11. Why don't you know the process of CCRO acquisition?

Are aware with Village land use planning and CCRO acquisition?

12. Have you registered your land ?    Yes                      No

13. If No what are the reasons of not registering your land?

| Attributes                          | Rating scales |   |   |    |   |
|-------------------------------------|---------------|---|---|----|---|
|                                     | SA            | A | N | SD | D |
| Government has not implemented VLUP |               |   |   |    |   |
| Bureaucratic practices              |               |   |   |    |   |
| Villagers are reluctant in VLUP     |               |   |   |    |   |
| Knowledge of VLUP by villagers      |               |   |   |    |   |
| Expensive of LUP                    |               |   |   |    |   |
| Politicalization in LUP             |               |   |   |    |   |

14. Which Registered name is your CCRO show-? Please Tick (✓) were appropriate

| Registered Name | Wife | Husband | Husband/Wife | Boy | Girl |
|-----------------|------|---------|--------------|-----|------|
| Tick (✓)        |      |         |              |     |      |

| <b>Types of Registrations</b> | <b>Tick (✓) were appropriate</b> |
|-------------------------------|----------------------------------|
| Individual Registration       |                                  |
| Double Registration           |                                  |
| Group Registration            |                                  |

15. If it is a registered land, Please Tick (✓) the appropriate type of registration

16. Have you acquired a Certificate of Right of Occupancy for your land (CCROs)?

Yes      No

17.If yes, Tick (✓) were appropriate the duration you undertook in acquiring CCRO's

| <b>Durations</b> | <b>Tick (✓) were appropriate</b> |
|------------------|----------------------------------|
| Just a Day       |                                  |
| A month          |                                  |
| A year           |                                  |
|                  |                                  |
|                  |                                  |

18. What is the status of CCRO acquisition in your village (Cycle the appropriate answer)

Increasing      Decreasing      Stagnant      I don't know

### PART C: Perception of Customary land titling through the use of CCRO's

19. Are you aware with Customary Land Titling through the use of CCROs      Yes

No

20.                Mentions                the                reasons                of                not                be  
knowledgeable.....

21. How did you perceive the establishment of CCROs through land reformation?

Very Good      Good      I do know      Very Bad      Bad

22. Did you face challenges during the issuance of CCROs through customary land titling? Yes      No

23. The following are the challenges you faced during acquiring of CCROs through customary land titling--? Please Tick (✓) were appropriate

| Challenges   | Rating scales |       |         |          |          |
|--|---------------|-------|---------|----------|----------|
|  | Strongly      | Agree | Neutral | Strongly | Disagree |
| Misplacement of documents by land officers                         |               |       |         |          |          |
| Affordability is very difficult because is very cost full          |               |       |         |          |          |
| The process is bureaucratic in nature                              |               |       |         |          |          |
| Corruption both by village local leader and land officers          |               |       |         |          |          |
| So many number of villagers stand in line during land registration |               |       |         |          |          |



24. What were the strategies adopted to overcome the faced challenge?

| Strategies  | Tick (✓) were appropriate |
|---|---------------------------|
| Tolerance   |                           |
| Reporting to the Ministry of land and Housing         |                           |
| Up voicing the rights to DLOs so as to work seriously |                           |
| Peacefully communication to LGA                       |                           |
| I don't know where to report challenges               |                           |

25. How can you use/value CCRO (mention the value of using CCROs)

26. Is customary land titling through Use of CCROs accepted by Macro Financial Institutions for borrowing money as collaterals      Yes                      No

27. Give reasons if the answer is No above, that MFI do accepts CCROs-

**PART D: Rural institutions enforcing land issues in the study areas**

28. Are you aware with Rural institution which enforce land issues:    Aware  
Undecided/Neutral    Unawareness

29. Mention Rural institution which address land issues

30. What are those land issues addressed by Rural institutions

31. What are the approaches adopted by Rural institution in facilitating land titling and issuance of CCROs to Agro-pastoralists

32. How does Rural institutions effective in enhancing CCROs issuance and acquisition to Agro-pastoralists

| <b>Effectiveness</b>                  | <b>Rating scales</b> |              |                |                 |                 |
|---------------------------------------|----------------------|--------------|----------------|-----------------|-----------------|
|                                       | <b>Strongly</b>      | <b>Agree</b> | <b>Neutral</b> | <b>Strongly</b> | <b>Disagree</b> |
| Provide land information              |                      |              |                |                 |                 |
| Land governance (practice/corruption) |                      |              |                |                 |                 |
| Managing conflicts over land          |                      |              |                |                 |                 |
| Use participatory                     |                      |              |                |                 |                 |
| Recognition of land rights            |                      |              |                |                 |                 |
| provide education                     |                      |              |                |                 |                 |

33. Are Rural institutions address gender issues by considering women's and children in acquiring CCROs?      Yes                      No

34. Mention tribunal's courts which facilitated CCROs acquisition in your village

PART E: Changes of livelihoods associated with the use of customary land titling among agro-pastoralists in the study area

35. From the table below what were the changes of physical asset observed after acquisition of CCROs (Tick where appropriate)

| <b>Physical Asset Changes</b>                                  | <b>Yes</b> | <b>No</b> |
|--|------------|-----------|
| Land size increased for agriculture                            |            |           |
| Constructing water infrastructure like wells, canals and other |            |           |
| Buying farm modern machines like tractor, power tiller         |            |           |
| Buying animals and poultry                                     |            |           |
| Establishing investment projects like shops and other          |            |           |
| Building modern house  |            |           |

36. Which formal Micro Financial Institution (MFI) you applied for loan by using CCRO as collateral? (Name it please)

37. To what extent is your income changed after taking loans from MFI (Tick were appropriate)

| Income changes   | Tick |
|------------------|------|
| 100000-200,001   |      |
| 200,000 -300,001 |      |
| 300,000-400,001  |      |
| 400,000-500,001  |      |
| 500,000-600,001  |      |
| 600,000 ≥        |      |

38. Do you face land disputes in this village?      Yes      No

39. What type of land dispute you faced frequently? (Tick were appropriate)

| Types of Land disputes               | Yes | No |
|--------------------------------------|-----|----|
| Farmer /Pastoralists                 |     |    |
| Farmer/Farmers (Boundary Conflicts)  |     |    |
| Pastoralists/Pastoralists            |     |    |
| Investor/Villagers                   |     |    |
| Government/Villagers (TANAPA)        |     |    |
| Village/Village (Boundary Conflicts) |     |    |

40. Tick the following years in Table below to show how often land disputes happen.

| <b>Year</b>     | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> | <b>2017</b> | <b>April,<br/>2018</b> |
|-----------------|-------------|-------------|-------------|-------------|-------------|-------------|------------------------|
| <b>Tick (✓)</b> |             |             |             |             |             |             |                        |

### **Thanks for your Good Cooperation**

#### Appendix 2: Interview Guide with Government Officials in Dodoma and Mbeya Regions

What are the key actors in village land planning?

What are the key actors of village land registrations?

What are the dominant process of Village Land Use Planning and registrations?

Is the Villages has VLUP and people own CCRO's?

What are the roles of CCRO's to rural livelihoods?

Are CCRO's accepted by formal financial institutions in providing loans as collaterals?

Have you ever received any report from villagers addressing the problem of formal financial institution that are reluctant to accept CCRO for granting loans as collaterals? How many cases have you received?

What are the challenges faced by the government and NGO's on the implimenting formalization land by issuing CCRO's?

Are there implementing partiners involved in VLUP and land registration? What are those partners?

Are there land disputes in these villages within the districts? What are those types of land disputes?

How the government and other partners mitigate land disputes in villages?

Are CCRO's improves the community livelihoods in your villages? Can you provide evidences on the role of CCRO's?

**Thanks for your Good Cooperation**

### Appendix 3 : Focus Group Discussions (FGDs) Guide at Village Level

What are the processes involved in Village land Use Planning?

What types of land registration do most people have in their certificates?

Do people practice gender equality in land registration?

What are the reasons made people to not practice gender equality in land registrations?

Do many people are aware with land registration? If not why?

Do people know procedure of acquire land through formal registration?

What are the partners involved in land registration and VLUP in this village?

Are there land disputes in these villages within the districts? What are those types of land disputes? How do you address the problem?

Do formal financial institutions accept CCRO's for granting loans as collaterals?

Do CCRO improve community livelihoods?

How CCRO's does contribute to assets ownership in village areas?

What other factors apart from CCRO's contribute to positive and negative change in land use and livelihood strategies?

How do you compare the contributions of CCRO's on livelihood change from other factors?

What needs to be done to make sure that CCRO's benefits all actors?

**Thanks for your Good Cooperation**

**Appendix 4. 1: Reasons of not Registering Land (Farms) in the villages by Mean Index indicating Actual percentage of the Liket scales**

| Index       | Frequency | Percent     | Valid Percent | Cumulative<br>Percent |
|-------------|-----------|-------------|---------------|-----------------------|
| 1.20        | 2         | .5          | .5            | .5                    |
| 1.60        | 2         | .5          | .5            | 1.0                   |
| 1.80        | 11        | 2.8         | 2.8           | 3.8                   |
| 2.00        | 18        | 4.5         | 4.6           | 8.4                   |
| 2.20        | 34        | 8.6         | 8.6           | 17.0                  |
| 2.40        | 38        | 9.6         | 9.6           | 26.6                  |
| 2.60        | 48        | 12.1        | 12.2          | 38.7                  |
| <b>2.80</b> | <b>58</b> | <b>14.6</b> | <b>14.6</b>   | <b>52.9</b>           |
| 3.00        | 40        | 10.1        | 10.1A         | 63.0                  |
| 3.20        | 55        | 13.9        | 13.9          | 77.0                  |
| 3.40        | 32        | 8.1         | 8.1           | 85.1                  |
| 3.60        | 26        | 6.5         | 6.6           | 91.6                  |
| 3.80        | 19        | 4.8         | 4.8           | 96.5                  |
| 4.00        | 10        | 2.5         | 2.5           | 99.0                  |
| 4.20        | 3         | .8          | .8            | 99.7                  |
| 4.40        | 1         | .3          | .3            | 100.0                 |
| Total       | 397       | 100.0       | 100.0         |                       |
| Statistics  |           |             |               |                       |
| <b>Mean</b> |           |             | <b>2.8775</b> |                       |

|                    |    |        |
|--------------------|----|--------|
| Std. Error of Mean |    | .02877 |
| Median             |    | 2.8000 |
| Mode               |    | 2.80   |
| Std. Deviation     |    | .57173 |
| Variance           |    | .327   |
| Range              |    | 3.20   |
| Minimum            |    | 1.20   |
| Maximum            |    | 4.40   |
| <hr/>              |    |        |
|                    | 25 | 2.4000 |
| Percentiles        | 50 | 2.8000 |
|                    | 75 | 3.2000 |
| <hr/>              |    |        |

#### Appendix 4.2A:ANOVA test on Reasons of not Registering Land (Farms)

##### ANOVA

|  |                | Sum of Squares | df  | Mean Square | F      | Sig. |
|--|----------------|----------------|-----|-------------|--------|------|
| Reasons for lack of registering land-The process is too expensive              | Between Groups | 3.385          | 3   | 1.128       | 5.791  | .001 |
|  | Within Groups  | 76.579         | 393 | .195        |        |      |
|  | Total          | 79.965         | 396 |             |        |      |
| Reasons for lack of registering land-The process is too Bureaucratic in nature | Between Groups | 21.873         | 3   | 7.291       | 44.179 | .000 |
|  | Within Groups  | 64.858         | 393 | .165        |        |      |
|  | Total          | 86.730         | 396 |             |        |      |
| Reasons for lack of registering land-Not Aware of the process                  | Between Groups | 41.103         | 3   | 13.701      | 93.995 | .000 |
|  | Within Groups  | 57.285         | 393 | .146        |        |      |
|  | Total          | 98.388         | 396 |             |        |      |
| Reasons for lack of registering land-  | Between Groups | 21.728         | 3   | 7.243       | 36.849 | .000 |



|  |                |        |     |       |        |      |
|--|----------------|--------|-----|-------|--------|------|
| The government has made little effort                                | Within Groups  | 77.244 | 393 | .197  |        |      |
|  | Total          | 98.972 | 396 |       |        |      |
| Reasons for lack of registering land-Corruption in land registration | Between Groups | 3.931  | 3   | 1.310 | 10.078 | .000 |
|  | Within Groups  | 51.097 | 393 | .130  |        |      |
|  | Total          | 55.028 | 396 |       |        |      |

**Appendix 4.2B: Scheffe Post –hoc test on Reasons of not Registering Land (Farms)**

| Multiple Comparisons  |                               |                               |                       |            |       |                         |             |
|---|-------------------------------|-------------------------------|-----------------------|------------|-------|-------------------------|-------------|
| Scheffe   |                               |                               |                       |            |       |                         |             |
| Dependent Variable  | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|   |                               |                               |                       |            |       | Lower Bound             | Upper Bound |
| Reasons for lack of registering land-The process is too expensive | Pwaga                         | Lupeta                        | .106                  | .074       | .571  | -.10                    | .31         |
|   |                               | Mabadaga                      | -.140                 | .059       | .135  | -.31                    | .03         |
|   |                               | Mswiswi                       | .008                  | .071       | 1.000 | -.19                    | .21         |
|   | Lupeta                        | Pwaga                         | -.106                 | .074       | .571  | -.31                    | .10         |
|   |                               | Mabadaga                      | -.245 <sup>*</sup>    | .065       | .003  | -.43                    | -.06        |
|   |                               | Mswiswi                       | -.098                 | .076       | .646  | -.31                    | .12         |
|   | Mabadaga                      | Pwaga                         | .140                  | .059       | .135  | -.03                    | .31         |

|   |          |          |                    |      |       |      |      |
|---|----------|----------|--------------------|------|-------|------|------|
|   |          | Lupeta   | .245 <sup>*</sup>  | .065 | .003  | .06  | .43  |
|   |          | Mswiswi  | .148               | .061 | .118  | -.02 | .32  |
|   | Mswiswi  | Pwaga    | -.008              | .071 | 1.000 | -.21 | .19  |
|   |          | Lupeta   | .098               | .076 | .646  | -.12 | .31  |
|   |          | Mabadaga | -.148              | .061 | .118  | -.32 | .02  |
|   |          |          |                    |      |       |      |      |
| Reasons for lack of registering land-The process is too Bureacratic in nature | Pwaga    | Lupeta   | .043               | .069 | .942  | -.15 | .24  |
|   |          | Mabadaga | -.458 <sup>*</sup> | .054 | .000  | -.61 | -.30 |
|   |          | Mswiswi  | .003               | .065 | 1.000 | -.18 | .19  |
|   | Lupeta   | Pwaga    | -.043              | .069 | .942  | -.24 | .15  |
|   |          | Mabadaga | -.500 <sup>*</sup> | .060 | .000  | -.67 | -.33 |
|   |          | Mswiswi  | -.039              | .070 | .956  | -.24 | .16  |
|   | Mabadaga | Pwaga    | .458 <sup>*</sup>  | .054 | .000  | .30  | .61  |
|   |          | Lupeta   | .500 <sup>*</sup>  | .060 | .000  | .33  | .67  |
|   |          | Mswiswi  | .461 <sup>*</sup>  | .056 | .000  | .30  | .62  |
|   | Mswiswi  | Pwaga    | -.003              | .065 | 1.000 | -.19 | .18  |
|   |          | Lupeta   | .039               | .070 | .956  | -.16 | .24  |
|   |          | Mabadaga | -.461 <sup>*</sup> | .056 | .000  | -.62 | -.30 |
| Reasons for lack of registering land-Not Aware of the process                 | Pwaga    | Lupeta   | .158               | .064 | .114  | -.02 | .34  |
|   |          | Mabadaga | -.582 <sup>*</sup> | .051 | .000  | -.73 | -.44 |
|   |          | Mswiswi  | .036               | .061 | .953  | -.14 | .21  |
|   | Lupeta   | Pwaga    | -.158              | .064 | .114  | -.34 | .02  |

|  |          |          |                    |      |      |      |      |
|--|----------|----------|--------------------|------|------|------|------|
|  |          | Mabadaga | -.740 <sup>*</sup> | .056 | .000 | -.90 | -.58 |
|  |          | Mswiswi  | -.122              | .066 | .326 | -.31 | .06  |
|  | Mabadaga | Pwaga    | .582 <sup>*</sup>  | .051 | .000 | .44  | .73  |
|  |          | Lupeta   | .740 <sup>*</sup>  | .056 | .000 | .58  | .90  |
|  |          | Mswiswi  | .618 <sup>*</sup>  | .053 | .000 | .47  | .77  |
|  | Mswiswi  | Pwaga    | -.036              | .061 | .953 | -.21 | .14  |
|  |          | Lupeta   | .122               | .066 | .326 | -.06 | .31  |
|  |          | Mabadaga | -.618 <sup>*</sup> | .053 | .000 | -.77 | -.47 |
|  |          |          |                    |      |      |      |      |
| Reasons for lack of registering land-The government has made little effort | Pwaga    | Lupeta   | .129               | .075 | .394 | -.08 | .34  |
|  |          | Mabadaga | -.357 <sup>*</sup> | .059 | .000 | -.52 | -.19 |
|  |          | Mswiswi  | .180               | .071 | .095 | -.02 | .38  |
|  | Lupeta   | Pwaga    | -.129              | .075 | .394 | -.34 | .08  |
|  |          | Mabadaga | -.486 <sup>*</sup> | .065 | .000 | -.67 | -.30 |
|  |          | Mswiswi  | .050               | .076 | .932 | -.16 | .26  |
|  | Mabadaga | Pwaga    | .357 <sup>*</sup>  | .059 | .000 | .19  | .52  |
|  |          | Lupeta   | .486 <sup>*</sup>  | .065 | .000 | .30  | .67  |
|  |          | Mswiswi  | .537 <sup>*</sup>  | .061 | .000 | .37  | .71  |
|  | Mswiswi  | Pwaga    | -.180              | .071 | .095 | -.38 | .02  |
|  |          | Lupeta   | -.050              | .076 | .932 | -.26 | .16  |
|  |          | Mabadaga | -.537 <sup>*</sup> | .061 | .000 | -.71 | -.37 |
|  |          |          |                    |      |      |      |      |
|  |          |          |                    |      |      |      |      |
|  |          |          |                    |      |      |      |      |
|  |          |          |                    |      |      |      |      |
| Reasons for lack   | Pwaga    | Lupeta   | .117               | .061 | .294 | -.05 | .29  |
|  |          |          |                    |      |      |      |      |

|  |   |          |                    |      |       |      |      |
|--|---|----------|--------------------|------|-------|------|------|
| of registering<br>land-Corruption<br>in land<br>registration |   | Mabadaga | -.106              | .048 | .189  | -.24 | .03  |
|  |   | Mswiswi  | .120               | .058 | .228  | -.04 | .28  |
|  | Lupeta  | Pwaga    | -.117              | .061 | .294  | -.29 | .05  |
|  |   | Mabadaga | -.223 <sup>*</sup> | .053 | .001  | -.37 | -.07 |
|  |   | Mswiswi  | .003               | .062 | 1.000 | -.17 | .18  |
|  | Mabadaga  | Pwaga    | .106               | .048 | .189  | -.03 | .24  |
|  |   | Lupeta   | .223 <sup>*</sup>  | .053 | .001  | .07  | .37  |
|  |   | Mswiswi  | .226 <sup>*</sup>  | .050 | .000  | .09  | .37  |
|  | Mswiswi   | Pwaga    | -.120              | .058 | .228  | -.28 | .04  |
|  |   | Lupeta   | -.003              | .062 | 1.000 | -.18 | .17  |
|  |   | Mabadaga | -.226 <sup>*</sup> | .050 | .000  | -.37 | -.09 |
|  | *. The mean difference is significant at the 0.05 level |          |                    |      |       |      |      |

**Appendix 4.3A: ANOVA test on Length spent in acquiring Certificate of Customary Right of Occupancy (CCROs)**

| ANOVA  |                |                |     |             |        |      |
|--|----------------|----------------|-----|-------------|--------|------|
|  |                | Sum of Squares | df  | Mean Square | F      | Sig. |
| How many duration did you spent to acquire CCROs -Just a Day | Between Groups | .049           | 3   | .016        | .295   | .829 |
|  | Within Groups  | 21.619         | 393 | .055        |        |      |
|  | Total          | 21.668         | 396 |             |        |      |
| How many duration did you spent to acquire                   | Between Groups | 9.573          | 3   | 3.191       | 20.344 | .000 |

|  |                |        |     |       |        |      |
|--|----------------|--------|-----|-------|--------|------|
| CCROs-A month  | Within Groups  | 61.641 | 393 | .157  |        |      |
|  | Total          | 71.214 | 396 |       |        |      |
| How many duration did you spent to acquire CCROs- A Year | Between Groups | 27.402 | 3   | 9.134 | 64.183 | .000 |
|  | Within Groups  | 55.928 | 393 | .142  |        |      |
|  | Total          | 83.330 | 396 |       |        |      |

**Appendix 4.3B: Scheffe Post hoc-test of comparison on Length spent in acquiring Certificate of Customary Right of Occupancy (CCROs)**

| Multiple Comparisons |          |          |                       |            |      |                         |             |
|----------------------|----------|----------|-----------------------|------------|------|-------------------------|-------------|
| Scheffe              |          |          |                       |            |      |                         |             |
| Dependent Variable   |          |          | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|                      |          |          |                       |            |      | Lower Bound             | Upper Bound |
| Just a Day           | Pwaga    | Lupeta   | -.010                 | .040       | .996 | -.12                    | .10         |
|                      |          | Mabadaga | -.018                 | .031       | .953 | -.11                    | .07         |
|                      |          | Mswiswi  | -.034                 | .038       | .844 | -.14                    | .07         |
|                      | Lupeta   | Pwaga    | .010                  | .040       | .996 | -.10                    | .12         |
|                      |          | Mabadaga | -.009                 | .035       | .996 | -.11                    | .09         |
|                      |          | Mswiswi  | -.025                 | .040       | .946 | -.14                    | .09         |
|                      | Mabadaga | Pwaga    | .018                  | .031       | .953 | -.07                    | .11         |
|                      |          | Lupeta   | .009                  | .035       | .996 | -.09                    | .11         |
|                      |          | Mswiswi  | -.016                 | .032       | .971 | -.11                    | .07         |
|                      | Mswiswi  | Pwaga    | .034                  | .038       | .844 | -.07                    | .14         |
|                      |          | Lupeta   | .025                  | .040       | .946 | -.09                    | .14         |
|                      |          | Mabadaga | .016                  | .032       | .971 | -.07                    | .11         |
| A month              | Pwaga    | Lupeta   | -.129                 | .067       | .293 | -.32                    | .06         |
|                      |          | Mabadaga | .181 <sup>*</sup>     | .053       | .009 | .03                     | .33         |
|                      |          | Mswiswi  | -.197 <sup>*</sup>    | .063       | .023 | -.37                    | -.02        |
|                      | Lupeta   | Pwaga    | .129                  | .067       | .293 | -.06                    | .32         |
|                      |          | Mabadaga | .310 <sup>*</sup>     | .058       | .000 | .15                     | .47         |

| Multiple Comparisons |          |          |                       |            |      |                         |             |
|----------------------|----------|----------|-----------------------|------------|------|-------------------------|-------------|
| Scheffe              |          |          |                       |            |      |                         |             |
| Dependent Variable   |          |          | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|                      |          |          |                       |            |      | Lower Bound             | Upper Bound |
|                      | Mabadaga | Mswiswi  | -.067                 | .068       | .806 | -.26                    | .12         |
|                      |          | Pwaga    | -.181 <sup>*</sup>    | .053       | .009 | -.33                    | -.03        |
|                      |          | Lupeta   | -.310 <sup>*</sup>    | .058       | .000 | -.47                    | -.15        |
|                      | Mswiswi  | Mswiswi  | -.378 <sup>*</sup>    | .054       | .000 | -.53                    | -.22        |
|                      |          | Pwaga    | .197 <sup>*</sup>     | .063       | .023 | .02                     | .37         |
|                      |          | Lupeta   | .067                  | .068       | .806 | -.12                    | .26         |
|                      |          | Mabadaga | .378 <sup>*</sup>     | .054       | .000 | .22                     | .53         |
| A Year               | Pwaga    | Lupeta   | -.722 <sup>*</sup>    | .064       | .000 | -.90                    | -.54        |
|                      |          | Mabadaga | -.568 <sup>*</sup>    | .051       | .000 | -.71                    | -.43        |
|                      |          | Mswiswi  | -.709 <sup>*</sup>    | .060       | .000 | -.88                    | -.54        |
|                      | Lupeta   | Pwaga    | .722 <sup>*</sup>     | .064       | .000 | .54                     | .90         |
|                      |          | Mabadaga | .154                  | .056       | .055 | .00                     | .31         |
|                      |          | Mswiswi  | .013                  | .065       | .998 | -.17                    | .19         |
|                      | Mabadaga | Pwaga    | .568 <sup>*</sup>     | .051       | .000 | .43                     | .71         |
|                      |          | Lupeta   | -.154                 | .056       | .055 | -.31                    | .00         |
|                      |          | Mswiswi  | -.141                 | .052       | .061 | -.29                    | .00         |
|                      | Mswiswi  | Pwaga    | .709 <sup>*</sup>     | .060       | .000 | .54                     | .88         |
|                      |          | Lupeta   | -.013                 | .065       | .998 | -.19                    | .17         |
|                      |          | Mabadaga | .141                  | .052       | .061 | .00                     | .29         |

\*. The mean difference is significant at the 0.05 level.

#### Appendix 4.5 Trend of CCRO's acquisitions by Mean Index with its percentage

|                    |       | Frequency     | Percent | Valid Percent | Cumulative Percent |
|--------------------|-------|---------------|---------|---------------|--------------------|
| Valid              | 1.5   | 29            | 7.3     | 7.3           | 7.3                |
|                    | 1.75  | 275           | 69.3    | 69.3          | 76.6               |
|                    | 2     | 93            | 23.4    | 23.4          | 100.0              |
|                    | Total | 397           | 100.0   | 100.0         |                    |
| Statistics         |       |               |         |               |                    |
| <b>Mean</b>        |       | <b>1.7903</b> |         |               |                    |
| Std. Error of Mean |       | .00666        |         |               |                    |
| Median             |       | 1.7500        |         |               |                    |
| Mode               |       | 1.75          |         |               |                    |
| Std. Deviation     |       | .13277        |         |               |                    |
| Variance           |       | .018          |         |               |                    |
| Range              |       | .50           |         |               |                    |
| Minimum            |       | 1.50          |         |               |                    |
| Maximum            |       | 2.00          |         |               |                    |
| Sum                |       | 710.75        |         |               |                    |
| Percentiles        | 25    | 1.7500        |         |               |                    |
|                    | 50    | 1.7500        |         |               |                    |
|                    | 75    | 1.7500        |         |               |                    |

**Appendix 4.5A: ANOVA test on Trend of issuing Certificate of Customary Rights of Occupancy (CCRO'S) in the study villages from 2010 up to April, 2018**

| <b>ANOVA</b>   |                |                |     |             |        |      |
|--|----------------|----------------|-----|-------------|--------|------|
|  |                | Sum of Squares | df  | Mean Square | F      | Sig. |
| Trend Evaluation of Issuance of CCROs through Customary land titling -Increasing                 | Between Groups | .777           | 3   | .259        | 1.613  | .186 |
|  | Within Groups  | 63.102         | 393 | .161        |        |      |
|  | Total          | 63.879         | 396 |             |        |      |
| Trend Evaluation of Issuance of CCROs through Customary land titling-Decreasing                  | Between Groups | 16.954         | 3   | 5.651       | 27.675 | .000 |
|  | Within Groups  | 80.250         | 393 | .204        |        |      |
|  | Total          | 97.204         | 396 |             |        |      |
| Trend Evaluation of Issuance of CCROs through Customary land titling-Stagnant or does not change | Between Groups | .078           | 3   | .026        | .197   | .899 |
|  | Within Groups  | 52.239         | 393 | .133        |        |      |
|  | Total          | 52.317         | 396 |             |        |      |
| Trend Evaluation of Issuance of CCROs through Customary land titling- I do know                  | Between Groups | .268           | 3   | .089        | 1.791  | .148 |
|  | Within Groups  | 19.621         | 393 | .050        |        |      |
|  | Total          | 19.889         | 396 |             |        |      |

**Appendix 4.5B: Scheffe Post-hoc test on Trend of issuing Certificate of Customary Rights of Occupancy (CCRO'S) in the study villages from 2010 up to April, 2018**



### Multiple Comparisons

| Scheffe   |                               |                               |                       |            |      |                         |             |
|---|-------------------------------|-------------------------------|-----------------------|------------|------|-------------------------|-------------|
| Dependent Variable  | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|   |                               |                               |                       |            |      | Lower Bound             | Upper Bound |
|   |                               |                               |                       |            |      |                         |             |
| Trend Evaluation of Issuance of CCROs through Customary land titling - Increasing | Pwaga                         | Lupeta                        | -.072                 | .068       | .767 | -.26                    | .12         |
|   |                               | Mabadaga                      | .055                  | .054       | .789 | -.10                    | .21         |
|   |                               | Mswiswi                       | .015                  | .064       | .997 | -.17                    | .20         |
|   | Lupeta                        | Pwaga                         | .072                  | .068       | .767 | -.12                    | .26         |
|   |                               | Mabadaga                      | .127                  | .059       | .201 | -.04                    | .29         |
|   |                               | Mswiswi                       | .087                  | .069       | .659 | -.11                    | .28         |
|   | Mabadaga                      | Pwaga                         | -.055                 | .054       | .789 | -.21                    | .10         |
|   |                               | Lupeta                        | -.127                 | .059       | .201 | -.29                    | .04         |
|   |                               | Mswiswi                       | -.040                 | .055       | .912 | -.19                    | .11         |
|   | Mswiswi                       | Pwaga                         | -.015                 | .064       | .997 | -.20                    | .17         |
|   |                               | Lupeta                        | -.087                 | .069       | .659 | -.28                    | .11         |
|   |                               | Mabadaga                      | .040                  | .055       | .912 | -.11                    | .19         |
| Trend Evaluation of Issuance of CCROs through Customary land                      | Pwaga                         | Lupeta                        | -.197                 | .076       | .084 | -.41                    | .02         |
|   |                               | Mabadaga                      | -.498*                | .061       | .000 | -.67                    | -.33        |
|   |                               | Mswiswi                       | -.498*                | .072       | .000 | -.70                    | -.29        |

|   |          |          |         |      |       |      |      |
|---|----------|----------|---------|------|-------|------|------|
| titling-<br>Decreasing  | Lupeta   | Pwaga    | .197    | .076 | .084  | -.02 | .41  |
|   |          | Mabadaga | -.301 * | .067 | .000  | -.49 | -.11 |
|   |          | Mswiswi  | -.301 * | .078 | .002  | -.52 | -.08 |
|   | Mabadaga | Pwaga    | .498 *  | .061 | .000  | .33  | .67  |
|   |          | Lupeta   | .301 *  | .067 | .000  | .11  | .49  |
|   |          | Mswiswi  | .001    | .062 | 1.000 | -.17 | .18  |
|   | Mswiswi  | Pwaga    | .498 *  | .072 | .000  | .29  | .70  |
|   |          | Lupeta   | .301 *  | .078 | .002  | .08  | .52  |
|   |          | Mabadaga | .000    | .062 | 1.000 | -.18 | .17  |
| Trend<br>Evaluation of<br>Issuance of<br>CCROs through<br>Customary land<br>titling-Stagnant<br>or does not<br>change | Pwaga    | Lupeta   | .029    | .062 | .973  | -.14 | .20  |
|   |          | Mabadaga | .014    | .049 | .994  | -.12 | .15  |
|   |          | Mswiswi  | -.015   | .058 | .996  | -.18 | .15  |
|   | Lupeta   | Pwaga    | -.029   | .062 | .973  | -.20 | .14  |
|   |          | Mabadaga | -.015   | .054 | .994  | -.17 | .14  |
|   |          | Mswiswi  | -.044   | .063 | .920  | -.22 | .13  |
|   | Mabadaga | Pwaga    | -.014   | .049 | .994  | -.15 | .12  |
|   |          | Lupeta   | .015    | .054 | .994  | -.14 | .17  |
|   |          | Mswiswi  | -.029   | .050 | .955  | -.17 | .11  |
|   | Mswiswi  | Pwaga    | .015    | .058 | .996  | -.15 | .18  |
|   |          | Lupeta   | .044    | .063 | .920  | -.13 | .22  |
|   |          | Mabadaga | .029    | .050 | .955  | -.11 | .17  |

|   |          |          |       |      |      |      |     |
|---|----------|----------|-------|------|------|------|-----|
| Trend Evaluation of Issuance of CCROs through Customary land titling- I do know | Pwaga    | Lupeta   | -.006 | .038 | .999 | -.11 | .10 |
|   |          | Mabadaga | -.042 | .030 | .584 | -.13 | .04 |
|   |          | Mswiswi  | -.073 | .036 | .246 | -.17 | .03 |
|   | Lupeta   | Pwaga    | .006  | .038 | .999 | -.10 | .11 |
|   |          | Mabadaga | -.036 | .033 | .755 | -.13 | .06 |
|   |          | Mswiswi  | -.067 | .038 | .381 | -.17 | .04 |
|   | Mabadaga | Pwaga    | .042  | .030 | .584 | -.04 | .13 |
|   |          | Lupeta   | .036  | .033 | .755 | -.06 | .13 |
|   |          | Mswiswi  | -.031 | .031 | .791 | -.12 | .05 |
|   | Mswiswi  | Pwaga    | .073  | .036 | .246 | -.03 | .17 |
|   |          | Lupeta   | .067  | .038 | .381 | -.04 | .17 |
|   |          | Mabadaga | .031  | .031 | .791 | -.05 | .12 |
| *. The mean difference is significant at the 0.05 level.                        |          |          |       |      |      |      |     |

**Appendix 4. 6A: Knowledge on the processes of issuing/acquisitions of Certificates of Customary of Right of Occupancy (CCRO's) by Mean Index with percentag**

|                    |       | Frequency | Percent | Valid Percent | Cumulative Percent |
|--------------------|-------|-----------|---------|---------------|--------------------|
| Valid              | 1     | 154       | 38.8    | 38.8          | 38.8               |
|                    | 2     | 91        | 22.9    | 22.9          | 61.7               |
|                    | 3     | 71        | 17.9    | 17.9          | 79.6               |
|                    | 4     | 49        | 12.3    | 12.3          | 91.9               |
|                    | 5     | 26        | 6.5     | 6.5           | 98.5               |
|                    | 6     | 6         | 1.5     | 1.5           | 100.0              |
|                    | Total | 397       | 100.0   | 100.0         |                    |
| <b>Statistics</b>  |       |           |         |               |                    |
| Mean               |       |           |         |               | 2.2947             |
| Std. Error of Mean |       |           |         |               | .06751             |
| Median             |       |           |         |               | 2.0000             |
| Mode               |       |           |         |               | 1.00               |
| Std. Deviation     |       |           |         |               | 1.34514            |
| Variance           |       |           |         |               | 1.809              |
| Range              |       |           |         |               | 5.00               |
| Minimum            |       |           |         |               | 1.00               |
| Maximum            |       |           |         |               | 6.00               |
| Sum                |       |           |         |               | 911.00             |
| Percentiles        |       | 25        |         |               | 1.0000             |
|                    |       | 50        |         |               | 2.0000             |
|                    |       | 75        |         |               | 3.0000             |

**Appendix 4. 7A: ANOVA test on Knowledge on the processes of issuing/acquisitions of Certificates of Customary of Right of Occupancy (CCRO's)**

**ANOVA**

Can you list the number of steps followed when acquiring CCRO?

|                | Sum of Squares | df  | Mean Square | F      | Sig. |
|----------------|----------------|-----|-------------|--------|------|
| Between Groups | 118.673        | 3   | 39.558      | 26.004 | .000 |
| Within Groups  | 597.846        | 393 | 1.521       |        |      |
| Total          | 716.519        | 396 |             |        |      |

**Appendix 4. 7B: Knowledge on the processes of issuing/acquisitions of  
Certificates of Customary of Right of Occupancy (CCRO's)**

**Multiple Comparisons**

Can you list the number of steps followed when  
acquiring CCRO?

Scheffe

| (I) Village<br>of the<br>respondent                      | (J) Village<br>of the<br>respondent | Mean<br>Difference (I-<br>J) | Std. Error | Sig. | 95% Confidence Interval |                |
|--|-------------------------------------|------------------------------|------------|------|-------------------------|----------------|
|  |                                     |                              |            |      | Lower<br>Bound          | Upper<br>Bound |
| Pwaga  | Lupeta                              | 1.153 <sup>*</sup>           | .208       | .000 | .57                     | 1.74           |
|  | Mabadaga                            | -.121                        | .165       | .910 | -.59                    | .34            |
|  | Mswiswi                             | .978 <sup>*</sup>            | .198       | .000 | .42                     | 1.53           |
| Lupeta   | Pwaga                               | -1.153 <sup>*</sup>          | .208       | .000 | -1.74                   | -.57           |
|  | Mabadaga                            | -1.275 <sup>*</sup>          | .182       | .000 | -1.78                   | -.76           |
|  | Mswiswi                             | -.175                        | .212       | .877 | -.77                    | .42            |
| Mabadaga   | Pwaga                               | .121                         | .165       | .910 | -.34                    | .59            |
|  | Lupeta                              | 1.275 <sup>*</sup>           | .182       | .000 | .76                     | 1.78           |
|  | Mswiswi                             | 1.100 <sup>*</sup>           | .170       | .000 | .62                     | 1.58           |
| Mswiswi  | Pwaga                               | -.978 <sup>*</sup>           | .198       | .000 | -1.53                   | -.42           |
|  | Lupeta                              | .175                         | .212       | .877 | -.42                    | .77            |
|  | Mabadaga                            | -1.100 <sup>*</sup>          | .170       | .000 | -1.58                   | -.62           |
| *. The mean difference is significant at the 0.05 level. |                                     |                              |            |      |                         |                |

**Appendix 4.8: Awareness' of VLUP by Mean Index with its percentage**

|                    |           | Frequency | Percent | Valid Percent | Cumulative<br>Percent |
|--------------------|-----------|-----------|---------|---------------|-----------------------|
| Valid              | Awarenes  | 173       | 43.6    | 43.6          | 43.6                  |
|                    | Neutral   | 28        | 7.1     | 7.1           | 50.6                  |
|                    | Not aware | 196       | 49.4    | 49.4          | 100.0                 |
|                    | Total     | 397       | 100.0   | 100.0         |                       |
| <b>Statistics</b>  |           |           |         |               |                       |
| Mean               |           |           |         |               |                       |
| 2.058              |           |           |         |               |                       |
| Std. Error of Mean |           |           |         |               |                       |
| .0484              |           |           |         |               |                       |
| Median             |           |           |         |               |                       |
| 2.000              |           |           |         |               |                       |
| Mode               |           |           |         |               |                       |
| 3.0                |           |           |         |               |                       |
| Std. Deviation     |           |           |         |               |                       |
| .9636              |           |           |         |               |                       |
| Variance           |           |           |         |               |                       |
| .928               |           |           |         |               |                       |
| Range              |           |           |         |               |                       |
| 2.0                |           |           |         |               |                       |
| Minimum            |           |           |         |               |                       |
| 1.0                |           |           |         |               |                       |
| Maximum            |           |           |         |               |                       |
| 3.0                |           |           |         |               |                       |
| Sum                |           |           |         |               |                       |
| 817.0              |           |           |         |               |                       |
| Percentiles        | 25        |           | 1.000   |               |                       |
|                    | 50        |           | 2.000   |               |                       |
|                    | 75        |           | 3.000   |               |                       |

**Appendix 4.9A: ANOVA test on awareness on VLUP****ANOVA****AWARENES OF VLUP**

|                | Sum of Squares | df  | Mean Square | F      | Sig. |
|----------------|----------------|-----|-------------|--------|------|
| Between Groups | 54.535         | 3   | 18.178      | 22.815 | .000 |
| Within Groups  | 313.132        | 393 | .797        |        |      |
| Total          | 367.668        | 396 |             |        |      |



**Appendix 4.9B: Scheffe Post-hoc test on awareness on VLUP****Multiple Comparisons**

| AWARENES OF<br>VLUP<br>Scheffe                           |                                     |                              |            |      |                         |                |
|--|-------------------------------------|------------------------------|------------|------|-------------------------|----------------|
| (I) Village<br>of the<br>respondent                      | (J) Village<br>of the<br>respondent | Mean<br>Difference (I-<br>J) | Std. Error | Sig. | 95% Confidence Interval |                |
|  |                                     |                              |            |      | Lower<br>Bound          | Upper<br>Bound |
| Pwaga  | Lupeta                              | -.2302                       | .1506      | .507 | -.653                   | .193           |
|  | Mabadaga                            | .7067 <sup>*</sup>           | .1195      | .000 | .371                    | 1.042          |
|  | Mswiswi                             | .2227                        | .1430      | .490 | -.179                   | .624           |
| Lupeta   | Pwaga                               | .2302                        | .1506      | .507 | -.193                   | .653           |
|  | Mabadaga                            | .9369 <sup>*</sup>           | .1315      | .000 | .568                    | 1.306          |
|  | Mswiswi                             | .4529 <sup>*</sup>           | .1532      | .034 | .023                    | .883           |
| Mabadaga   | Pwaga                               | -.7067 <sup>*</sup>          | .1195      | .000 | -1.042                  | -.371          |
|  | Lupeta                              | -.9369 <sup>*</sup>          | .1315      | .000 | -1.306                  | -.568          |
|  | Mswiswi                             | -.4840 <sup>*</sup>          | .1228      | .002 | -.829                   | -.139          |
| Mswiswi  | Pwaga                               | -.2227                       | .1430      | .490 | -.624                   | .179           |
|  | Lupeta                              | -.4529 <sup>*</sup>          | .1532      | .034 | -.883                   | -.023          |
|  | Mabadaga                            | .4840 <sup>*</sup>           | .1228      | .002 | .139                    | .829           |
| *. The mean difference is significant at the 0.05 level. |                                     |                              |            |      |                         |                |

**Appendix 4.10A Modes of Land Acquisitions to the study villages**

**ANOVA**

| HOW DO YOU ACCESS LAND |                |     |             |      |      |
|------------------------|----------------|-----|-------------|------|------|
|                        | Sum of Squares | df  | Mean Square | F    | Sig. |
| Between Groups         | 2.987          | 3   | .996        | .668 | .572 |
| Within Groups          | 586.040        | 393 | 1.491       |      |      |
| Total                  | 589.028        | 396 |             |      |      |

## Multiple Comparisons

### Appendix 4.10B Sheffe Post-hoc test on Modes of Land Acquisitions to the study villages

| Scheffe                       |                               |                       |            |      |                         |             |
|-------------------------------|-------------------------------|-----------------------|------------|------|-------------------------|-------------|
| (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|                               |                               |                       |            |      | Lower Bound             | Upper Bound |
| Pwaga                         | Lupeta                        | -.07208               | .20606     | .989 | -.6506                  | .5065       |
|                               | Mabadaga                      | -.21553               | .16353     | .629 | -.6747                  | .2436       |
|                               | Mswiswi                       | -.17531               | .19568     | .849 | -.7247                  | .3741       |
| Lupeta                        | Pwaga                         | .07208                | .20606     | .989 | -.5065                  | .6506       |
|                               | Mabadaga                      | -.14345               | .17995     | .888 | -.6487                  | .3618       |
|                               | Mswiswi                       | -.10323               | .20960     | .970 | -.6917                  | .4853       |
| Mabadaga                      | Pwaga                         | .21553                | .16353     | .629 | -.2436                  | .6747       |
|                               | Lupeta                        | .14345                | .17995     | .888 | -.3618                  | .6487       |
|                               | Mswiswi                       | .04022                | .16797     | .996 | -.4314                  | .5118       |
| Mswiswi                       | Pwaga                         | .17531                | .19568     | .849 | -.3741                  | .7247       |
|                               | Lupeta                        | .10323                | .20960     | .970 | -.4853                  | .6917       |
|                               | Mabadaga                      | -.04022               | .16797     | .996 | -.5118                  | .4314       |

**Appendix 4.11A: ANOVA test on types of customary land registration**

| <b>ANOVA</b>   |                |                |     |             |         |      |
|--|----------------|----------------|-----|-------------|---------|------|
|  |                | Sum of Squares | df  | Mean Square | F       | Sig. |
| If it is a registered land, mention the type of registration-Individual registration | Between Groups | 48.127         | 3   | 16.042      | 135.370 | .000 |
|  | Within Groups  | 46.573         | 393 | .119        |         |      |
|  | Total          | 94.700         | 396 |             |         |      |
| If it is a registered land, mention the type of registration-Two people registration | Between Groups | 1.899          | 3   | .633        | 6.060   | .000 |
|  | Within Groups  | 41.053         | 393 | .104        |         |      |
|  | Total          | 42.952         | 396 |             |         |      |
| If it is a registered land, mention the type of registration-Group registration      | Between Groups | .022           | 3   | .007        | .191    | .903 |
|  | Within Groups  | 15.333         | 393 | .039        |         |      |
|  | Total          | 15.355         | 396 |             |         |      |

**Appendix 4.11B: Types of Customary land registration**

| <b>Multiple Comparisons</b>  |                               |                               |                       |            |       |                         |             |
|--|-------------------------------|-------------------------------|-----------------------|------------|-------|-------------------------|-------------|
| <b>Scheffe</b>   |                               |                               |                       |            |       |                         |             |
| Dependent Variable   | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|  |                               |                               |                       |            |       | Lower Bound             | Upper Bound |
| If it is a registered land, mention the type of registration - Individual registration | Pwaga                         | Lupeta                        | -.609 <sup>*</sup>    | .058       | .000  | -.77                    | -.45        |
|  |                               | Mabadaga                      | .080                  | .046       | .389  | -.05                    | .21         |
|  |                               | Mswiswi                       | -.722 <sup>*</sup>    | .055       | .000  | -.88                    | -.57        |
|  | Lupeta                        | Pwaga                         | .609 <sup>*</sup>     | .058       | .000  | .45                     | .77         |
|  |                               | Mabadaga                      | .689 <sup>*</sup>     | .051       | .000  | .55                     | .83         |
|  |                               | Mswiswi                       | -.114                 | .059       | .298  | -.28                    | .05         |
|  | Mabadaga                      | Pwaga                         | -.080                 | .046       | .389  | -.21                    | .05         |
|  |                               | Lupeta                        | -.689 <sup>*</sup>    | .051       | .000  | -.83                    | -.55        |
|  |                               | Mswiswi                       | -.803 <sup>*</sup>    | .047       | .000  | -.94                    | -.67        |
|  | Mswiswi                       | Pwaga                         | .722 <sup>*</sup>     | .055       | .000  | .57                     | .88         |
|  |                               | Lupeta                        | .114                  | .059       | .298  | -.05                    | .28         |
|  |                               | Mabadaga                      | .803 <sup>*</sup>     | .047       | .000  | .67                     | .94         |
| If it is a registered land,  | Pwaga                         | Lupeta                        | -.124                 | .055       | .159  | -.28                    | .03         |
|  |                               | Mabadaga                      | .000                  | .043       | 1.000 | -.12                    | .12         |

|   |          |          |                    |      |       |      |      |
|---|----------|----------|--------------------|------|-------|------|------|
| mention the type<br>of registration-<br>Two people<br>registration                              |          | Mswiswi  | -.160 <sup>*</sup> | .052 | .025  | -.30 | -.01 |
|   | Lupeta   | Pwaga    | .124               | .055 | .159  | -.03 | .28  |
|   |          | Mabadaga | .125               | .048 | .078  | .00  | .26  |
|   |          | Mswiswi  | -.035              | .055 | .940  | -.19 | .12  |
|   | Mabadaga | Pwaga    | .000               | .043 | 1.000 | -.12 | .12  |
|   |          | Lupeta   | -.125              | .048 | .078  | -.26 | .01  |
|   |          | Mswiswi  | -.160 <sup>*</sup> | .044 | .005  | -.28 | -.04 |
|   | Mswiswi  | Pwaga    | .160 <sup>*</sup>  | .052 | .025  | .01  | .30  |
|   |          | Lupeta   | .035               | .055 | .940  | -.12 | .19  |
|   |          | Mabadaga | .160 <sup>*</sup>  | .044 | .005  | .04  | .28  |
| If it is a<br>registered land,<br>mention the type<br>of registration-<br>Group<br>registration | Pwaga    | Lupeta   | .011               | .033 | .990  | -.08 | .10  |
|   |          | Mabadaga | .008               | .026 | .994  | -.07 | .08  |
|   |          | Mswiswi  | -.010              | .032 | .991  | -.10 | .08  |
|   | Lupeta   | Pwaga    | -.011              | .033 | .990  | -.10 | .08  |
|   |          | Mabadaga | -.004              | .029 | .999  | -.09 | .08  |
|   |          | Mswiswi  | -.022              | .034 | .938  | -.12 | .07  |
|   | Mabadaga | Pwaga    | -.008              | .026 | .994  | -.08 | .07  |
|   |          | Lupeta   | .004               | .029 | .999  | -.08 | .09  |
|   |          | Mswiswi  | -.018              | .027 | .932  | -.09 | .06  |
|   | Mswiswi  | Pwaga    | .010               | .032 | .991  | -.08 | .10  |
|   |          | Lupeta   | .022               | .034 | .938  | -.07 | .12  |

|  |  |          |      |      |      |      |     |
|--|--|----------|------|------|------|------|-----|
|  |  | Mabadaga | .018 | .027 | .932 | -.06 | .09 |
| *. The mean difference is significant at the 0.05 level. |  |          |      |      |      |      |     |

**Appendix 4.12: Challenges faced during acquisitions of CCRO's**

| <b>Index</b>      |            | <b>Cumulative</b> |                |                      |                |
|-------------------|------------|-------------------|----------------|----------------------|----------------|
|                   |            | <b>Frequency</b>  | <b>Percent</b> | <b>Valid Percent</b> | <b>Percent</b> |
| Valid             | 1          | 5                 | 1.3            | 1.3                  | 1.3            |
|                   | 1.2        | 33                | 8.3            | 8.3                  | 9.6            |
|                   | 1.4        | 17                | 4.3            | 4.3                  | 13.9           |
|                   | 1.6        | 24                | 6.0            | 6.0                  | 19.9           |
|                   | 1.8        | 37                | 9.3            | 9.3                  | 29.2           |
|                   | 2          | 102               | 25.7           | 25.7                 | 54.9           |
|                   | 2.2        | 46                | 11.6           | 11.6                 | 66.5           |
|                   | <b>2.4</b> | <b>35</b>         | <b>8.8</b>     | <b>8.8</b>           | <b>75.3</b>    |
|                   | 2.6        | 44                | 11.1           | 11.1                 | 86.4           |
|                   | 2.8        | 20                | 5.0            | 5.0                  | 91.4           |
|                   | 3          | 17                | 4.3            | 4.3                  | 95.7           |
|                   | 3.2        | 10                | 2.5            | 2.5                  | 98.2           |
|                   | 3.4        | 3                 | .8             | .8                   | 99.0           |
|                   | 3.6        | 1                 | .3             | .3                   | 99.2           |
|                   | 3.8        | 3                 | .8             | .8                   | 100.0          |
|                   | Total      | 397               | 100.0          | 100.0                |                |
| <b>Statistics</b> |            |                   |                |                      |                |



|                    |    |               |
|--------------------|----|---------------|
| <b>Mean</b>        |    | <b>2.3689</b> |
| Std. Error of Mean |    | .02735        |
| Median             |    | 2.0000        |
| Mode               |    | 2.00          |
| Std. Deviation     |    | .54492        |
| Variance           |    | .297          |
| Range              |    | 2.80          |
| Minimum            |    | 1.00          |
| Maximum            |    | 3.80          |
| Sum                |    | 841.20        |
| Percentiles        | 25 | 1.8000        |
|                    | 50 | 2.0000        |
|                    | 75 | 2.4000        |

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**Appendix 4.13A: ANOVA test on challenges faced during acquisition of CCRO's**

|  |                | Sum of Squares | df  | Mean Square | F      | Sig. |
|--|----------------|----------------|-----|-------------|--------|------|
| Missplacement of document by Land Officers               | Between Groups | 58.612         | 3   | 19.537      | 20.839 | .000 |
|  | Within Groups  | 368.451        | 393 | .938        |        |      |
|  | Total          | 427.063        | 396 |             |        |      |
| Affordability is very difficult because is very costfull | Between Groups | 88.340         | 3   | 29.447      | 33.721 | .000 |
|  | Within Groups  | 343.186        | 393 | .873        |        |      |
|  | Total          | 431.526        | 396 |             |        |      |
| The process is bureacratic in nature                     | Between Groups | 65.629         | 3   | 21.876      | 12.782 | .000 |
|  | Within Groups  | 672.623        | 393 | 1.712       |        |      |
|  | Total          | 738.252        | 396 |             |        |      |
| It associates with corruption to both                    | Between Groups | 21.284         | 3   | 7.095       | 4.086  | .007 |

|  |                   |         |     |        |        |      |
|--|-------------------|---------|-----|--------|--------|------|
| Village Local<br>Leader and Land<br>Officers                             | Within<br>Groups  | 682.424 | 393 | 1.736  |        |      |
|  | Total             | 703.708 | 396 |        |        |      |
| So many number of<br>villagers during<br>registration<br>which is boring | Between<br>Groups | 68.766  | 3   | 22.922 | 24.907 | .000 |
|  | Within<br>Groups  | 361.683 | 393 | .920   |        |      |
|  | Total             | 430.448 | 396 |        |        |      |

**Appendix 4.12B: Scheffe Post- hoc test on challenges faced during acquisition of CCRO's**

| <b>Multiple Comparisons</b>  |                               |                               |                       |            |       |                         |             |
|--|-------------------------------|-------------------------------|-----------------------|------------|-------|-------------------------|-------------|
| Scheffe  |                               |                               |                       |            |       |                         |             |
| Dependent Variable   | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|  |                               |                               |                       |            |       | Lower Bound             | Upper Bound |
| Mention those challenges you face during acquiring of CCROs through customary land titling- Missplacement of document by Land Officers | Pwaga                         | Lupeta                        | .009                  | .163       | 1.000 | -.45                    | .47         |
|  |                               | Mabadaga                      | .849 <sup>*</sup>     | .130       | .000  | .49                     | 1.21        |
|  |                               | Mswiswi                       | .301                  | .155       | .289  | -.13                    | .74         |
|  | Lupeta                        | Pwaga                         | -.009                 | .163       | 1.000 | -.47                    | .45         |
|  |                               | Mabadaga                      | .840 <sup>*</sup>     | .143       | .000  | .44                     | 1.24        |
|  |                               | Mswiswi                       | .292                  | .166       | .378  | -.17                    | .76         |
|  | Mabadaga                      | Pwaga                         | -.849 <sup>*</sup>    | .130       | .000  | -1.21                   | -.49        |
|  |                               | Lupeta                        | -.840 <sup>*</sup>    | .143       | .000  | -1.24                   | -.44        |
|  |                               | Mswiswi                       | -.548 <sup>*</sup>    | .133       | .001  | -.92                    | -.17        |
|  | Mswiswi                       | Pwaga                         | -.301                 | .155       | .289  | -.74                    | .13         |
|  |                               | Lupeta                        | -.292                 | .166       | .378  | -.76                    | .17         |
|  |                               | Mabadaga                      | .548 <sup>*</sup>     | .133       | .001  | .17                     | .92         |
| Mention those  | Pwaga                         | Lupeta                        | -.640 <sup>*</sup>    | .158       | .001  | -1.08                   | -.20        |

|   |          |          |                     |      |      |       |      |
|---|----------|----------|---------------------|------|------|-------|------|
| challenges you face during acquiring of CCROs through customary land titling-Affordability is very difficult because is very costfull |          | Mabadaga | .652 <sup>*</sup>   | .125 | .000 | .30   | 1.00 |
|   |          | Mswiswi  | -.056               | .150 | .986 | -.48  | .36  |
|   | Lupeta   | Pwaga    | .640 <sup>*</sup>   | .158 | .001 | .20   | 1.08 |
|   |          | Mabadaga | 1.292 <sup>*</sup>  | .138 | .000 | .91   | 1.68 |
|   |          | Mswiswi  | .584 <sup>*</sup>   | .160 | .005 | .13   | 1.03 |
|   | Mabadaga | Pwaga    | -.652 <sup>*</sup>  | .125 | .000 | -1.00 | -.30 |
|   |          | Lupeta   | -1.292 <sup>*</sup> | .138 | .000 | -1.68 | -.91 |
|   |          | Mswiswi  | -.708 <sup>*</sup>  | .129 | .000 | -1.07 | -.35 |
|   | Mswiswi  | Pwaga    | .056                | .150 | .986 | -.36  | .48  |
|   |          | Lupeta   | -.584 <sup>*</sup>  | .160 | .005 | -1.03 | -.13 |
|   |          | Mabadaga | .708 <sup>*</sup>   | .129 | .000 | .35   | 1.07 |
| Mention those challenges you face during acquiring of CCROs through customary land titling-The process is bureacratic in nature       | Pwaga    | Lupeta   | -.095               | .221 | .980 | -.71  | .52  |
|   |          | Mabadaga | -.944 <sup>*</sup>  | .175 | .000 | -1.44 | -.45 |
|   |          | Mswiswi  | -.444               | .210 | .215 | -1.03 | .14  |
|   | Lupeta   | Pwaga    | .095                | .221 | .980 | -.52  | .71  |
|   |          | Mabadaga | -.849 <sup>*</sup>  | .193 | .000 | -1.39 | -.31 |
|   |          | Mswiswi  | -.349               | .225 | .490 | -.98  | .28  |
|   | Mabadaga | Pwaga    | .944 <sup>*</sup>   | .175 | .000 | .45   | 1.44 |
|   |          | Lupeta   | .849 <sup>*</sup>   | .193 | .000 | .31   | 1.39 |
|   |          | Mswiswi  | .499                | .180 | .054 | .00   | 1.00 |
|   | Mswiswi  | Pwaga    | .444                | .210 | .215 | -.14  | 1.03 |

|   |          |          |                     |      |      |       |      |
|---|----------|----------|---------------------|------|------|-------|------|
|   |          | Lupeta   | .349                | .225 | .490 | -.28  | .98  |
|   |          | Mabadaga | -.499               | .180 | .054 | -1.00 | .01  |
| Mention those challenges you face during acquiring of CCROs through customary land titling-It associates with corruption to both Village Local Leader and Land Officers | Pwaga    | Lupeta   | .421                | .222 | .312 | -.20  | 1.05 |
|   |          | Mabadaga | .472                | .176 | .069 | -.02  | .97  |
|   |          | Mswiswi  | -.028               | .211 | .999 | -.62  | .57  |
|   | Lupeta   | Pwaga    | -.421               | .222 | .312 | -1.05 | .20  |
|   |          | Mabadaga | .051                | .194 | .995 | -.49  | .60  |
|   |          | Mswiswi  | -.449               | .226 | .270 | -1.08 | .19  |
|   | Mabadaga | Pwaga    | -.472               | .176 | .069 | -.97  | .02  |
|   |          | Lupeta   | -.051               | .194 | .995 | -.60  | .49  |
|   |          | Mswiswi  | -.500               | .181 | .056 | -1.01 | .01  |
|   | Mswiswi  | Pwaga    | .028                | .211 | .999 | -.57  | .62  |
|   |          | Lupeta   | .449                | .226 | .270 | -.19  | 1.08 |
|   |          | Mabadaga | .500                | .181 | .056 | .00   | 1.01 |
| Mention those challenges you face during acquiring of CCROs through customary land titling-So many  | Pwaga    | Lupeta   | -1.271 <sup>*</sup> | .162 | .000 | -1.73 | -.82 |
|   |          | Mabadaga | -.166               | .128 | .642 | -.53  | .19  |
|   |          | Mswiswi  | -.409               | .154 | .071 | -.84  | .02  |
|   | Lupeta   | Pwaga    | 1.271 <sup>*</sup>  | .162 | .000 | .82   | 1.73 |
|   |          | Mabadaga | 1.104 <sup>*</sup>  | .141 | .000 | .71   | 1.50 |
|   |          | Mswiswi  | .862 <sup>*</sup>   | .165 | .000 | .40   | 1.32 |
|   | Mabadaga | Pwaga    | .166                | .128 | .642 | -.19  | .53  |

|  |         |          |                     |      |      |       |      |
|--|---------|----------|---------------------|------|------|-------|------|
| number of<br>villagers during<br>registration<br>which is boring |         | Lupeta   | -1.104 <sup>*</sup> | .141 | .000 | -1.50 | -.71 |
|  |         | Mswiswi  | -.243               | .132 | .338 | -.61  | .13  |
|  | Mswiswi | Pwaga    | .409                | .154 | .071 | -.02  | .84  |
|  |         | Lupeta   | -.862 <sup>*</sup>  | .165 | .000 | -1.32 | -.40 |
|  |         | Mabadaga | .243                | .132 | .338 | -.13  | .61  |
| *. The mean difference is significant at the 0.05 level.         |         |          |                     |      |      |       |      |

**Appendix 4.14A. ANOVA test on strategies adopted by villagers in addressing challenges faced during CCRO's acquisitions**

**ANOVA**

|   |                | Sum of Squares | df  | Mean Square | F      | Sig. |
|---|----------------|----------------|-----|-------------|--------|------|
| Mention way you undertake to address the challenges above-Tolerance                                     | Between Groups | 23.077         | 3   | 7.692       | 39.744 | .000 |
|   | Within Groups  | 76.066         | 393 | .194        |        |      |
|   | Total          | 99.144         | 396 |             |        |      |
| Mention way you undertake to address the challenges above-Reporting to the Ministry of land and Housing | Between Groups | .286           | 3   | .095        | .423   | .737 |
|   | Within Groups  | 88.445         | 393 | .225        |        |      |
|   | Total          | 88.730         | 396 |             |        |      |
| Mention way you undertake to address the challenges above-  | Between Groups | 12.057         | 3   | 4.019       | 17.864 | .000 |
|   | Within Groups  | 88.421         | 393 | .225        |        |      |



|                    |         |         |     |      |      |      |
|--------------------|---------|---------|-----|------|------|------|
| Sounding so as to  | Total   |         |     |      |      |      |
| Land Officers to   |         | 100.479 | 396 |      |      |      |
| work seriously     |         |         |     |      |      |      |
| Mention way you    | Between |         |     |      |      |      |
| undertake to       | Groups  | .576    | 3   | .192 | .773 | .510 |
| address the        | Within  |         |     |      |      |      |
| challenges above-  | Groups  | 97.676  | 393 | .249 |      |      |
| Adopting good      | Total   |         |     |      |      |      |
| communication to   |         | 98.252  | 396 |      |      |      |
| Land Officers      |         |         |     |      |      |      |
| Mention way you    | Between |         |     |      |      |      |
| undertake to       | Groups  | .101    | 3   | .034 | .196 | .899 |
| address the        | Within  |         |     |      |      |      |
| challenges above-I | Groups  | 67.546  | 393 | .172 |      |      |
| dont know were to  | Total   |         |     |      |      |      |
| report challenges  |         | 67.647  | 396 |      |      |      |

**Appendix 4.14B Scheffe Post –hoc test on strategies adopted by villagers in addressing challenges faced during CCRO’s acquisitions**

**Multiple Comparisons**

| Scheffe   |                               |                               |                       |            |      |                         |             |
|---|-------------------------------|-------------------------------|-----------------------|------------|------|-------------------------|-------------|
| Dependent Variable  | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|   |                               |                               |                       |            |      | Lower Bound             | Upper Bound |
| Mention way you undertake to address the challenges above-Tolerancy | Pwaga                         | Lupeta                        | -.053                 | .074       | .917 | -.26                    | .16         |
|   |                               | Mabadaga                      | -.520 <sup>*</sup>    | .059       | .000 | -.69                    | -.35        |
|   |                               | Mswiswi                       | -.534 <sup>*</sup>    | .070       | .000 | -.73                    | -.34        |
|   | Lupeta                        | Pwaga                         | .053                  | .074       | .917 | -.16                    | .26         |
|   |                               | Mabadaga                      | -.467 <sup>*</sup>    | .065       | .000 | -.65                    | -.28        |
|   |                               | Mswiswi                       | -.481 <sup>*</sup>    | .076       | .000 | -.69                    | -.27        |
|   | Mabadaga                      | Pwaga                         | .520 <sup>*</sup>     | .059       | .000 | .35                     | .69         |
|   |                               | Lupeta                        | .467 <sup>*</sup>     | .065       | .000 | .28                     | .65         |
|   |                               | Mswiswi                       | -.014                 | .061       | .997 | -.18                    | .16         |
|   | Mswiswi                       | Pwaga                         | .534 <sup>*</sup>     | .070       | .000 | .34                     | .73         |
|   |                               | Lupeta                        | .481 <sup>*</sup>     | .076       | .000 | .27                     | .69         |
|   |                               | Mabadaga                      | .014                  | .061       | .997 | -.16                    | .18         |

|  |          |          |                    |      |       |      |      |
|--|----------|----------|--------------------|------|-------|------|------|
| Mention way you undertake to address the challenges above-Reporting to the Ministry of land and Housing  | Pwaga    | Lupeta   | .025               | .080 | .992  | -.20 | .25  |
|  |          | Mabadaga | -.044              | .064 | .923  | -.22 | .13  |
|  |          | Mswiswi  | -.039              | .076 | .967  | -.25 | .17  |
|  | Lupeta   | Pwaga    | -.025              | .080 | .992  | -.25 | .20  |
|  |          | Mabadaga | -.069              | .070 | .805  | -.27 | .13  |
|  |          | Mswiswi  | -.064              | .081 | .891  | -.29 | .16  |
|  | Mabadaga | Pwaga    | .044               | .064 | .923  | -.13 | .22  |
|  |          | Lupeta   | .069               | .070 | .805  | -.13 | .27  |
|  |          | Mswiswi  | .005               | .065 | 1.000 | -.18 | .19  |
|  | Mswiswi  | Pwaga    | .039               | .076 | .967  | -.17 | .25  |
|  |          | Lupeta   | .064               | .081 | .891  | -.16 | .29  |
|  |          | Mabadaga | -.005              | .065 | 1.000 | -.19 | .18  |
| Mention way you undertake to address the challenges above-Sounding so as Land Officers to work seriously | Pwaga    | Lupeta   | .042               | .080 | .964  | -.18 | .27  |
|  |          | Mabadaga | .357 <sup>*</sup>  | .064 | .000  | .18  | .54  |
|  |          | Mswiswi  | .424 <sup>*</sup>  | .076 | .000  | .21  | .64  |
|  | Lupeta   | Pwaga    | -.042              | .080 | .964  | -.27 | .18  |
|  |          | Mabadaga | .315 <sup>*</sup>  | .070 | .000  | .12  | .51  |
|  |          | Mswiswi  | .381 <sup>*</sup>  | .081 | .000  | .15  | .61  |
|  | Mabadaga | Pwaga    | -.357 <sup>*</sup> | .064 | .000  | -.54 | -.18 |
|  |          | Lupeta   | -.315 <sup>*</sup> | .070 | .000  | -.51 | -.12 |
|  |          | Mswiswi  | .066               | .065 | .793  | -.12 | .25  |

|   |          |          |                    |      |       |      |      |
|---|----------|----------|--------------------|------|-------|------|------|
|   | Mswiswi  | Pwaga    | -.424 <sup>*</sup> | .076 | .000  | -.64 | -.21 |
|   |          | Lupeta   | -.381 <sup>*</sup> | .081 | .000  | -.61 | -.15 |
|   |          | Mabadaga | -.066              | .065 | .793  | -.25 | .12  |
| Mention way<br>you undertake to<br>address the<br>challenges<br>above-Adopting<br>good<br>communication<br>to Land Officers | Pwaga    | Lupeta   | -.028              | .084 | .991  | -.26 | .21  |
|   |          | Mabadaga | .070               | .067 | .779  | -.12 | .26  |
|   |          | Mswiswi  | .017               | .080 | .997  | -.21 | .24  |
|   | Lupeta   | Pwaga    | .028               | .084 | .991  | -.21 | .26  |
|   |          | Mabadaga | .098               | .073 | .622  | -.11 | .30  |
|   |          | Mswiswi  | .045               | .086 | .964  | -.20 | .29  |
|   | Mabadaga | Pwaga    | -.070              | .067 | .779  | -.26 | .12  |
|   |          | Lupeta   | -.098              | .073 | .622  | -.30 | .11  |
|   |          | Mswiswi  | -.053              | .069 | .899  | -.25 | .14  |
|   | Mswiswi  | Pwaga    | -.017              | .080 | .997  | -.24 | .21  |
|   |          | Lupeta   | -.045              | .086 | .964  | -.29 | .20  |
|   |          | Mabadaga | .053               | .069 | .899  | -.14 | .25  |
| Mention way<br>you undertake to<br>address the<br>challenges<br>above-I dont<br>know were to                                | Pwaga    | Lupeta   | -.032              | .070 | .976  | -.23 | .16  |
|   |          | Mabadaga | .014               | .056 | .995  | -.14 | .17  |
|   |          | Mswiswi  | -.003              | .066 | 1.000 | -.19 | .18  |
|   | Lupeta   | Pwaga    | .032               | .070 | .976  | -.16 | .23  |
|   |          | Mabadaga | .046               | .061 | .902  | -.13 | .22  |
|   |          | Mswiswi  | .029               | .071 | .984  | -.17 | .23  |

|  |          |          |       |      |       |      |     |
|--|----------|----------|-------|------|-------|------|-----|
| report challenges  | Mabadaga | Pwaga    | -.014 | .056 | .995  | -.17 | .14 |
|  |          | Lupeta   | -.046 | .061 | .902  | -.22 | .13 |
|  |          | Mswiswi  | -.018 | .057 | .992  | -.18 | .14 |
|  | Mswiswi  | Pwaga    | .003  | .066 | 1.000 | -.18 | .19 |
|  |          | Lupeta   | -.029 | .071 | .984  | -.23 | .17 |
|  |          | Mabadaga | .018  | .057 | .992  | -.14 | .18 |
| *. The mean difference is significant at the 0.05 level. |          |          |       |      |       |      |     |

**Appendix 4.15 Agro-pastoralists Attitudes towards the establishment of customary land titling within study villages**

| <b>Index</b>       | <b>Frequency</b> | <b>Percent</b> | <b>Valid Percent</b> | <b>Cumulative Percent</b> |
|--------------------|------------------|----------------|----------------------|---------------------------|
| 1.00               | 60               | 15.1           | 15.1                 | 15.1                      |
| 2.00               | 61               | 15.4           | 15.4                 | 30.5                      |
| <b>3.00</b>        | <b>72</b>        | <b>18.1</b>    | <b>18.1</b>          | <b>48.6</b>               |
| 4.00               | 146              | 36.8           | 36.8                 | 85.4                      |
| 5.00               | 58               | 14.6           | 14.6                 | 100.0                     |
| <b>Total</b>       | <b>397</b>       | <b>100.0</b>   | <b>100.0</b>         |                           |
| <b>Statistics</b>  |                  |                |                      |                           |
| <b>Mean</b>        |                  | <b>3.2040</b>  |                      |                           |
| Std. Error of Mean |                  | .06491         |                      |                           |
| Median             |                  | 4.0000         |                      |                           |
| Mode               |                  | 4.00           |                      |                           |
| Std. Deviation     |                  | 1.29341        |                      |                           |
| Variance           |                  | 1.673          |                      |                           |
| Range              |                  | 4.00           |                      |                           |
| Minimum            |                  | 1.00           |                      |                           |
| Maximum            |                  | 5.00           |                      |                           |
| Percentiles        |                  |                |                      | 25                        |
| 200                |                  |                |                      |                           |
|                    |                  |                | 50                   |                           |
| 4.00               |                  |                |                      |                           |
|                    |                  |                | 75                   |                           |
| 4.00               |                  |                |                      |                           |

**Appendix 4.16A: ANOVA test on attitudes of the establishment of customary land titling through acquisitions of Certificate of Customary Right of Occupancy (CCROs) within Villages**

|                | Sum of Squares | Mean Square | F     | Sig.  |
|----------------|----------------|-------------|-------|-------|
| Between Groups | 4.184          | 1.395       | 0.833 | 0.476 |
| Within Groups  | 658.289        | 1.675       |       |       |
| Total          | 662.474        |             |       |       |

**Appendix 4.16B: Scheffe Post-hoc test of comparison on attitudes of establishment of customary land titling through acquisitions of Certificate of Customary Right of Occupancy (CCROs) within Villages**

| (I) Village of the respondent | (J) Village of the respondents | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|-------------------------------|--------------------------------|-----------------------|------------|-------|-------------------------|-------------|
|                               |                                |                       |            |       | Lower Bound             | Upper Bound |
| Pwaga                         | Lupeta                         | 0.218                 | 0.218      | 0.803 | -0.4                    | 0.83        |
|                               | Mabadaga                       | 0.272                 | 0.173      | 0.482 | -0.21                   | 0.76        |
|                               | Mswiswi                        | 0.182                 | 0.207      | 0.857 | -0.4                    | 0.76        |
| Lupeta                        | Pwaga                          | -0.218                | 0.218      | 0.803 | -0.83                   | 0.4         |
|                               | Mabadaga                       | 0.055                 | 0.191      | 0.994 | -0.48                   | 0.59        |
|                               | Mswiswi                        | -0.036                | 0.222      | 0.999 | -0.66                   | 0.59        |
| Mabadaga                      | Pwaga                          | -0.272                | 0.173      | 0.482 | -0.76                   | 0.21        |

| (I) Village of the respondent | (J) Village of the respondents | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|-------------------------------|--------------------------------|-----------------------|------------|-------|-------------------------|-------------|
|                               |                                |                       |            |       | Lower Bound             | Upper Bound |
|                               | Lupeta                         | -0.055                | 0.191      | 0.994 | -0.59                   | 0.48        |
|                               | Mswiswi                        | -0.09                 | 0.178      | 0.968 | -0.59                   | 0.41        |
|                               |                                |                       |            |       |                         |             |
| Mswiswi                       | Pwaga                          | -182                  | 0.207      | 0.857 | -0.76                   | 0.4         |
|                               | Lupeta                         | 0.036                 | 0.222      | 0.999 | -0.59                   | 0.66        |
|                               | Mabadaga                       | 0.09                  | 0.178      | 0.968 | -0.41                   | 0.59        |

\*. The mean difference is significant at the 0.05 level

**Table 4.17A: ANOVA test on Practices of customary land titling through the issuance of Certificate of Customary Right of Occupancy (CCRO's) within Villages**

|                | Sum of Squares | df  | Mean Square | F      | Sig. |
|----------------|----------------|-----|-------------|--------|------|
| Between Groups | 182.384        | 3   | 60.795      | 16.875 | .000 |
| Within Groups  | 1415.868       | 393 | 3.603       |        |      |
| Total          | 1598.252       | 396 |             |        |      |



**Table 4.17B: Scheffe Post-hoc test of comparison on Practices of customary land titling through the issuance of Certificate of Customary Right of Occupancy (CCRO's)**

| (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|-------------------------------|-------------------------------|-----------------------|------------|-------|-------------------------|-------------|
|                               |                               |                       |            |       | Lower Bound             | Upper Bound |
| Pwaga                         | Lupeta                        | -1.890 <sup>*</sup>   | .320       | .000  | -2.79                   | -.99        |
|                               | Mabadaga                      | -.013                 | .254       | 1.000 | -.73                    | .70         |
|                               | Mswiswi                       | -.075                 | .304       | .996  | -.93                    | .78         |
| Lupeta                        | Pwaga                         | 1.890 <sup>*</sup>    | .320       | .000  | .99                     | 2.79        |
|                               | Mabadaga                      | 1.876 <sup>*</sup>    | .280       | .000  | 1.09                    | 2.66        |
|                               | Mswiswi                       | 1.815 <sup>*</sup>    | .326       | .000  | .90                     | 2.73        |
| Mabadaga                      | Pwaga                         | .013                  | .254       | 1.000 | -.70                    | .73         |
|                               | Lupeta                        | -1.876 <sup>*</sup>   | .280       | .000  | -2.66                   | -1.09       |
|                               | Mswiswi                       | -.062                 | .261       | .997  | -.79                    | .67         |
| Mswiswi                       | Pwaga                         | .075                  | .304       | .996  | -.78                    | .93         |
|                               | Lupeta                        | -1.815 <sup>*</sup>   | .326       | .000  | -2.73                   | -.90        |
|                               | Mabadaga                      | .062                  | .261       | .997  | -.67                    | .79         |

\*. The mean difference is significant at the 0.05 level

**Appendix 4.18 Awareness of Land institutions which address land disputes in studied villages by Mean Index with percentage**

**Appendix 4.19A. ANOVA test on Awareness of Land institutions which address land disputes in studied villages**

| ANOVA  |                |                |     |             |        |      |
|--|----------------|----------------|-----|-------------|--------|------|
|  |                | Sum of Squares | Df  | Mean Square | F      | Sig. |
| Mention Institutions or authorities which provide education on land registrations within your village-Local Government Authority (Village Environmental Committee) | Between Groups | 3.720          | 3   | 1.240       | 4.998  | .002 |
|  | Within Groups  | 97.499         | 393 | .248        |        |      |
|  | Total          | 101.219        | 396 |             |        |      |
| Mention Institutions or authorities which provide education on land registrations within your village-Village Local Leader under customs and tradions              | Between Groups | 7.059          | 3   | 2.353       | 9.886  | .000 |
|  | Within Groups  | 93.531         | 393 | .238        |        |      |
|  | Total          | 100.589        | 396 |             |        |      |
| Mention Institutions or authorities which provide education on land registrations within your village-Non - Government Organization                                | Between Groups | 16.738         | 3   | 5.579       | 26.132 | .000 |
|  | Within Groups  | 83.907         | 393 | .214        |        |      |
|  | Total          | 100.645        | 396 |             |        |      |

|  |                |        |     |       |       |      |
|--|----------------|--------|-----|-------|-------|------|
| Mention Institutions or authorities which provide education on land registrations within your village - Village groups and clubs           | Between Groups | 4.087  | 3   | 1.362 | 7.263 | .000 |
|  | Within Groups  | 73.707 | 393 | .188  |       |      |
|  | Total          | 77.793 | 396 |       |       |      |
| Mention Institutions or authorities which provide education on land registrations within your village- Inluecial people within the village | Between Groups | 1.982  | 3   | .661  | 3.212 | .023 |
|  | Within Groups  | 80.854 | 393 | .206  |       |      |
|  | Total          | 82.836 | 396 |       |       |      |

**Appendix 4.19B. ANOVA test on Awareness of Land institutions which address land disputes in studied villages**

**Multiple Comparisons**

Scheffe

| Dependent Variable   | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|--|-------------------------------|-------------------------------|-----------------------|------------|------|-------------------------|-------------|
|  |                               |                               |                       |            |      | Lower Bound             | Upper Bound |
| Mention Institutions or authorities which provide education on | Pwaga                         | Lupeta                        | -.025                 | .084       | .993 | -.26                    | .21         |
|  |                               | Mabadaga                      | .170                  | .067       | .091 | -.02                    | .36         |
|  |                               | Mswiswi                       | -.044                 | .080       | .958 | -.27                    | .18         |
|  | Lupeta                        | Pwaga                         | .025                  | .084       | .993 | -.21                    | .26         |
|  |                               | Mabadaga                      | .195                  | .073       | .071 | -.01                    | .40         |

|                    |          |          |                    |      |      |      |      |
|--------------------|----------|----------|--------------------|------|------|------|------|
| land registrations |          | Mswiswi  | -.019              | .085 | .997 | -.26 | .22  |
| within your        | Mabadaga | Pwaga    | -.170              | .067 | .091 | -.36 | .02  |
| village-Local      |          | Lupeta   | -.195              | .073 | .071 | -.40 | .01  |
| Government         |          | Mswiswi  | -.215 <sup>*</sup> | .069 | .021 | -.41 | -.02 |
| Authority          |          |          |                    |      |      |      |      |
| (Village           | Mswiswi  | Pwaga    | .044               | .080 | .958 | -.18 | .27  |
| Environmental      |          | Lupeta   | .019               | .085 | .997 | -.22 | .26  |
| Committee)         |          | Mabadaga | .215 <sup>*</sup>  | .069 | .021 | .02  | .41  |
| Mention            | Pwaga    | Lupeta   | .051               | .082 | .944 | -.18 | .28  |
| Institutions or    |          | Mabadaga | .293 <sup>*</sup>  | .065 | .000 | .11  | .48  |
| authorities which  |          | Mswiswi  | .035               | .078 | .977 | -.18 | .25  |
| provide            | Lupeta   | Pwaga    | -.051              | .082 | .944 | -.28 | .18  |
| education on       |          | Mabadaga | .242 <sup>*</sup>  | .072 | .011 | .04  | .44  |
| land registrations |          | Mswiswi  | -.016              | .084 | .998 | -.25 | .22  |
| within your        | Mabadaga | Pwaga    | -.293 <sup>*</sup> | .065 | .000 | -.48 | -.11 |
| village-Village    |          | Lupeta   | -.242 <sup>*</sup> | .072 | .011 | -.44 | -.04 |
| Local Leader       |          | Mswiswi  | -.258 <sup>*</sup> | .067 | .002 | -.45 | -.07 |
| under customs      | Mswiswi  | Pwaga    | -.035              | .078 | .977 | -.25 | .18  |
| and tradions       |          | Lupeta   | .016               | .084 | .998 | -.22 | .25  |
|                    |          | Mabadaga | .258 <sup>*</sup>  | .067 | .002 | .07  | .45  |
| Mention            | Pwaga    | Lupeta   | -.038              | .078 | .971 | -.26 | .18  |

|   |          |          |                    |      |       |      |      |
|---|----------|----------|--------------------|------|-------|------|------|
| Institutions or authorities which provide education on land registrations within your village-Non Government Organization       |          | Mabadaga | .391 <sup>*</sup>  | .062 | .000  | .22  | .56  |
|   |          | Mswiswi  | -.030              | .074 | .984  | -.24 | .18  |
|   | Lupeta   | Pwaga    | .038               | .078 | .971  | -.18 | .26  |
|   |          | Mabadaga | .429 <sup>*</sup>  | .068 | .000  | .24  | .62  |
|   |          | Mswiswi  | .009               | .079 | 1.000 | -.21 | .23  |
|   | Mabadaga | Pwaga    | -.391 <sup>*</sup> | .062 | .000  | -.56 | -.22 |
|   |          | Lupeta   | -.429 <sup>*</sup> | .068 | .000  | -.62 | -.24 |
|   |          | Mswiswi  | -.420 <sup>*</sup> | .064 | .000  | -.60 | -.24 |
|   | Mswiswi  | Pwaga    | .030               | .074 | .984  | -.18 | .24  |
|   |          | Lupeta   | -.009              | .079 | 1.000 | -.23 | .21  |
|   |          | Mabadaga | .420 <sup>*</sup>  | .064 | .000  | .24  | .60  |
| Mention Institutions or authorities which provide education on land registrations within your village -Village groups and clubs | Pwaga    | Lupeta   | .017               | .073 | .997  | -.19 | .22  |
|   |          | Mabadaga | .208 <sup>*</sup>  | .058 | .005  | .05  | .37  |
|   |          | Mswiswi  | .000               | .069 | 1.000 | -.20 | .19  |
|   | Lupeta   | Pwaga    | -.017              | .073 | .997  | -.22 | .19  |
|   |          | Mabadaga | .191 <sup>*</sup>  | .064 | .031  | .01  | .37  |
|   |          | Mswiswi  | -.017              | .074 | .997  | -.23 | .19  |
|   | Mabadaga | Pwaga    | -.208 <sup>*</sup> | .058 | .005  | -.37 | -.05 |
|   |          | Lupeta   | -.191 <sup>*</sup> | .064 | .031  | -.37 | -.01 |
|   |          | Mswiswi  | -.209 <sup>*</sup> | .060 | .007  | -.38 | -.04 |
|   | Mswiswi  | Pwaga    | .000               | .069 | 1.000 | -.19 | .20  |

|  |          |          |       |      |      |      |     |
|--|----------|----------|-------|------|------|------|-----|
|  |          | Lupeta   | .017  | .074 | .997 | -.19 | .23 |
|  |          | Mabadaga | .209* | .060 | .007 | .04  | .38 |
| Mention Institutions or authorities which provide education on land registrations within your village-Influecial people within the village | Pwaga    | Lupeta   | -.032 | .077 | .981 | -.25 | .18 |
|  |          | Mabadaga | .142  | .061 | .142 | -.03 | .31 |
|  |          | Mswiswi  | .083  | .073 | .725 | -.12 | .29 |
|  | Lupeta   | Pwaga    | .032  | .077 | .981 | -.18 | .25 |
|  |          | Mabadaga | .175  | .067 | .080 | -.01 | .36 |
|  |          | Mswiswi  | .116  | .078 | .529 | -.10 | .33 |
|  | Mabadaga | Pwaga    | -.142 | .061 | .142 | -.31 | .03 |
|  |          | Lupeta   | -.175 | .067 | .080 | -.36 | .01 |
|  |          | Mswiswi  | -.059 | .062 | .830 | -.23 | .12 |
|  | Mswiswi  | Pwaga    | -.083 | .073 | .725 | -.29 | .12 |
|  |          | Lupeta   | -.116 | .078 | .529 | -.33 | .10 |
|  |          | Mabadaga | .059  | .062 | .830 | -.12 | .23 |
| *. The mean difference is significant at the 0.05 level.   |          |          |       |      |      |      |     |

**Appendix 4.20A: ANOVA test on Roles of Land Institutions**

|   |                | Sum of Squares | df  | Mean Square | F     | Sig. |
|---|----------------|----------------|-----|-------------|-------|------|
| Settlement of land disputes                       | Between Groups | 2.695          | 3   | .898        | 5.123 | .002 |
|   | Within Groups  | 68.902         | 393 | .175        |       |      |
|   | Total          | 71.597         | 396 |             |       |      |
| Land use planning at village level                | Between Groups | .216           | 3   | .072        | .292  | .831 |
|   | Within Groups  | 96.902         | 393 | .247        |       |      |
|   | Total          | 97.118         | 396 |             |       |      |
| To ensure equality of land ownership              | Between Groups | 1.231          | 3   | .410        | 1.641 | .179 |
|   | Within Groups  | 98.250         | 393 | .250        |       |      |
|   | Total          | 99.481         | 396 |             |       |      |
| To ensure environment conservation within village | Between Groups | .235           | 3   | .078        | .364  | .779 |
|   | Within Groups  | 84.691         | 393 | .215        |       |      |
|   | Total          | 84.927         | 396 |             |       |      |
| To regulate rules and regulations on land issues  | Between Groups | .041           | 3   | .014        | .062  | .980 |
|   | Within Groups  | 87.228         | 393 | .222        |       |      |
|   | Total          | 87.270         | 396 |             |       |      |

**Appendix 4.20B: Scheffe Post hoc-test on Roles of Land Institutions**

| <b>Multiple Comparisons</b>              |          |          |                             |               |      |                               |                |
|--|----------|----------|-----------------------------|---------------|------|-------------------------------|----------------|
| Scheffe                                  |          |          |                             |               |      |                               |                |
| Dependent Variable                       |          |          | Mean<br>Difference<br>(I-J) | Std.<br>Error | Sig. | 95%<br>Confidence<br>Interval |                |
|  |          |          |                             |               |      | Lower<br>Bound                | Upper<br>Bound |
| Settlement<br>of land<br>disputes        | Pwaga    | Lupeta   | -.153                       | .071          | .200 | -.35                          | .05            |
|  |          | Mabadaga | .017                        | .056          | .993 | -.14                          | .17            |
|  |          | Mswiswi  | .128                        | .067          | .305 | -.06                          | .32            |
|  | Lupeta   | Pwaga    | .153                        | .071          | .200 | -.05                          | .35            |
|  |          | Mabadaga | .169                        | .062          | .059 | .00                           | .34            |
|  |          | Mswiswi  | .280 <sup>*</sup>           | .072          | .002 | .08                           | .48            |
|  | Mabadaga | Pwaga    | -.017                       | .056          | .993 | -.17                          | .14            |
|  |          | Lupeta   | -.169                       | .062          | .059 | -.34                          | .00            |
|  |          | Mswiswi  | .111                        | .058          | .294 | -.05                          | .27            |
|  | Mswiswi  | Pwaga    | -.128                       | .067          | .305 | -.32                          | .06            |
|  |          | Lupeta   | -.280 <sup>*</sup>          | .072          | .002 | -.48                          | -.08           |
|  |          | Mabadaga | -.111                       | .058          | .294 | -.27                          | .05            |
| Land use<br>planning at<br>village level | Pwaga    | Lupeta   | .029                        | .084          | .989 | -.21                          | .26            |
|  |          | Mabadaga | .061                        | .066          | .840 | -.13                          | .25            |
|  |          | Mswiswi  | .042                        | .080          | .964 | -.18                          | .27            |



| Multiple Comparisons                 |          |          |       |      |      |      |     |
|--------------------------------------|----------|----------|-------|------|------|------|-----|
| Scheffe                              |          |          |       |      |      |      |     |
|                                      | Lupeta   | Pwaga    | -.029 | .084 | .989 | -.26 | .21 |
|                                      |          | Mabadaga | .032  | .073 | .979 | -.17 | .24 |
|                                      |          | Mswiswi  | .013  | .085 | .999 | -.23 | .25 |
|                                      | Mabadaga | Pwaga    | -.061 | .066 | .840 | -.25 | .13 |
|                                      |          | Lupeta   | -.032 | .073 | .979 | -.24 | .17 |
|                                      |          | Mswiswi  | -.019 | .068 | .994 | -.21 | .17 |
|                                      | Mswiswi  | Pwaga    | -.042 | .080 | .964 | -.27 | .18 |
|                                      |          | Lupeta   | -.013 | .085 | .999 | -.25 | .23 |
|                                      |          | Mabadaga | .019  | .068 | .994 | -.17 | .21 |
| To ensure equality of land ownership | Pwaga    | Lupeta   | .037  | .084 | .979 | -.20 | .27 |
|                                      |          | Mabadaga | .109  | .067 | .451 | -.08 | .30 |
|                                      |          | Mswiswi  | -.023 | .080 | .994 | -.25 | .20 |
|                                      | Lupeta   | Pwaga    | -.037 | .084 | .979 | -.27 | .20 |
|                                      |          | Mabadaga | .072  | .074 | .810 | -.13 | .28 |
|                                      |          | Mswiswi  | -.059 | .086 | .924 | -.30 | .18 |
|                                      | Mabadaga | Pwaga    | -.109 | .067 | .451 | -.30 | .08 |
|                                      |          | Lupeta   | -.072 | .074 | .810 | -.28 | .13 |
|                                      |          | Mswiswi  | -.132 | .069 | .302 | -.32 | .06 |
|                                      | Mswiswi  | Pwaga    | .023  | .080 | .994 | -.20 | .25 |
|                                      |          | Lupeta   | .059  | .086 | .924 | -.18 | .30 |
|                                      |          | Mabadaga | .132  | .069 | .302 | -.06 | .32 |

| Multiple Comparisons  |          |          |       |      |       |      |     |
|---|----------|----------|-------|------|-------|------|-----|
| Scheffe   |          |          |       |      |       |      |     |
| To ensure<br>environment<br>conservation<br>within<br>village | Pwaga    | Lupeta   | -.014 | .078 | .999  | -.23 | .21 |
|   |          | Mabadaga | .047  | .062 | .904  | -.13 | .22 |
|   |          | Mswiswi  | .035  | .074 | .974  | -.17 | .24 |
|   | Lupeta   | Pwaga    | .014  | .078 | .999  | -.21 | .23 |
|   |          | Mabadaga | .060  | .068 | .854  | -.13 | .25 |
|   |          | Mswiswi  | .049  | .080 | .946  | -.18 | .27 |
|   | Mabadaga | Pwaga    | -.047 | .062 | .904  | -.22 | .13 |
|   |          | Lupeta   | -.060 | .068 | .854  | -.25 | .13 |
|   |          | Mswiswi  | -.012 | .064 | .998  | -.19 | .17 |
|   | Mswiswi  | Pwaga    | -.035 | .074 | .974  | -.24 | .17 |
|   |          | Lupeta   | -.049 | .080 | .946  | -.27 | .18 |
|   |          | Mabadaga | .012  | .064 | .998  | -.17 | .19 |
| To regulate<br>rules and<br>regulations<br>on land<br>issues  | Pwaga    | Lupeta   | -.014 | .079 | .999  | -.24 | .21 |
|   |          | Mabadaga | -.010 | .063 | .999  | -.19 | .17 |
|   |          | Mswiswi  | .015  | .075 | .998  | -.20 | .23 |
|   | Lupeta   | Pwaga    | .014  | .079 | .999  | -.21 | .24 |
|   |          | Mabadaga | .004  | .069 | 1.000 | -.19 | .20 |
|   |          | Mswiswi  | .029  | .081 | .988  | -.20 | .26 |
|   | Mabadaga | Pwaga    | .010  | .063 | .999  | -.17 | .19 |
|   |          | Lupeta   | -.004 | .069 | 1.000 | -.20 | .19 |
|   |          | Mswiswi  | .025  | .065 | .985  | -.16 | .21 |

| Multiple Comparisons – Scheffe  |          |                       |            |      |                         |             |
|---|----------|-----------------------|------------|------|-------------------------|-------------|
| Dependent Variable: Approaches of Local Institution in Addressing Land Issues |          |                       |            |      |                         |             |
| (I) Village of the respondent   |          | Mean Difference (I-J) | Std. Error | Sig. | 95% Confidence Interval |             |
|   |          |                       |            |      | Lower Bound             | Upper Bound |
| Pwaga   | Lupeta   | -2.099 <sup>*</sup>   | .276       | .000 | -2.87                   | -1.32       |
|   | Mabadaga | -.652 <sup>*</sup>    | .219       | .033 | -1.27                   | -.04        |
|   | Mswiswi  | -1.739 <sup>*</sup>   | .262       | .000 | -2.48                   | -1.00       |
| Lupeta  | Pwaga    | 2.099 <sup>*</sup>    | .276       | .000 | 1.32                    | 2.87        |
|   | Mabadaga | 1.447 <sup>*</sup>    | .241       | .000 | .77                     | 2.12        |
|   | Mswiswi  | .360                  | .281       | .650 | -.43                    | 1.15        |
| Mabadaga  | Pwaga    | .652 <sup>*</sup>     | .219       | .033 | .04                     | 1.27        |
|   | Lupeta   | -1.447 <sup>*</sup>   | .241       | .000 | -2.12                   | -.77        |
|   | Mswiswi  | -1.087 <sup>*</sup>   | .225       | .000 | -1.72                   | -.45        |
| Mswiswi   | Pwaga    | 1.739 <sup>*</sup>    | .262       | .000 | 1.00                    | 2.48        |
|   | Lupeta   | -.360                 | .281       | .650 | -1.15                   | .43         |
|   | Mabadaga | 1.087 <sup>*</sup>    | .225       | .000 | .45                     | 1.72        |

\*. The mean difference is significant at the 0.05 level.

**Appendix 4.22 Effectiveness of informal Land Institutions (Mean Index with its percentage)**

| <b>Index</b> | <b>Frequency</b> | <b>Percent</b> | <b>Valid Percent</b> | <b>Cumulative Percent</b> |
|--------------|------------------|----------------|----------------------|---------------------------|
| 1.4          | 1                | .3             | .3                   | .3                        |
| 1.6          | 4                | 1.0            | 1.0                  | 1.3                       |
| 1.8          | 13               | 3.3            | 3.3                  | 4.5                       |
| 2            | 13               | 3.3            | 3.3                  | 7.8                       |
| 2.2          | 18               | 4.5            | 4.5                  | 12.3                      |
| 2.4          | 27               | 6.8            | 6.8                  | 19.1                      |
| 2.6          | 44               | 11.1           | 11.1                 | 30.2                      |
| 2.8          | 48               | 12.1           | 12.1                 | 42.3                      |
| <b>3</b>     | <b>47</b>        | <b>11.8</b>    | <b>11.8</b>          | <b>54.2</b>               |
| 3.2          | 45               | 11.3           | 11.3                 | 65.5                      |
| 3.4          | 36               | 9.1            | 9.1                  | 74.6                      |
| 3.6          | 34               | 8.6            | 8.6                  | 83.1                      |
| 3.8          | 30               | 7.6            | 7.6                  | 90.7                      |
| 4            | 16               | 4.0            | 4.0                  | 94.7                      |
| 4.2          | 13               | 3.3            | 3.3                  | 98.0                      |
| 4.4          | 5                | 1.3            | 1.3                  | 99.2                      |
| 4.8          | 1                | .3             | .3                   | 99.5                      |
| 5            | 2                | .5             | .5                   | 100.0                     |
| Total        | 397              | 100.0          | 100.0                |                           |

**Statistics**

|                    |               |
|--------------------|---------------|
| <b>Mean</b>        | <b>3.0469</b> |
| Std. Error of Mean | .03252        |
| Median             | 3.0000        |
| Mode               | 2.80          |
| Std. Deviation     | .64786        |
| Variance           | .420          |
| Range              | 3.60          |
| Minimum            | 1.40          |

|             |    |         |
|-------------|----|---------|
| Maximum     |    | 5.00    |
| Sum         |    | 1209.60 |
| Percentiles | 25 | 2.6000  |
|             | 50 | 3.0000  |
|             | 75 | 3.6000  |

**Appendix 4.23 Effectiveness of Formal Land Institutions (Mean Index with its percentage)**

| Index        | Frequency  | Percent      | Valid Percent | Cumulative Percent |
|--------------|------------|--------------|---------------|--------------------|
| 1.5          | 4          | 1.0          | 1.0           | 1.0                |
| 1.7          | 11         | 2.8          | 2.8           | 3.8                |
| 1.8          | 29         | 7.3          | 7.3           | 11.1               |
| 2            | 49         | 12.3         | 12.3          | 23.4               |
| 2.2          | 34         | 8.6          | 8.6           | 32.0               |
| 2.3          | 51         | 12.8         | 12.8          | 44.8               |
| <b>2.5</b>   | <b>83</b>  | <b>20.9</b>  | <b>20.9</b>   | <b>65.7</b>        |
| 2.7          | 28         | 7.1          | 7.1           | 72.8               |
| 2.8          | 29         | 7.3          | 7.3           | 80.1               |
| 3            | 47         | 11.8         | 11.8          | 91.9               |
| 3.2          | 10         | 2.5          | 2.5           | 94.5               |
| 3.3          | 12         | 3.0          | 3.0           | 97.5               |
| 3.5          | 5          | 1.3          | 1.3           | 98.7               |
| 3.7          | 4          | 1.0          | 1.0           | 99.7               |
| 4            | 1          | .3           | .3            | 100.0              |
| <b>Total</b> | <b>397</b> | <b>100.0</b> | <b>100.0</b>  |                    |

**Statistics**

|                    |        |
|--------------------|--------|
| Mean               | 2.4719 |
| Std. Error of Mean | .02296 |
| Median             | 2.5000 |
| Mode               | 2.50   |
| Std. Deviation     | .45749 |
| Variance           | .209   |
| Range              | 2.50   |

|             |    |        |
|-------------|----|--------|
| Minimum     |    | 1.50   |
| Maximum     |    | 4.00   |
| Sum         |    | 981.33 |
| Percentiles | 25 | 2.1667 |
|             | 50 | 2.5000 |
|             | 75 | 2.8333 |

**Appendix 4.24A: ANOVA test on effectiveness of formal and informal land institutions in addressing land cases to agro-pastoralists**

| <b>ANOVA test for formal land institutions</b> |                |                |     |             |       |      |
|--|----------------|----------------|-----|-------------|-------|------|
|  |                | Sum of Squares | Df  | Mean Square | F     | Sig. |
| Provide Land Information                       | Between Groups | 8.542          | 3   | 2.847       | 1.862 | .135 |
|  | Within Groups  | 600.803        | 393 | 1.529       |       |      |
|  | Total          | 609.345        | 396 |             |       |      |
| Land Governance (Practice Corruption)          | Between Groups | 6.483          | 3   | 2.161       | 1.126 | .338 |
|  | Within Groups  | 754.147        | 393 | 1.919       |       |      |
|  | Total          | 760.630        | 396 |             |       |      |
| Managing Conflicts Over Land                   | Between Groups | 33.673         | 3   | 11.224      | 5.544 | .001 |
|  | Within Groups  | 795.626        | 393 | 2.024       |       |      |
|  | Total          | 829.300        | 396 |             |       |      |
| Use Participatory                              | Between Groups | 8.084          | 3   | 2.695       | 1.129 | .337 |
|  | Within Groups  | 938.173        | 393 | 2.387       |       |      |
|  | Total          | 946.257        | 396 |             |       |      |
| Recognition Of Land Rights                     | Between Groups | 3.326          | 3   | 1.109       | .575  | .632 |

|  |                |         |     |       |       |      |
|--|----------------|---------|-----|-------|-------|------|
|  | Within Groups  | 757.566 | 393 | 1.928 |       |      |
|  | Total          | 760.892 | 396 |       |       |      |
| Provide Land Education                           | Between Groups | 11.698  | 3   | 3.899 | 2.078 | .103 |
|  | Within Groups  | 737.309 | 393 | 1.876 |       |      |
|  | Total          | 749.008 | 396 |       |       |      |
| <b>ANOVA Test For Informal Land Institutions</b> |                |         |     |       |       |      |
| Provide Land Information                         | Between Groups | 14.807  | 3   | 4.936 | 2.828 | .038 |
|  | Within Groups  | 685.979 | 393 | 1.745 |       |      |
|  | Total          | 700.786 | 396 |       |       |      |
| Land Governance (Practice Corruption)            | Between Groups | 17.784  | 3   | 5.928 | 3.211 | .023 |
|  | Within Groups  | 725.445 | 393 | 1.846 |       |      |
|  | Total          | 743.229 | 396 |       |       |      |
| Managing Conflicts Over Land                     | Between Groups | 5.578   | 3   | 1.859 | 1.290 | .278 |
|  | Within Groups  | 566.628 | 393 | 1.442 |       |      |
|  | Total          | 572.207 | 396 |       |       |      |
| Use Participatory                                | Between Groups | 5.112   | 3   | 1.704 | .994  | .396 |
|  | Within Groups  | 673.961 | 393 | 1.715 |       |      |
|  | Total          | 679.073 | 396 |       |       |      |
| Recognition Of Land Rights                       | Between Groups | 3.376   | 3   | 1.125 | .683  | .563 |
|  | Within Groups  | 647.279 | 393 | 1.647 |       |      |
|  | Total          | 650.655 | 396 |       |       |      |
| Land Education                                   | Between Groups | 16.795  | 3   | 5.598 | 3.765 | .011 |

|  |               |         |     |       |  |  |
|--|---------------|---------|-----|-------|--|--|
|  | Within Groups | 584.328 | 393 | 1.487 |  |  |
|  | Total         | 601.123 | 396 |       |  |  |

**Appendix 4.25B: Scheffe Post hoc-test on formal and informal land institution**

| Multiple Comparisons                  |                               |                               |                       |            |       |                         |             |
|---------------------------------------|-------------------------------|-------------------------------|-----------------------|------------|-------|-------------------------|-------------|
| Scheffe                               |                               |                               |                       |            |       |                         |             |
| Scheffe Post hoc-test on formal       |                               |                               |                       |            |       |                         |             |
| Dependent Variable                    | (I) Village of the respondent | (J) Village of the respondent | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|                                       |                               |                               |                       |            |       | Lower Bound             | Upper Bound |
| Provide Land Information              | Pwaga                         | Lupeta                        | .0972                 | .2086      | .975  | -.489                   | .683        |
|                                       |                               | Mabadaga                      | -.2562                | .1656      | .495  | -.721                   | .209        |
|                                       |                               | Mswiswi                       | -.2602                | .1981      | .632  | -.817                   | .296        |
|                                       | Lupeta                        | Pwaga                         | -.0972                | .2086      | .975  | -.683                   | .489        |
|                                       |                               | Mabadaga                      | -.3534                | .1822      | .290  | -.865                   | .158        |
|                                       |                               | Mswiswi                       | -.3574                | .2122      | .419  | -.953                   | .238        |
|                                       | Mabadaga                      | Pwaga                         | .2562                 | .1656      | .495  | -.209                   | .721        |
|                                       |                               | Lupeta                        | .3534                 | .1822      | .290  | -.158                   | .865        |
|                                       |                               | Mswiswi                       | -.0040                | .1701      | 1.000 | -.482                   | .473        |
|                                       | Mswiswi                       | Pwaga                         | .2602                 | .1981      | .632  | -.296                   | .817        |
|                                       |                               | Lupeta                        | .3574                 | .2122      | .419  | -.238                   | .953        |
|                                       |                               | Mabadaga                      | .0040                 | .1701      | 1.000 | -.473                   | .482        |
| Land Governance (Practice Corruption) | Pwaga                         | Lupeta                        | -.1302                | .2338      | .958  | -.787                   | .526        |
|                                       |                               | Mabadaga                      | .2156                 | .1855      | .717  | -.305                   | .736        |
|                                       |                               | Mswiswi                       | .0874                 | .2220      | .984  | -.536                   | .711        |
|                                       | Lupeta                        | Pwaga                         | .1302                 | .2338      | .958  | -.526                   | .787        |
|                                       |                               | Mabadaga                      | .3458                 | .2041      | .413  | -.227                   | .919        |
|                                       |                               | Mswiswi                       | .2176                 | .2378      | .840  | -.450                   | .885        |
|                                       | Mabadaga                      | Pwaga                         | -.2156                | .1855      | .717  | -.736                   | .305        |
|                                       |                               | Lupeta                        | -.3458                | .2041      | .413  | -.919                   | .227        |
|                                       |                               | Mswiswi                       | -.1282                | .1905      | .929  | -.663                   | .407        |
|                                       | Mswiswi                       | Pwaga                         | -.0874                | .2220      | .984  | -.711                   | .536        |
|                                       |                               | Lupeta                        | -.2176                | .2378      | .840  | -.885                   | .450        |



|                                    |          |          |         |       |      |        |       |
|------------------------------------|----------|----------|---------|-------|------|--------|-------|
|                                    |          | Mabadaga | .1282   | .1905 | .929 | -.407  | .663  |
| Managing<br>Conflicts Over<br>Land | Pwaga    | Lupeta   | .2194   | .2401 | .841 | -.455  | .894  |
|                                    |          | Mabadaga | -.2188  | .1905 | .725 | -.754  | .316  |
|                                    |          | Mswiswi  | .5506   | .2280 | .122 | -.090  | 1.191 |
|                                    | Lupeta   | Pwaga    | -.2194  | .2401 | .841 | -.894  | .455  |
|                                    |          | Mabadaga | -.4383  | .2097 | .226 | -1.027 | .150  |
|                                    |          | Mswiswi  | .3312   | .2442 | .607 | -.355  | 1.017 |
|                                    | Mabadaga | Pwaga    | .2188   | .1905 | .725 | -.316  | .754  |
|                                    |          | Lupeta   | .4383   | .2097 | .226 | -.150  | 1.027 |
|                                    |          | Mswiswi  | .7695*  | .1957 | .002 | .220   | 1.319 |
|                                    | Mswiswi  | Pwaga    | -.5506  | .2280 | .122 | -1.191 | .090  |
|                                    |          | Lupeta   | -.3312  | .2442 | .607 | -1.017 | .355  |
|                                    |          | Mabadaga | -.7695* | .1957 | .002 | -1.319 | -.220 |
| Use<br>Participatory               | Pwaga    | Lupeta   | -.2031  | .2607 | .895 | -.935  | .529  |
|                                    |          | Mabadaga | -.2920  | .2069 | .575 | -.873  | .289  |
|                                    |          | Mswiswi  | .0326   | .2476 | .999 | -.663  | .728  |
|                                    | Lupeta   | Pwaga    | .2031   | .2607 | .895 | -.529  | .935  |
|                                    |          | Mabadaga | -.0888  | .2277 | .985 | -.728  | .550  |
|                                    |          | Mswiswi  | .2357   | .2652 | .852 | -.509  | .980  |
|                                    | Mabadaga | Pwaga    | .2920   | .2069 | .575 | -.289  | .873  |
|                                    |          | Lupeta   | .0888   | .2277 | .985 | -.550  | .728  |
|                                    |          | Mswiswi  | .3245   | .2125 | .507 | -.272  | .921  |
|                                    | Mswiswi  | Pwaga    | -.0326  | .2476 | .999 | -.728  | .663  |
|                                    |          | Lupeta   | -.2357  | .2652 | .852 | -.980  | .509  |
|                                    |          | Mabadaga | -.3245  | .2125 | .507 | -.921  | .272  |
| Recognition Of<br>Land Rights      | Pwaga    | Lupeta   | -.1987  | .2343 | .869 | -.857  | .459  |
|                                    |          | Mabadaga | -.1384  | .1859 | .907 | -.660  | .384  |
|                                    |          | Mswiswi  | -.2835  | .2225 | .654 | -.908  | .341  |
|                                    | Lupeta   | Pwaga    | .1987   | .2343 | .869 | -.459  | .857  |
|                                    |          | Mabadaga | .0604   | .2046 | .993 | -.514  | .635  |
|                                    |          | Mswiswi  | -.0847  | .2383 | .988 | -.754  | .584  |
|                                    | Mabadaga | Pwaga    | .1384   | .1859 | .907 | -.384  | .660  |
|                                    |          | Lupeta   | -.0604  | .2046 | .993 | -.635  | .514  |

|                       |                                 |          |          |        |       |        |       |      |
|-----------------------|---------------------------------|----------|----------|--------|-------|--------|-------|------|
|                       |                                 | Mswiswi  | .1451    | .1910  | .902  | -.681  | .391  |      |
|                       |                                 | Mswiswi  | Pwaga    | .2835  | .2225 | .654   | -.341 | .908 |
|                       |                                 |          | Lupeta   | .0847  | .2383 | .988   | -.584 | .754 |
|                       |                                 |          | Mabadaga | .1451  | .1910 | .902   | -.391 | .681 |
| Provid Land Education | Pwaga                           | Lupeta   | -.4281   | .2311  | .331  | -1.077 | .221  |      |
|                       |                                 | Mabadaga | -.0446   | .1834  | .996  | -.560  | .470  |      |
|                       |                                 | Mswiswi  | .1388    | .2195  | .940  | -.477  | .755  |      |
|                       | Lupeta                          | Pwaga    | .4281    | .2311  | .331  | -.221  | 1.077 |      |
|                       |                                 | Mabadaga | .3835    | .2018  | .308  | -.183  | .950  |      |
|                       |                                 | Mswiswi  | .5669    | .2351  | .123  | -.093  | 1.227 |      |
|                       | Mabadaga                        | Pwaga    | .0446    | .1834  | .996  | -.470  | .560  |      |
|                       |                                 | Lupeta   | -.3835   | .2018  | .308  | -.950  | .183  |      |
|                       |                                 | Mswiswi  | .1834    | .1884  | .814  | -.346  | .712  |      |
|                       | Scheffe Post hoc-test on formal |          |          |        |       |        |       |      |
|                       | Mswiswi                         | Pwaga    | -.1388   | .2195  | .940  | -.755  | .477  |      |
|                       |                                 | Lupeta   | -.5669   | .2351  | .123  | -1.227 | .093  |      |
|                       |                                 | Mabadaga | -.1834   | .1884  | .814  | -.712  | .346  |      |
|                       | Provide Land Information        | Pwaga    | Lupeta   | -.2244 | .2229 | .798   | -.850 | .402 |
|                       |                                 |          | Mabadaga | -.4862 | .1769 | .058   | -.983 | .011 |
|                       |                                 |          | Mswiswi  | -.1842 | .2117 | .860   | -.779 | .410 |
| Lupeta                |                                 | Pwaga    | .2244    | .2229  | .798  | -.402  | .850  |      |
|                       |                                 | Mabadaga | -.2618   | .1947  | .614  | -.808  | .285  |      |
|                       |                                 | Mswiswi  | .0402    | .2268  | .999  | -.596  | .677  |      |
| Mabadaga              |                                 | Pwaga    | .4862    | .1769  | .058  | -.011  | .983  |      |

|  |          |          |         |       |       |        |       |
|--|----------|----------|---------|-------|-------|--------|-------|
|  |          | Lupeta   | .2618   | .1947 | .614  | -.285  | .808  |
|  |          | Mswiswi  | .3020   | .1817 | .431  | -.208  | .812  |
|  | Mswiswi  | Pwaga    | .1842   | .2117 | .860  | -.410  | .779  |
|  |          | Lupeta   | -.0402  | .2268 | .999  | -.677  | .596  |
|  |          | Mabadaga | -.3020  | .1817 | .431  | -.812  | .208  |
|  |          |          |         |       |       |        |       |
| Land<br>Governance<br>(Practice<br>Corruption) | Pwaga    | Lupeta   | .4628   | .2293 | .255  | -.181  | 1.106 |
|  |          | Mabadaga | -.0179  | .1819 | 1.000 | -.529  | .493  |
|  |          | Mswiswi  | -.2469  | .2177 | .733  | -.858  | .364  |
|  | Lupeta   | Pwaga    | -.4628  | .2293 | .255  | -1.106 | .181  |
|  |          | Mabadaga | -.4806  | .2002 | .126  | -1.043 | .081  |
|  |          | Mswiswi  | -.7097* | .2332 | .027  | -1.364 | -.055 |
|  | Mabadaga | Pwaga    | .0179   | .1819 | 1.000 | -.493  | .529  |
|  |          | Lupeta   | .4806   | .2002 | .126  | -.081  | 1.043 |
|  |          | Mswiswi  | -.2291  | .1869 | .682  | -.754  | .296  |
|  | Mswiswi  | Pwaga    | .2469   | .2177 | .733  | -.364  | .858  |
|  |          | Lupeta   | .7097*  | .2332 | .027  | .055   | 1.364 |
|  |          | Mabadaga | .2291   | .1869 | .682  | -.296  | .754  |
|  |          |          |         |       |       |        |       |
|  |          |          |         |       |       |        |       |
|  |          |          |         |       |       |        |       |
| Managing<br>Conflicts Over<br>Land             | Pwaga    | Lupeta   | .0558   | .2026 | .995  | -.513  | .625  |
|  |          | Mabadaga | -.1731  | .1608 | .763  | -.625  | .278  |
|  |          | Mswiswi  | .1121   | .1924 | .952  | -.428  | .652  |
|  | Lupeta   | Pwaga    | -.0558  | .2026 | .995  | -.625  | .513  |

|                      |             |          |        |        |       |       |      |       |      |
|----------------------|-------------|----------|--------|--------|-------|-------|------|-------|------|
|                      |             | Mabadaga | -.2289 | .1769  | .643  | -.726 | .268 |       |      |
|                      |             | Mswiswi  | .0563  | .2061  | .995  | -.522 | .635 |       |      |
|                      |             |          |        |        |       |       |      |       |      |
|                      | Mabadaga    | Pwaga    | .1731  | .1608  | .763  | -.278 | .625 |       |      |
|                      |             | Lupeta   | .2289  | .1769  | .643  | -.268 | .726 |       |      |
|                      |             | Mswiswi  | .2852  | .1652  | .396  | -.179 | .749 |       |      |
|                      | Mswiswi     | Pwaga    | -.1121 | .1924  | .952  | -.652 | .428 |       |      |
|                      |             | Lupeta   | -.0563 | .2061  | .995  | -.635 | .522 |       |      |
|                      |             | Mabadaga | -.2852 | .1652  | .396  | -.749 | .179 |       |      |
| Use<br>Participatory | Pwaga       | Lupeta   | -.2794 | .2210  | .660  | -.900 | .341 |       |      |
|                      |             | Mabadaga | -.1663 | .1754  | .826  | -.659 | .326 |       |      |
|                      |             | Mswiswi  | -.3368 | .2099  | .463  | -.926 | .252 |       |      |
|                      | Lupeta      | Pwaga    | .2794  | .2210  | .660  | -.341 | .900 |       |      |
|                      |             | Mabadaga | .1131  | .1930  | .952  | -.429 | .655 |       |      |
|                      |             | Mswiswi  | -.0574 | .2248  | .996  | -.689 | .574 |       |      |
|                      | Mabadaga    | Pwaga    | .1663  | .1754  | .826  | -.326 | .659 |       |      |
|                      |             | Lupeta   | -.1131 | .1930  | .952  | -.655 | .429 |       |      |
|                      |             | Mswiswi  | -.1705 | .1801  | .826  | -.676 | .335 |       |      |
|                      | Mswiswi     | Pwaga    | .3368  | .2099  | .463  | -.252 | .926 |       |      |
|                      |             | Lupeta   | .0574  | .2248  | .996  | -.574 | .689 |       |      |
|                      |             | Mabadaga | .1705  | .1801  | .826  | -.335 | .676 |       |      |
|                      | Recognition | Of       | Pwaga  | Lupeta | .2517 | .2166 | .717 | -.356 | .860 |

|                |          |          |         |       |       |        |       |
|----------------|----------|----------|---------|-------|-------|--------|-------|
| Land Rights    |          | Mabadaga | .1331   | .1719 | .896  | -.349  | .616  |
|                |          | Mswiswi  | .2573   | .2057 | .668  | -.320  | .835  |
|                | Lupeta   | Pwaga    | -.2517  | .2166 | .717  | -.860  | .356  |
|                |          | Mabadaga | -.1186  | .1891 | .942  | -.650  | .412  |
|                |          | Mswiswi  | .0056   | .2203 | 1.000 | -.613  | .624  |
|                | Mabadaga | Pwaga    | -.1331  | .1719 | .896  | -.616  | .349  |
|                |          | Lupeta   | .1186   | .1891 | .942  | -.412  | .650  |
|                |          | Mswiswi  | .1242   | .1765 | .920  | -.371  | .620  |
|                | Mswiswi  | Pwaga    | -.2573  | .2057 | .668  | -.835  | .320  |
|                |          | Lupeta   | -.0056  | .2203 | 1.000 | -.624  | .613  |
|                |          | Mabadaga | -.1242  | .1765 | .920  | -.620  | .371  |
| Land Education | Pwaga    | Lupeta   | -.0986  | .2058 | .973  | -.676  | .479  |
|                |          | Mabadaga | .4072   | .1633 | .103  | -.051  | .866  |
|                |          | Mswiswi  | .2844   | .1954 | .549  | -.264  | .833  |
|                | Lupeta   | Pwaga    | .0986   | .2058 | .973  | -.479  | .676  |
|                |          | Mabadaga | .5058*  | .1797 | .049  | .001   | 1.010 |
|                |          | Mswiswi  | .3830   | .2093 | .342  | -.205  | .971  |
|                | Mabadaga | Pwaga    | -.4072  | .1633 | .103  | -.866  | .051  |
|                |          | Lupeta   | -.5058* | .1797 | .049  | -1.010 | -.001 |
|                |          | Mswiswi  | -.1228  | .1677 | .911  | -.594  | .348  |
|                | Mswiswi  | Pwaga    | -.2844  | .1954 | .549  | -.833  | .264  |

|  |  |          |        |       |      |       |      |
|--|--|----------|--------|-------|------|-------|------|
|  |  | Lupeta   | -.3830 | .2093 | .342 | -.971 | .205 |
|  |  | Mabadaga | .1228  | .1677 | .911 | -.348 | .594 |
| *. The mean difference is significant at the 0.05 level. |  |          |        |       |      |       |      |

**Appendix 4.26A: ANOVA test on Knowledge on Land Court which Address Land Cases**

| <b>ANOVA</b>                |                |            |             |      |      |
|-----------------------------|----------------|------------|-------------|------|------|
| Mention Tribunal Land Court |                |            |             |      |      |
|                             | Sum of Squares | df         | Mean Square | F    | Sig. |
| Between Groups              | 4.442          | 3          | 1.481       | .803 | .493 |
| Within Groups               | 724.550        | 393        | 1.844       |      |      |
| <b>Total</b>                | <b>728.992</b> | <b>396</b> |             |      |      |

**Appendix 4.26B: Scheffe-post hoc on comparison of Knowledge on Land Court which Address Land Cases**

| <b>Multiple Comparisons</b>   |          |                       |            |            |                         |             |
|-------------------------------|----------|-----------------------|------------|------------|-------------------------|-------------|
| Dependent Variable:           |          | Mention Tribunal      |            | Land Court |                         |             |
| Scheffe                       |          |                       |            |            |                         |             |
| (I) Village of the respondent |          | Mean Difference (I-J) | Std. Error | Sig.       | 95% Confidence Interval |             |
|                               |          |                       |            |            | Lower Bound             | Upper Bound |
| Pwaga                         | Lupeta   | -.292                 | .229       | .653       | -.94                    | .35         |
|                               | Mabadaga | -.015                 | .182       | 1.000      | -.53                    | .50         |
|                               | Mswiswi  | .021                  | .218       | 1.000      | -.59                    | .63         |
| Lupeta                        | Pwaga    | .292                  | .229       | .653       | -.35                    | .94         |
|                               | Mabadaga | .277                  | .200       | .589       | -.28                    | .84         |
|                               | Mswiswi  | .314                  | .233       | .613       | -.34                    | .97         |
| Mabadaga                      | Pwaga    | .015                  | .182       | 1.000      | -.50                    | .53         |
|                               | Lupeta   | -.277                 | .200       | .589       | -.84                    | .28         |
|                               | Mswiswi  | .036                  | .187       | .998       | -.49                    | .56         |
| Mswiswi                       | Pwaga    | -.021                 | .218       | 1.000      | -.63                    | .59         |
|                               | Lupeta   | -.314                 | .233       | .613       | -.97                    | .34         |
|                               | Mabadaga | -.036                 | .187       | .998       | -.56                    | .49         |

**Appendix 4.27A: Procedure of Filling Land case by villagers**

|       | Frequency | Percent | Valid Percent | Cumulative Percent |
|-------|-----------|---------|---------------|--------------------|
| 1     | 158       | 39.8    | 39.8          | 39.8               |
| 2     | 26        | 6.5     | 6.5           | 46.3               |
| 3     | 213       | 53.7    | 53.7          | 100.0              |
| Total | 397       | 100.0   | 100.0         |                    |

**Statistics**

|                    |    |        |
|--------------------|----|--------|
| Mean               |    | 2.1385 |
| Std. Error of Mean |    | .04808 |
| Median             |    | 3.0000 |
| Mode               |    | 3.00   |
| Std. Deviation     |    | .95793 |
| Variance           |    | .918   |
| Range              |    | 2.00   |
| Minimum            |    | 1.00   |
| Maximum            |    | 3.00   |
| Percentiles        | 25 | 1.0000 |
|                    | 50 | 3.0000 |
|                    | 75 | 3.0000 |

**Appendix 4.28A: Changes of Physical Assets associated with CCRO's for loans from Micro financial institutions**

| <b>ANOVA</b>                        |                |                |     |             |       |      |
|-------------------------------------|----------------|----------------|-----|-------------|-------|------|
|                                     |                | Sum of Squares | Df  | Mean Square | F     | Sig. |
| Land size increased for agriculture | Between Groups | .155           | 3   | .052        | 1.077 | .359 |
|                                     | Within Groups  | 18.838         | 393 | .048        |       |      |
|                                     | Total          | 18.992         | 396 |             |       |      |
| Constructing                        | Between        | .144           | 3   | .048        | 1.110 | .345 |



|  |                |        |     |      |       |      |
|--|----------------|--------|-----|------|-------|------|
| water infrastructure like wells, canals and other      | Groups         |        |     |      |       |      |
|  | Within Groups  | 17.040 | 393 | .043 |       |      |
|  | Total          | 17.184 | 396 |      |       |      |
| Buying farm modern mashines like tractor, power tiller | Between Groups | .183   | 3   | .061 | 1.797 | .147 |
|  | Within Groups  | 13.323 | 393 | .034 |       |      |
|  | Total          | 13.506 | 396 |      |       |      |
| Buying animals and poultry                             | Between Groups | .074   | 3   | .025 | .998  | .394 |
|  | Within Groups  | 9.674  | 393 | .025 |       |      |
|  | Total          | 9.748  | 396 |      |       |      |
| Establishing investment projects like shops and other  | Between Groups | .321   | 3   | .107 | 2.369 | .070 |
|  | Within Groups  | 17.769 | 393 | .045 |       |      |
|  | Total          | 18.091 | 396 |      |       |      |
| Building modern house                                  | Between Groups | .230   | 3   | .077 | .841  | .472 |
|  | Within Groups  | 35.740 | 393 | .091 |       |      |
|  | Total          | 35.970 | 396 |      |       |      |

**Appendix 4.28B: Changes of Physical Assets associated with CCRO's for loans from Micro financial institutions**

| <b>Multiple Comparisons</b>                                    |          |          |                       |            |       |                         |             |
|--|----------|----------|-----------------------|------------|-------|-------------------------|-------------|
| Scheffe  |          |          |                       |            |       |                         |             |
| Dependent Variable   |          |          | Mean Difference (I-J) | Std. Error | Sig.  | 95% Confidence Interval |             |
|  |          |          |                       |            |       | Lower Bound             | Upper Bound |
| Land size increased per acre                                   | Pwaga    | Lupeta   | .052                  | .037       | .574  | -.05                    | .16         |
|  |          | Mabadaga | .044                  | .029       | .532  | -.04                    | .13         |
|  |          | Mswiswi  | .054                  | .035       | .495  | -.04                    | .15         |
|  | Lupeta   | Pwaga    | -.052                 | .037       | .574  | -.16                    | .05         |
|  |          | Mabadaga | -.009                 | .032       | .995  | -.10                    | .08         |
|  |          | Mswiswi  | .002                  | .038       | 1.000 | -.10                    | .11         |
|  | Mabadaga | Pwaga    | -.044                 | .029       | .532  | -.13                    | .04         |
|  |          | Lupeta   | .009                  | .032       | .995  | -.08                    | .10         |
|  |          | Mswiswi  | .011                  | .030       | .988  | -.07                    | .10         |
|  | Mswiswi  | Pwaga    | -.054                 | .035       | .495  | -.15                    | .04         |
|  |          | Lupeta   | -.002                 | .038       | 1.000 | -.11                    | .10         |
|  |          | Mabadaga | -.011                 | .030       | .988  | -.10                    | .07         |
| Constructing water infrastructure like wells, canals and other | Pwaga    | Lupeta   | -.02569               | .03514     | .911  | -.1243                  | .0730       |
|  |          | Mabadaga | -.02938               | .02788     | .775  | -.1077                  | .0489       |
|  |          | Mswiswi  | -.06074               | .03337     | .347  | -.1544                  | .0329       |
|  | Lupeta   | Pwaga    | .02569                | .03514     | .911  | -.0730                  | .1243       |
|  |          | Mabadaga | -.00369               | .03068     | 1.000 | -.0898                  | .0825       |
|  |          | Mswiswi  | -.03505               | .0357      | .810  | -.1354                  | .0653       |

| Multiple Comparisons |   |              |                              |               |            |                               |                    |       |
|----------------------|---|--------------|------------------------------|---------------|------------|-------------------------------|--------------------|-------|
| Scheffe              |   |              |                              |               |            |                               |                    |       |
| Dependent Variable   |   |              | Mean<br>Differenc<br>e (I-J) | Std.<br>Error | Sig.       | 95%<br>Confidence<br>Interval |                    |       |
|                      |   |              |                              |               |            | Lower<br>Boun<br>d            | Upper<br>Boun<br>d |       |
|                      | Mabadag<br>a  |              |                              | 4             |            |                               |                    |       |
|                      |   | Pwaga        | .02938                       | .0278<br>8    | .775       | -.0489                        | .1077              |       |
|                      |   | Lupeta       | .00369                       | .0306<br>8    | 1.00<br>0  | -.0825                        | .0898              |       |
|                      |   | Mswiswi      | -.03136                      | .0286<br>4    | .753       | -.1118                        | .0491              |       |
|                      | Mswiswi   | Pwaga        | .06074                       | .0333<br>7    | .347       | -.0329                        | .1544              |       |
|                      |   | Lupeta       | .03505                       | .0357<br>4    | .810       | -.0653                        | .1354              |       |
|                      |   | Mabadag<br>a | .03136                       | .0286<br>4    | .753       | -.0491                        | .1118              |       |
|                      | Buying farm<br>modern<br>mashines<br>like<br>tractor,powe<br>r tiller | Pwaga        | Lupeta                       | .03226        | .0310<br>7 | .782                          | -.0550             | .1195 |
|                      |   |              | Mabadag<br>a                 | .05587        | .0246<br>6 | .164                          | -.0134             | .1251 |
| Mswiswi              |   |              | .02667                       | .0295<br>1    | .845       | -.0562                        | .1095              |       |
| Lupeta               |   | Pwaga        | -.03226                      | .0310<br>7    | .782       | -.1195                        | .0550              |       |
|                      |   | Mabadag<br>a | .02361                       | .0271<br>3    | .860       | -.0526                        | .0998              |       |
|                      |   | Mswiswi      | -.00559                      | .0316<br>0    | .999       | -.0943                        | .0831              |       |
| Mabadag<br>a         |   | Pwaga        | -.05587                      | .0246<br>6    | .164       | -.1251                        | .0134              |       |
|                      |   | Lupeta       | -.02361                      | .0271<br>3    | .860       | -.0998                        | .0526              |       |
|                      |   | Mswiswi      | -.02920                      | .0253<br>3    | .722       | -.1003                        | .0419              |       |
| Mswiswi              | Pwaga   | -.02667      | .0295                        | .845          | -.1095     | .0562                         |                    |       |

| Multiple Comparisons                        |              |              |                              |               |      |                               |                    |
|---|--------------|--------------|------------------------------|---------------|------|-------------------------------|--------------------|
| Scheffe                                     |              |              |                              |               |      |                               |                    |
| Dependent Variable                          |              |              | Mean<br>Differenc<br>e (I-J) | Std.<br>Error | Sig. | 95%<br>Confidence<br>Interval |                    |
|   |              |              |                              |               |      | Lower<br>Boun<br>d            | Upper<br>Boun<br>d |
|   |              | Lupeta       | .00559                       | .03160        | .999 | -.0831                        | .0943              |
|   |              | Mabadag<br>a | .02920                       | .02533        | .722 | -.0419                        | .1003              |
|   |              |              |                              |               |      |                               |                    |
| Buying<br>animals and<br>poultry            | Pwaga        | Lupeta       | -.03704                      | .02648        | .582 | -.1114                        | .0373              |
|   |              | Mabadag<br>a | -.00352                      | .02101        | .999 | -.0625                        | .0555              |
|   |              | Mswiswi      | -.02370                      | .02514        | .828 | -.0943                        | .0469              |
|   | Lupeta       | Pwaga        | .03704                       | .02648        | .582 | -.0373                        | .1114              |
|   |              | Mabadag<br>a | .03352                       | .02312        | .552 | -.0314                        | .0984              |
|   |              | Mswiswi      | .01333                       | .02693        | .970 | -.0623                        | .0889              |
|   | Mabadag<br>a | Pwaga        | .00352                       | .02101        | .999 | -.0555                        | .0625              |
|   |              | Lupeta       | -.03352                      | .02312        | .552 | -.0984                        | .0314              |
|   |              | Mswiswi      | -.02019                      | .02158        | .831 | -.0808                        | .0404              |
|   | Mswiswi      | Pwaga        | .02370                       | .02514        | .828 | -.0469                        | .0943              |
|   |              | Lupeta       | -.01333                      | .02693        | .970 | -.0889                        | .0623              |
|   |              | Mabadag<br>a | .02019                       | .02158        | .831 | -.0404                        | .0808              |
| Establishing<br>investment<br>projects like | Pwaga        | Lupeta       | .04739                       | .03588        | .627 | -.0534                        | .1481              |
|   |              | Mabadag      | .00090                       | .0284         | 1.00 | -.0790                        | .0808              |

| Multiple Comparisons        |              |              |                              |               |       |                               |                    |
|-----------------------------|--------------|--------------|------------------------------|---------------|-------|-------------------------------|--------------------|
| Scheffe                     |              |              |                              |               |       |                               |                    |
| Dependent Variable          |              |              | Mean<br>Differenc<br>e (I-J) | Std.<br>Error | Sig.  | 95%<br>Confidence<br>Interval |                    |
|                             |              |              |                              |               |       | Lower<br>Boun<br>d            | Upper<br>Boun<br>d |
| shops and<br>other          |              | a            |                              | 7             | 0     |                               |                    |
|                             |              | Mswiswi      | -.04938                      | .03407        | .552  | -.1451                        | .0463              |
|                             | Lupeta       | Pwaga        | -.04739                      | .03588        | .627  | -.1481                        | .0534              |
|                             |              | Mabadag<br>a | -.04649                      | .03133        | .532  | -.1345                        | .0415              |
|                             |              | Mswiswi      | -.09677                      | .03650        | .073  | -.1992                        | .0057              |
|                             | Mabadag<br>a | Pwaga        | -.00090                      | .02847        | 1.000 | -.0808                        | .0790              |
|                             |              | Lupeta       | .04649                       | .03133        | .532  | -.0415                        | .1345              |
|                             |              | Mswiswi      | -.05028                      | .02925        | .400  | -.1324                        | .0318              |
|                             | Mswiswi      | Pwaga        | .04938                       | .03407        | .552  | -.0463                        | .1451              |
|                             |              | Lupeta       | .09677                       | .03650        | .073  | -.0057                        | .1992              |
|                             |              | Mabadag<br>a | .05028                       | .02925        | .400  | -.0318                        | .1324              |
| Building<br>modern<br>house | Pwaga        | Lupeta       | -.00956                      | .05089        | .998  | -.1524                        | .1333              |
|                             |              | Mabadag<br>a | .04883                       | .04038        | .691  | -.0646                        | .1622              |
|                             |              | Mswiswi      | .03259                       | .04832        | .929  | -.1031                        | .1683              |
|                             | Lupeta       | Pwaga        | .00956                       | .05089        | .998  | -.1333                        | .1524              |
|                             |              | Mabadag<br>a | .05839                       | .04444        | .631  | -.0664                        | .1832              |
|                             |              | Mswiswi      | .04215                       | .0517         | .882  | -.1032                        | .1875              |

| Multiple Comparisons |              |              |                              |               |      |                               |                    |
|----------------------|--------------|--------------|------------------------------|---------------|------|-------------------------------|--------------------|
| Scheffe              |              |              |                              |               |      |                               |                    |
| Dependent Variable   |              |              | Mean<br>Differenc<br>e (I-J) | Std.<br>Error | Sig. | 95%<br>Confidence<br>Interval |                    |
|                      |              |              |                              |               |      | Lower<br>Boun<br>d            | Upper<br>Boun<br>d |
|                      | Mabadag<br>a |              |                              | 6             |      |                               |                    |
|                      |              | Pwaga        | -.04883                      | .04038        | .691 | -.1622                        | .0646              |
|                      |              | Lupeta       | -.05839                      | .04444        | .631 | -.1832                        | .0664              |
|                      |              | Mswiswi      | -.01624                      | .04148        | .985 | -.1327                        | .1002              |
|                      | Mswiswi      | Pwaga        | -.03259                      | .04832        | .929 | -.1683                        | .1031              |
|                      |              | Lupeta       | -.04215                      | .05176        | .882 | -.1875                        | .1032              |
|                      |              | Mabadag<br>a | .01624                       | .04148        | .985 | -.1002                        | .1327              |

**Appendix 29:ANOVA test on the trend of land disputes in villages**  
**Multiple Comparisons**

| What year did this land conflicts occurred<br>Scheffe |                                     |                              |            |      |                         |                |
|---|-------------------------------------|------------------------------|------------|------|-------------------------|----------------|
| (I) Village<br>of the<br>respondent                   | (J) Village<br>of the<br>respondent | Mean<br>Difference (I-<br>J) | Std. Error | Sig. | 95% Confidence Interval |                |
|   |                                     |                              |            |      | Lower<br>Bound          | Upper<br>Bound |
| Pwaga   | Lupeta                              | .221                         | .296       | .906 | -.61                    | 1.05           |
|   | Mabadaga                            | -.308                        | .235       | .633 | -.97                    | .35            |
|   | Mswiswi                             | .153                         | .281       | .961 | -.64                    | .94            |
| Lupeta  | Pwaga                               | -.221                        | .296       | .906 | -1.05                   | .61            |
|   | Mabadaga                            | -.529                        | .259       | .244 | -1.26                   | .20            |
|   | Mswiswi                             | -.068                        | .301       | .997 | -.91                    | .78            |
| Mabadaga  | Pwaga                               | .308                         | .235       | .633 | -.35                    | .97            |
|   | Lupeta                              | .529                         | .259       | .244 | -.20                    | 1.26           |
|   | Mswiswi                             | .461                         | .241       | .303 | -.22                    | 1.14           |
| Mswiswi   | Pwaga                               | -.153                        | .281       | .961 | -.94                    | .64            |
|   | Lupeta                              | .068                         | .301       | .997 | -.78                    | .91            |
|   | Mabadaga                            | -.461                        | .241       | .303 | -1.14                   | .22            |

## THE OPEN UNIVERSITY OF TANZANIA

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## ERROR FREE LETTER TO THE DIRECTORATE OF POSTGRADUATE STUDIES

RE: Error Free Thesis/Dissertation for MACLEAN CHARLES MWAMLANGALA

**Reg No: PG201700637 Programme: PhD.** This is to inform you that, I have read and certified the thesis/Dissertation titled "Customary Land Titling and Livelihood Dynamics among Agro-Pastoralists in Tanzania: The Case of Dodoma and Mbeya Region" by **MACLEAN CHARLES MWAMLANGALA**. I acknowledge that He/she has incorporated the changes as recommended by the examiners. Furthermore, I have checked it to make sure that the work conforms to our OUT in-house style as indicated in Appendix v of the prospectus. The thesis/Dissertation now is error free and ready for submission.

Yours Sincerely,

Dr. Cosmas B.M.Haule

February 26, 2020

Name of Supervisor

Date:


Signature:



### Appendix 3.16: OUT Research Clearance Letter

**THE OPEN UNIVERSITY OF TANZANIA**  
**DIRECTORATE OF RESEARCH, PUBLICATIONS, AND POSTGRADUATE STUDIES**

Kawawa Road, Kinondoni Municipality,  
P.O. Box 23409  
Dar es Salaam, Tanzania  
<http://www.out.ac.tz>



Tel: 255-22-2666752/2668445  
Ext. 2101  
Fax: 255-22-2668759,  
E-mail: [drps@out.ac.tz](mailto:drps@out.ac.tz)

Date: 13<sup>th</sup> October 2017.

**Our Ref PG201700637**

To whom it may concern.


**RE: RESEARCH CLEARANCE**

The Open University of Tanzania was established by an act of Parliament No. 17 of 1992, which became operational on the 1<sup>st</sup> March 1993 by public notice No. 55 in the official Gazette. The act was however replaced by the Open University of Tanzania charter of 2005, which became operational on 1<sup>st</sup> January 2007. In line with the later, the Open University mission is to generate and apply knowledge through research.

To facilitate and to simplify research processes therefore, the act empowers the Vice Chancellor of the Open University of Tanzania to issue research clearance, on behalf of the Government of Tanzania and Tanzania Commission for Science and Technology, to both its staff and students who are doing research in Tanzania. With this brief background, the purpose of this letter is to introduce to you **Mr. Maclean Charles Mwamungala Reg PG201700637** pursuing PHD (Arts). We hereby grant this clearance to conduct a research titled "*Customary Land Titling and Livelihood Dynamics among Agro-pastoralist in Tanzania*". He will collect his data at Dodoma Region (Mpwapwa Districts) and Mbeya region (Mbarali Districts) from 1<sup>st</sup> November to 30<sup>th</sup> April 2018.

In case you need any further information, kindly do not hesitate to contact the Deputy Vice Chancellor (Academic) of the Open University of Tanzania, P.O. Box 23409, Dar es Salaam. Tel: 022-2-2668820. We lastly thank you in advance for your assumed cooperation and facilitation of this research academic activity.


Yours sincerely,

  
Prof. Hossea Rwegoshora  
**For: VICE CHANCELLOR**  
**THE OPEN UNIVERSITY OF TANZANIA**

### Appendix 3.17: Research Permit at District Level

**THE UNITED REPUBLIC OF TANZANIA  
PRESIDENT'S OFFICE  
REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT**

**MBEYA REGION**  
TELEGRAM: "REGCOM"  
Telephone No: 025-2504045  
Fax No.025-2504243  
Email: [ras@mbeya.go.tz](mailto:ras@mbeya.go.tz)



**REGIONAL COMMISSIONER'S  
OFFICE**  
P.O. Box 754,  
MBEYA.

In reply please quote:

Ref. No.  
DA.191/228/01/68.

10/01/2018

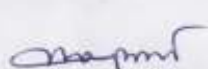
District Administrative Secretary  
**MBARALI DISTRICT**

**RE: RESEARCH PERMIT**

Reference is made to above captioned heading  
I introduce to you Mr Maclean Charles Mwamlangala a PHD student from Open University of Tanzania.

Mr Mwamlangala is conducting a research as part of his thesis. The titled research topic is "*Customary Land titling and Livelihood Dynamics among agro-pastoralists in Tanzania*". He will collect data in Mbarali District in Mbeya Region from 1<sup>st</sup> November 2017 to 30<sup>th</sup> April 2018.

Please assist him accordingly

  
 Dr Kristian John Mapunda  
 For Regional Administrative Secretary  
**MBEYA**


CC: District Executive Director  
Mbarali District Council

### Appendix 3.18: Research Permit at District Level

THE UNITED REPUBLIC OF TANZANIA  
THE PRESIDENT'S OFFICE  
REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT

**DODOMA REGION**                      **THE DISTRICT COMMISSIONER'S OFFICE,**  
P.O. Box 1,  
MPWAPWA.

Telegraphic Address: ADMIN:  
Telephone No: 026 - 2320740/63  
Fax No. 026 - 2320606  
In reply please quote:



Ref. No. MA. 105 /360/01/27                      05<sup>th</sup> December. 2017

Mpwapwa Town Ward Community,  
MPWAPWA.

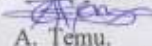
**TO WHOM IT MAY CONCERN**  
**RE: RESEARCH PERMIT**

Refers to the above subject matter.

We introduce to you Mr. Maclean Charles Mwamlangala, PhD authentic student from Open University of Tanzania, who at the moment is conducting research in Dodoma Region specifically Mpwapwa District.

The title of the research is "COSTOMERY LAND TITLING AND LIVELYHOOD DYNAMIC AMONG AGRO-PASTORALIST IN TANZANIA". Permission has been granted from 1 November, 2017 to 30 April 2018 to cover two wards in Mpwapwa District (Chunyu and Lupeta) altogether with Mpwapwa Town Ward for supplementary Information related to Research Title.

Please provide him with all essential assistance so as to accomplish his assignment.

  
A. Temu.

**For: DISTRICT ADMINISTRATIVE SECRETARY**  
**MPWAPWA**

*DISTRICT ADMINISTRATIVE SECRETARY  
MPWAPWA*

**Copy to:** District Commissioner – as instructed from the Regional Commissioners Office.

- : District Executive Director,  
Mpwapwa.
- : **OCD -MPWAPWA**
- : Mr. Maclean Charles Mwamlangala, - Scholar

ISSN 2665-0541

**INTERNATIONAL  
DOCTORAL  
RESEARCH  
SCHOLARS  
JOURNAL (IDRSJ)**



**Vol. 1, Issue No. 1, March, 2019**



## ASSESSMENT OF CUSTOMARY LAND REGISTRATION DYNAMICS AMONG AGRO-PASTORALISTS IN TANZANIA: A CASE OF DODOMA AND MBEYA REGIONS

MacLean C. Mwamlangala<sup>1</sup>, Dr Cosmas. B. M. Haule<sup>2</sup>, Prof. Abiud Kaswamila<sup>3</sup>

**Abstract**—Land registration is a topical and debatable issue among planners, scholars and policy makers. This might be due to its potentiality among land users. The aim of the study was to assess the customary land registration dynamics among agro-pastoralists in Tanzania, specifically in villages of Pwaga (Registered village) and Lapeta (Unregistered village) in Mpwapwa Districts and Mababaga (Registered village) and Mawizi (Unregistered village) in Mbarali districts, respectively. The Household sample size was (n=397). Both methods were employed in data collection which were Observation, interview, documentary review and FGDs. Key Informants were obtained from the government and Non-government Organizations which are engaged with land administration and management. Data were analyzed by Statistical Package for Social Scientists (SPSS, 20), thus the analysis were descriptive and quantitative. The findings shows that 62% of all respondents were not aware of village land use planning. Also, about 38% of all respondents did not know process of Certificate of Customary of Right of Occupancy (CCRO) acquisition. 78% and 89% from Pwaga and Mababaga villages respectively reported that they registered their land. The study noted that 61% of respondents from all villages reported that, they registered land through individual type of ownership. The study noted that 30% of all respondents from villages reported that they acquire CCRO's after one year. Furthermore, the study authenticated that many majorities from all villages reported that they did not register their land because of registration was very expensive, politicization and the government has not planned to register their villages. Not only

that, but also the study investigated the gender consideration in possessing CCRO's, it was reported that about 57% of all villages only husband are dominant person in property ownership. The study concluded that many majorities have no land registration education and many villages have yet made land use planning for registration. The study recommended that the government should incorporate land registration as part of livelihood components for sustainable development, Government should encourage other stakeholder to incorporate in land use planning and land education should be provided to all villages in Tanzania so as to create awareness of land matter in villages.

**Keywords:** Land, Customary Registrations, Certificate of Right of Occupancy and Agro-pastoralists

### 1.0: Introduction

Customary land registration through the use of Certificate of Right of Occupancy (CCRO's) is a form of land reform in which private people are given formal property rights for land which they had previously occupied informally or used on the basis of customary land tenure [1]. This kind of land reform is vital in eradicating poverty, food and land insecurity especially in rural areas where land is the primary source of livelihood and social identity [1, 2]. In Sub-Saharan Africa, a direct link between customary land registration with food security and income has been determined. Studies have shown that the absence of land tenure security lead to a cycle of poverty [2, 3 and 4]. In that case, it is not surprising that land-related conflicts especially in developing countries are prevalent in rural areas where close to 75% of the

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population lives and 85% of them depend on agricultural production for their livelihood [5]. Furthermore, about 67% of land in Kenya, 50% in Tanzania and 40% of land in Uganda is controlled under customary systems [6, 7, 8]. This system is managed under customary land titling through the use of CCRO's [9, 10]

Tanzania like other developing country in Africa, introduced customary land registration through the use of CCRO's in 2000's as a response to Land Act 4 and Village Land Act 5 of 1999 in order to address challenges facing agro-pastoralists in rural areas [11, 12]. But, studies [13, 14 and 15] found a number of challenges such as land disputes, poverty, food insecurity and environmental degradation, population growth which is still persisting up to date, affecting livelihood of agro-pastoralists in Mbeya, Morogoro and Manyara, Dodoma and other regions. This is because most of the land used by agro-pastoralists in Tanzania have not been registered so prone to insecure land tenure [16,17]. Based on this background, the government of Tanzania under Property Formalization of Business Program (MKURABITA) and other development partners started to implement land use planning and issue CCRO's to address those challenges in the country from 2000's to 2017).

However, Village Land Certificates which is a basic condition for offer of CCROs has been issued to about 11,000 out of 12,500 villages. Besides, about 13% (1,640) of villages has adopted land-use plans and about 400,000 of villagers had obtained CCRO's [18]. Despite of these initiatives yet, agro-pastoral communities are often marginalized, lacking political recognition and proper political and institutional support in access to land. Therefore, the study is aiming to assess the effects of customary land registration dynamics among agro-pastoralists in Dodoma and Mbeya regions of Tanzania.

## 2.0: Materials and Methods

The study was conducted in four villages of Pwaga (Household with registered land) and Lupeta (Household without registered land) in Mpwapwa District in Dodoma (Semi-Arid Areas) region and Mabadaga in Mapogoro ward (also with registered land) and Mswiswi in Kongolo ward (Household without registered land) in Mbarali District in Mbeya (Southern Highlands) region. The population of Pwaga (11, 18), Lupeta (8,477), Mapogoro (24,754) and Kongolo (10,309), respectively [19]. These villages were selected due to frequent land disputes, environmental destruction, and increase of vulnerability to marginalized group in accessing, using and distributing land. The study adopted a Cross-sectional design with a sample size of 397 of respondents. The study employed two sampling techniques which were purposive and simple random sampling. A purposive sampling is a technique where the units of investigation are based on the judgment of the researcher [20]. The inspiration was purposefully to select key informants, who were well informed on research objectives. The sampling unit for this technique included village officers from all villages, ward land tribunal members, wards officers, districts and/or region administrative, council leaders, Village leaders, lawyers and other government officers such as forest and land officers and Non Government Organizations like HAKIARDHI, Participatory Ecological Land Use Management (PELUM), Legal and Human Right Centre (LHRC), Dodoma Environmental Networking (DONET) and others. structured interview and Focus Group Discussion was used to access information from this key informants. On other hand, Household heads like a father, mother or any other adult entrusted by the family was obtained through simple random sampling. The Village Executive Officer (VEO) from each study village was consulted for information regarding the number of people in their village. Also, proportional sampling distribution from sample size of each village marked a total of 397 of household leaders. This method is appropriate for this study

because every household has an equal chance of being involved, easier and cheap [20]. A random number table was used to select households to be involved in the study. The instruments used in data collection were questionnaire, interview, observation and documentary review. Also, four Focus Group Discussions (FGDs) were employed for gathering a wide range of views on process of land registrations within short period of time, also allowed emergence of unanticipated issues during the discussion. In this study data were presented in figures, tables and graphs and analyzed by Statistical Package for Social Scientists (SPSS.20) so as to show the relationship between the effects of customary land registration process by issuing CCRO's to Agro-pastoralists in Dodoma and Mbeya regions, Tanzania

### 3.0: Results and Discussion

#### 3.1: Description of the Respondents

Demographic characteristics of the respondents provide the basis for the understanding of the process and trends used by government and other players in land registration. The overall results on sex distribution in the four wards presented in Table 1. Results indicate that 74.8% of the respondents were males and 25.3% of the respondents were females. The excess of men over women could have happened by chance because of the random sampling procedures involved. Moreover, the results could be attributed to cultural factors which give men power to have full mandatory in property ownership compared with women who are excluded in right to property ownership [3, 21].

**Table 1: Household Demographic Characteristics**

| Age | Sex    | Description | Household Villages |               |                  |              | Total Average (%) |
|-----|--------|-------------|--------------------|---------------|------------------|--------------|-------------------|
|     |        |             | Pwaga (n=80)       | Lupata (n=62) | Mahadaga (n=178) | Mwini (n=78) |                   |
| Age | Male   | 20-30       | 11(13.8%)          | 9(14.5%)      | 8(4.5%)          | 11(14.1%)    | 4.9               |
|     |        | 31-40       | 21(26.3%)          | 17(27.4%)     | 49(27.4%)        | 15(19.1%)    | 25.2              |
|     |        | 41-50       | 21(26.3%)          | 29(46.8%)     | 72(40.2%)        | 21(26.9%)    | 33.6              |
| Age | Female | 20-30       | 16(19.8%)          | 11(17.7%)     | 20(11.2%)        | 14(17.9%)    | 13.5              |
|     |        | 31-40       | 10(12.5%)          | 19(30.6%)     | 28(15.6%)        | 22(28.1%)    | 21.9              |
|     |        | 41-50       | 5(6.3%)            | 4(6.4%)       | 1(0.5%)          | 5(6.4%)      | 7.4               |
| Age | Total  | 20-30       | 27(33.3%)          | 20(32.2%)     | 28(15.6%)        | 25(32.0%)    | 26.7              |
|     |        | 31-40       | 31(38.9%)          | 36(58.3%)     | 77(43.0%)        | 37(47.4%)    | 49.3              |
|     |        | 41-50       | 26(32.5%)          | 24(38.9%)     | 79(43.8%)        | 26(33.3%)    | 33.5              |

|                 |           |       |           |           |           |           |      |
|-----------------|-----------|-------|-----------|-----------|-----------|-----------|------|
| Marital Status  | Married   | 20-30 | 11(13.8%) | 9(14.5%)  | 8(4.5%)   | 11(14.1%) | 4.9  |
|                 |           | 31-40 | 21(26.3%) | 17(27.4%) | 49(27.4%) | 15(19.1%) | 25.2 |
|                 |           | 41-50 | 21(26.3%) | 29(46.8%) | 72(40.2%) | 21(26.9%) | 33.6 |
| Marital Status  | Divorced  | 20-30 | 16(19.8%) | 11(17.7%) | 20(11.2%) | 14(17.9%) | 13.5 |
|                 |           | 31-40 | 10(12.5%) | 19(30.6%) | 28(15.6%) | 22(28.1%) | 21.9 |
|                 |           | 41-50 | 5(6.3%)   | 4(6.4%)   | 1(0.5%)   | 5(6.4%)   | 7.4  |
| Marital Status  | Widow     | 20-30 | 5(6.3%)   | 4(6.4%)   | 1(0.5%)   | 5(6.4%)   | 7.4  |
|                 |           | 31-40 | 10(12.5%) | 19(30.6%) | 28(15.6%) | 22(28.1%) | 21.9 |
|                 |           | 41-50 | 5(6.3%)   | 4(6.4%)   | 1(0.5%)   | 5(6.4%)   | 7.4  |
| Education Level | Primary   | 20-30 | 27(33.3%) | 20(32.2%) | 28(15.6%) | 25(32.0%) | 26.7 |
|                 |           | 31-40 | 31(38.9%) | 36(58.3%) | 77(43.0%) | 37(47.4%) | 49.3 |
|                 |           | 41-50 | 26(32.5%) | 24(38.9%) | 79(43.8%) | 26(33.3%) | 33.5 |
| Education Level | Secondary | 20-30 | 5(6.3%)   | 4(6.4%)   | 1(0.5%)   | 5(6.4%)   | 7.4  |
|                 |           | 31-40 | 10(12.5%) | 19(30.6%) | 28(15.6%) | 22(28.1%) | 21.9 |
|                 |           | 41-50 | 5(6.3%)   | 4(6.4%)   | 1(0.5%)   | 5(6.4%)   | 7.4  |

The age distribution (Table 1) indicates that population is dominated by middle aged people were between 31-40, 41-50 years and above 60 age groups. The structure of marital status of respondents shows that, about 72.4% of the respondents were married and 12.4% of the respondents were widow/widow. Similarly, (49.3%) of the respondents were primary school certificate holders, this is parallel in [22] authenticated that education is very important to rural people because it helps to assess their capabilities, adaptations and livelihood strategies which can change their livelihood.

#### 3.2 Awareness on Village Land Use Planning

##### 3.2.1: Household Awareness of village land use planning in study villages

The study wanted to know if the respondents were aware on the existence of land use planning in their village. The results (Table 2) show that about 62% of all respondents from four villages were not aware of existence of land use planning in their villages. However, the results (Table 2) indicate that the situation was worse for villages which did not register their land. This result is similar to findings in [1] reported that awareness of villagers on land rights and village land use planning is important because it avoids conflicts over natural resources.



**Table 2: Awareness on Village Land Use Planning (VLUP) in Study Villages**

| Attribute | Pwaga<br>(n=81) | Lupeta<br>(n=62) | Mabadaga<br>(n=179) | Mwiswi<br>(n=75) | Total%<br>(n=397) |
|-----------|-----------------|------------------|---------------------|------------------|-------------------|
| Yes%      | 36(44.4)        | 4(6.5)           | 149(83.2)           | 12(16.0)         | 37.7              |
| No%       | 45(55.6)        | 58(93.5)         | 30(16.8)            | 63(84.0)         | 62.3              |

Focus Group Discussions with Mabadaga villagers indicated that they got awareness on VLUP through the meetings conducted by the government and NGO like WCF, USANGONET offered during the implementation of land registration and issuing of CCRO's in their village. The participants of FGDs from Mabadaga and Pwaga village reported that, the reduction in land use conflicts between pastoral's and farmers after the establishment of VLUP were villagers has area for farming and pasturing their cattle (see, Figure 1). Contrary to FGD participants from Lupeta and Mwiswi who reported that, their villages has an endless disputes over land because has no VLUP, cows are being grazed within people's settlement where destroys properties (Figure 2). In that case, it can be concluded that villagers were not aware on the existence of land use planning.

**Figure 1: Registered Land (Mabadaga village)****Figure 2: Unregistered Land (Lupeta Village)**

Source: Field Survey (2017)

### 3.3: Knowledge on the Land Registration Processes

In addition, the study examined households' knowledge on the processes of CCRO's acquisition. The study (Table 3) indicates that 38% of all the respondents from the four villages did not know the process of CCRO's acquisitions. In this category, the respondents from the villages whose land was unregistered were leading. In contrast, the respondents from Pwaga and Mabadaga villages whose land was registered were able to list the step number 2 and 4 (Table 2) that are key in the process of obtaining CCRO's. The results (Table 2) imply that most of the respondents didn't understand all steps of acquiring CCRO's. This might be due to lack of enough land registration education to villagers.

**Table 2: Household Knowledge on Process taken to issue CCRO**

| Attribute        | Steps of Acquisition/Issuing CCRO's to Household |          |          |          |          |          |
|------------------|--|----------|----------|----------|----------|----------|
|                  | 1  | 2        | 3        | 4        | 5        | 6        |
| Pwaga (N=81)     | 12(14.8)   | 10(12.3) | 3(3.7)   | 8(9.9)   | 14(17.3) | 22(27.5) |
| Lupeta (N=62)    | 22(35.5)   | 8(12.9)  | 18(29.0) | 11(17.7) | 3(4.8)   | 3(4.8)   |
| Mabadaga (N=179) | 12(6.7)  | 27(15.1) | 14(8.2)  | 49(28.3) | 13(7.3)  | 4(2.2)   |
| Mwiswi (N=75)    | 44(58.7)   | 9(12.0)  | 10(13.3) | 12(16.0) | 3(4.0)   | 3(4.0)   |
| Total %          | 38.8   | 12.3     | 15.8     | 22.9     | 6.3      | 1.8      |

Source: Field Survey, (2017), Key: Number in parenthesis are percentages while number outside blackest are frequencies of households



**Key**

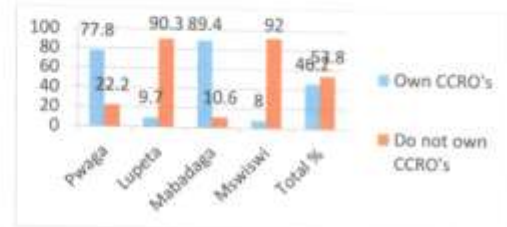
1. The owner of a land parcel claiming an interest in an adjudicated area fills in the application form No.18 and submits to the VEO who submits the applications to the District Land Officer (DLO)
2. The DLO opens a file for preparation of CCRO using the SARF and prepares a CCRO in triplicate and sends them to the VEO
3. The applicant signs the CCRO before the VEO and pays the necessary fees
4. The village chairperson and VEO signs and seal/stamp the CCRO and sends the signed CCROs to the DLO and the CCRO is deemed complete and final ready for issuing to the applicant
5. The DLO files one copy of the CCRO into the district land registry and sends to respective VEOs two copies including the laminated copy. The VEO issues the laminated copy to the applicant.

The inadequate of land registration education is evidenced from FGD, with participants in registered villages (Pwaga and Mabadaga). The FGD who asserted that, meeting with MKURABITA starts just introduced their objectives and announce date for VLUP only. According to FGDs participants, MKURABITA staff didn't provide any education about registering land. This is supported by experiences in Uganda by [9] asserted that during land registration and processing land certificates to households most of them were not aware about the process of obtaining CCRO's which led to violence with land officers. This is contrary to PELUM and HAKIARDHI which contends that project team must provide education on land registration to beneficiary prior to start of land use planning and land registration. The study noted its that most majorities were not able to list all steps of acquiring CCRO's.

### 3.4: Status of Registered Land (Farms) in the Study Villages

The results (Figure 3) indicate that about 77.8% of the respondents from Pwaga and 89.4% of respondents from Mabadaga reported that their land (farms) have been registered with CCRO's compared to 90.3% and 92.0% of the respondents from Lupeta and Mswiswi village, respectively reported that their farm had not registered with CCRO's

**Figure 3: Status of Land (Farms) Registered in the Study Villages**



Source: Field Survey (2017)

In parallel with FGD with participants from Pwaga and Mabadaga villages who did not have CCRO were asked to why they did not possess CCROs while the village had been registered, they reported that it is because have no any benefit to their life and they cannot keep a unvalued document. Also one of the old men age of 69 addressed that ... "Because CCRO's has no value even to mortgage as collaterals in financial institutions I decide to left at MKURABITA office because my house has no security for keeping that CCRO"....(see Figure 4 and 5). But was contrary from the FGD in unregistered village which is Lupeta and Mswiswi, it was reported that if their village could be registered and people own CCROs they could collect it from the village office and keep it at their houses because of its potentiality to their life like taking loans from formal financial institutions. Therefore, the study observed that customary land titling process through the use of CCRO's in villages is a vital to development because it assures security of land comparing to unregistered villages.



Figure A: Village Executive Office under MKURABITA



Figure B: Registry Cabinet for CCRO's

Figure 4 (A and B above) Showing Village Executive Office which store Cabinet for CCRO's from Pwaga and Mabadaga villages respectively project under MKURABITA



Figure 5: Villagers after CCRO' acquisition

Source: Field Survey (2017)

### 3.5 Length Spent in Acquiring Certificate of Customary Right of Occupancy (CCROs)

The study wanted to know the duration spent by household in acquiring CCRO's which might affect livelihood to agro-pastoralists. The key findings from the study in Table 4 indicated that 30% of the respondents from all four villages reported that they acquired CCRO's after one year and about 23% of

the respondents to all four villages they spent one month to obtain CCRO's. The implication of the key study findings shows that most of the villagers they received CCRO's by spending one year opposite to Mabadaga, the study probes the reason that it was because the Mabadaga village had many stakeholders during the land registration process in issuing CCRO's which serves time. With the FGD in Mabadaga villagers reported that during past ten years up to date many stakeholders which dealing in registering land and issuing CCRO's to the districts and they spent only maximum of one month in ensuring the CCRO's are in the hand of villagers. It is contrary to FGD from Pwaga, Lupeta and Mswiswi villages contended that like other villages in Tanzania, the government is the only one implementing land registration so as village had no any other stakeholders who assisted the project activity in registering and providing CCRO's to households. This led to extended more time in receiving CCRO's to these study areas. But, according to interview with Mbarali Districts Land Officer reported that the districts have many stakeholders who provided assistance of land registration like Ruhaa National Park (RUNAPA) in 2014, World Wide Fund (WWF) in 2014, World Conservation Society (WCS) in 2010, MKURABITA in 2010's and other players who provided land use planning and registered villages by provided CCRO's to districts villagers, thus many household registered their farms.

The key study findings are similar in [11 24, 25, and 26] postulates that land registration process must have an inclusion of several partners so as to ensure registration at short period. The study observed that many villagers from reported that they spent one year to receive CCRO's from the government under MKURABITA program.

Table 4 Length Spent in Acquiring Certificate of Customary Right of Occupancy (CCROs)

| Attributes | %   | Pwaga<br>(n=81) | Lupeta<br>(n=62) | Mabadaga(n<br>=179) | Mwiswi<br>(n=75) | Total<br>Average |
|------------|-----|-----------------|------------------|---------------------|------------------|------------------|
| a          | Yes | 6(7.4)          | 4(6.5)           | 10(5.6)             | 3(4.0)           | 5.9              |
| Just Day   | No  | 75(92.6)        | 58(93.5)         | 169(94.4)           | 72(96.0)         | 94.2             |
| month's    | Yes | 17(21.0)        | 5(8.1)           | 70(39.1)            | 1(1.3)           | 23.4             |
| A year     | No  | 64(79.0)        | 57(91.9)         | 109(60.9)           | 74(98.7)         | 76.4             |
|            | Yes | 27(33.3)        | 5(8.1)           | 125(69.8)           | 2(2.7)           | 30.0             |
|            | No  | 54(66.7)        | 57(91.9)         | 54(30.6)            | 73(90.3)         | 70.0             |

Key: Number in parenthesis are percentages while number outside blackest are frequencies of households

#### Source: Survey Field (2017)

#### 3.6 Reasons of not Registering Land

The results from Table 5 (A and B) indicate that respondents reported that they agree that bureaucratic process was the main factors hindered them to not register their land (farms). The implication of the key findings shows that most of the villagers they failed to registered their land due to cumbersome and bureaucratic process in land registrations. The study results are in line with [26] acquiring title deeds is 'a top-down process, bureaucratically managed and involving considerable outlay of resources. The study concluded that many majorities they did not register their land because they were not aware with the registration process in the villages.

Table 5:(A) Reasons of not Registering Land in villages

| Attribute                           | Pwaga (N=81) |    |    |    |    | Lupeta (N=62) |    |    |    |    |
|-------------------------------------|--------------|----|----|----|----|---------------|----|----|----|----|
|                                     | SA           | A  | N  | D  | SD | SA            | A  | N  | D  | SD |
| Government has not implemented VLLP | 10           | 25 | 15 | 38 | 12 | 24            | 44 | 5  | 18 | 10 |
| Villages are reluctant in VLLP      | 10           | 28 | 10 | 46 | 6  | 18            | 39 | 7  | 31 | 5  |
| Knowledge of VLLP by villagers      | 25           | 49 | 7  | 13 | 10 | 8             | 33 | 12 | 31 | 19 |
| Expensive of LUP                    | 15           | 21 | 42 | 10 | 12 | 7             | 34 | 10 | 24 | 24 |
| Politicization in LUP               | 15           | 21 | 42 | 10 | 12 | 7             | 34 | 10 | 24 | 24 |

Table 5: (B) Reasons of not registering land in villages

| Attributes   | Mabadaga(N=179) |    |    |    |    | Mwiswi (N=75) |    |    |    |    |
|--|-----------------|----|----|----|----|---------------|----|----|----|----|
|  | SA              | A  | N  | D  | SD | SA            | A  | N  | D  | SD |
| Government has not implemented Village Land Use Planning (VLLP)  | 7               | 25 | 11 | 41 | 17 | 52            | 32 | 11 | 16 | 0  |
| Bureaucratic practices Villagers are reluctant in accepting VLLP | 11              | 41 | 0  | 10 | 7  | 35            | 33 | 10 | 0  | 0  |
| Knowledge of VLLP by villagers                                   | 12              | 28 | 7  | 31 | 13 | 4             | 23 | 16 | 37 | 10 |
| Expensive of VLLP  | 22              | 28 | 7  | 23 | 13 | 5             | 17 | 12 | 33 | 31 |
| Politicization in LUP  | 18              | 34 | 11 | 18 | 8  | 16            | 44 | 11 | 20 | 13 |
|  | 22              | 38 | 10 | 26 | 2  | 47            | 25 | 12 | 12 | 0  |

Key: SA- Strong Agree, A-Agree, N-Neutral, D-Disagree, SD-Strongly Disagree.

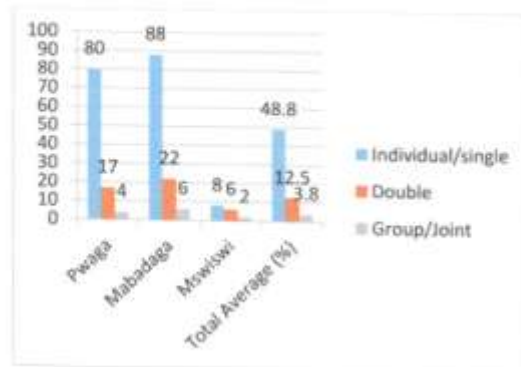
The presence of most of the unregistered land in Lupeta and Mwiswi villages compared to Pwaga and Mabadaga villages concurs with Districts Land Officers (DLO) who reported that the government had implemented land use planning (LUP) and issue Village Land Certificates (VLC) to few villages due to lack of sufficient resources to implement the project. This is similar to an interview with the Land Officers from Mpwapwa and Mbarali added that the total farms registered from 2004 to 2017 in whole districts is about 3,500 and 3,850 of farms, respectively. The registered farms do not fit the entire population in the villages. Also, the findings concurs with [23] argued that registering land increases value on land which it can be used as collaterals for improving income to most of the agro-pastoralists while the unregistered land remain as a dead capital. The study findings noted that majorities were did not register their land due to bureaucratic practices by officers dealing with land issues.



### 3.7 Types of Customary Land Tenure during Registration Processes

Furthermore, the study assessed the dominant type of land ownership based on the numbers of households registered their land. The focus was to assess whether the household land were registered as individual or single, double and group or joint/tenure of common allocations of right of occupancy in order to assess the ownership of the land. The results (Figure 6) revealed that 48.8% of the respondents from four villages registered their land as single or individual registration comparing to other types of land registrations.

Figure 6: Types of Customary Land Tenure in study Villages



Source: Field Survey (2018)

This can be also evidenced by the FGDs in Pwaga and Mabadaga with CCRO's, respondents reported that they like to register their land through individual registration because does not create conflicts over the access, use and distribute land comparing to other types of registration which creates different interest by owners in the use of land. As asserted by FGD in unregistered villages Lupeta and Mswiswi, villagers reported that they own their land through individually without any document to justify type of land registration. In additional from the discussion with

Village Chairman and VEO of Mabadaga village pointed that many people prefer to register land by individual or single registration so as to have full control over land which can give him or her the full autonomy over the use of land so as to maintain their livelihood status. The study findings are parallel to [18] who reported that, about 400,000 of Tanzanians have registered their land through individual ownership comparing to other type of registration, they had full ownership and decisions in using their land. The findings matches with [1] study in Kenya conforming that, the use and access to land by individual type of registration had positive impacts to many rural people because of the good management of the land comparing to other type of registration like group registration which create conflicts among the users. Generally, the study observed that individual type of land registrations in studied villages were mostly preferred comparing to other type of registrations.

### 3.8 Gender consideration during land registration process in acquisitions of CCRO's

The study also wanted to know if the process considered gender during land registration through the provision of CCROs. Key findings Table 6 shows that 57% of the respondents from all villages reported that husband are predominant owner of any property including land comparing to wife's/women's.

Table 6: Gender consideration in acquisitions of CCRO's in studied villages

| Attribute    | Pwaga (n=81) | Lupeta (n=62) | Mabadaga (n=179) | Mswiswi (n=75) | Total Average (%) |
|--------------|--------------|---------------|------------------|----------------|-------------------|
| Husband      | 78(96.3)     | 4(6.5)        | 141(78.8)        | 3(4.0)         | 56.9              |
| Wife         | 6(7.4)       | 1(1.6)        | 18(10.1)         | 1(1.3)         | 6.5               |
| Husband/Wife | 11(13.6)     | 5(8.1)        | 27(15.1)         | 1(1.3)         | 11.1              |
| Boy          | 15(18.5)     | 4(6.5)        | 54(30.2)         | 3(4.0)         | 19.1              |
| Girl         | 5(6.2)       | 0(0)          | 16(8.9)          | 1(1.3)         | 5.5               |
| Boy/Girl     | 9(11.1)      | 2(3.2)        | 12(6.7)          | 1(1.3)         | 6.0               |

Key: Number in blackets are percentages while number outside blacket are frequencies of households

The study findings imply that Household did not consider gender in property ownership because many husbands were the one who register land by nominating their names in land certificates (CCRO's) specifically to the registered villages Pwaga and

Mabadaga comparing to unregistered villages Lupeta and Mswiswi which has no village certificates. This experience is in line with the experiences from Andhra Pradesh and Bihar reported that Women's who had no CCROs by their names were (42%) in Andhra Pradesh those who had CCROs by their names were (4%) and Women owned farm by inheritance but had no CCROs were (39%), and no joint-titling in land ownership [27,28]

However, through the FGD with women from Pwaga and Mabadaga as registered villages reported that culture of most of Africans is killing rights in using, accessing and making their decisions towards a gifted resource from the God. This culture considers only men, thus we are very poor in income and food security. Opposite to FGDs with men from those villages who also refuted women's arguments, by reporting that women's have no right to own and use land without permissions from men because are there by just caring families only and culture codes does not allow them to have authority in owning land. This was different with interview by Commissioner of Land from Southern and Central Zone of Tanzania who quoted to National Land Policy of 1995 and Act 24 (I) of Constitutional of Tanzania of 1977 which states that, ensuring equal access to land by all Tanzanians. This means that, it is the objective of the policy to facilitate an equitable distribution of and access to land by all citizens. This principle is replicated in the section 3(2) of the Land Act No. 4 of 1999 declares that the right by women to access, use, distribute and

sell it should be known that is the same right to men at the same standards and conditions and section 23(2) (c) of the Village Land Act No.5 of 1999 also it notes that during the process of the Village Council starts to implement the registration of land within village, it should consider the applications of women equal to men's. Also, section 161(1) and (2) of Land Acts 4 of 1999 it notes that the right to own land by joint or double allocation between men and women.

The study findings corroborates with [29,30,31 and 32] who argued that women's in land ownership to Africa countries is relatively low which affects levels of wealth and income to be poor as compared to Latin American or Asian counterparts with the same customary tenure arrangements that continue to provide most women's farmers with access to land. This is concurrently in [33, 34, 35 and 36] who authenticated that land titling efforts in Africa have negative impacts on women and other vulnerable groups like conflicts into family levels by discriminating them from natural resource ownership. However, through stipulation of legal instruments in addressing gender to be prioritized in land ownership, the study observed report from MKURABITA offices which shows the government of Tanzania is now doing better in promoting women's to access, use and distribute land so as to prosper their livelihood's (Figure 7)



Figure 7: District Commissioner is handing over 300 CCRO's to Women's at Magubika Village in Kilosa District in 23<sup>rd</sup> September, 2018

Source: MKURABITA, 2018

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#### 4.0 Conclusion and Recommendations

The study concluded that the objective of land registration with CCRO's provisions to people in central and southern of Tanzania is not yet achieved. Therefore, land registration must be incorporated in livelihood components due to its advantages among people. The government should provide avenues of other stakeholders to involve in land use planning and registrations so as to assure all people have registered their land for sustainable development. The government and other players should provide land education through participatory approaches in order to avoid conflicts between land users.

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# Effectiveness of Rural Tribunal Courts in Dispensing Land Rights in Tanzania: Community Opinions from Dodoma and Mbeya Regions

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**Abstract:** Land rights present a debatable theme, it is also contentious to many scholars, policymakers and human rights activist around the world. It might be due to challenges that many rural people face through using tribunal courts in getting their rights. Thus, the study aimed to assess the effectiveness of rural tribunal courts in dispensing land rights in Mpwapwa and Mbarali districts in Dodoma and Mbeya regions of Tanzania, respectively. The study involved a sample size of 397 respondents. Observation, interview, documentary review, FGDs, and Key Informants were data collection instruments employed in this study. Both descriptive and inferential statistical analyses were computed by IBM-SPSS (ver.20). Results showed that people know tribunals that dispense justice over land. Furthermore, results from the ANOVA test showed there was no statistically significant difference between villages at  $p=0.493$  on knowledge on the tribunals. But it was reported that these organs are not effective in administering and managing land cases. The study revealed that the reason for ineffective administration and managing land cases is due to the shortage of labour force which cause backlog of land cases. Moreover, the study found that people did not know the procedure of opening and filling land cases which cost them to find lawyers. Furthermore, the study observed boundary conflict between farmers and pastoralists against farmers. ANOVA test results further revealed no significant statistical difference between villagers at  $p=0.141$  on emerging of land disputes. But also it was reported by the study that, women were not allowed by their husbands or families to involve in tribunals for decision making. The study concluded that land tribunals are not effective in managing land cases which results in endless land disputes. The study recommends that the government should employ more people, increase infrastructures and provide education to people on the procedure of opening land cases in villages.

**Keywords:** Community opinions, Land Rights, Rural Tribunal Court

## 1. Introduction

Land acts as a yoke of an egg which provides vital nutrients for human health. In that case, land plays a vital role in providing human basic needs like food, shelter, and clothes which improve the livelihood of 85.6% of rural people in the world who depend on land for agriculture (Brinks, 2019). But most of the agro-pastoralists face challenges in using, accessing and distributing land (Charters, 2019). These challenges result in land disputes, food insecurity, poverty and insecurity of land (Sanga, 2019; Sanga *et al.*, 2019). However, most countries in the world established land tribunals in rural areas in order to address the mentioned challenges through dispensing land rights among agro-pastoralists (Shany, 2012; Ngombe *et al.*, 2014; Gebretsadik, 2019). Therefore, the effectiveness of land tribunals has been explained in various countries by different scholars, specifically in England (Courts and Tribunals Services, 2012; Charters, 2019). The land tribunal court was created by the Lands Tribunal Act, 1949 that had jurisdiction in

England, Wales and Northern Ireland (Courts and Tribunals Services, 2012; Charters, 2019) but still these tribunals are ineffective in addressing land disputes due to the development of the countries in the areas of industrialization and population growth (Charters, 2019). This has caused shortage of land for most rural people (Mwamlangala *et al.*, 2019). Similarly, in Mexico, Guatemala, Australia, Indonesia and Paraguayan and New Zealand had also experienced challenges of rural people to lose their land rights due to poor governance of tribunal courts which cause sparking of land disputes within the countries (Charters, 2019). This was due to mega-companies and powerful people confiscating productive land from the rural poor which affects their livelihoods (Sieder and Siera, 2011; Awofeso, 2011; Wojkowska and Cunningham, 2010; Miranda, 2015; Thompson, 2016).

Like other scholars in the world, African scholars are in the intense debate about the efficiency of land tribunal courts.



Some scholars argue that land tribunals in Africa address land cases more effectively (Shany, 2012), while others regard land tribunals as ineffective when it comes to addressing land cases (Max *et al.*, 2016).

Brett (2015) and Nyamasege (2017) contend that most Southern African countries' land tribunals are ineffective because had many land cases which are blocked or pending cases which are a source of the existing land disputes. People are now tired of going to land tribunal courts to seek redress and justice (Nyamasege, 2017). Max *et al.* (2016) in the East African Index (2014) study in Uganda report that 90% of the people face serious injustices over land due to the ineffective tribunal courts. This is because 45% of the people reported that paying bribery was the only way to access rights to land. Furthermore, Mushinge (2017) study in Zambia noted that tribunals use a lot of time to end up land cases between one to five years which is contrary to section 12 of the Lands Tribunal Act of 2010 which states that, the Tribunal shall deliver judgment within sixty days after the conclusion of hearing the case.

In a study conducted in Tanzania, Mangure (2015) reported that in spite of the challenges tribunal courts face they are doing better in dispensing land rights to all people in the country. Tanzania being one of the countries which passed through colonialism, its citizen had grievances on the existing laws. These laws being inherited from the colonial government have been regarded as not in favor of natives; as they were discriminatory and oppressive in nature. Thus, in 1974, the government of Tanzania formed a Judicial System Review Commission (famously known as Msekwa Commission) which influenced the establishment of land tribunal courts in 1985 through the Ward Tribunals Act, 1985 CAP 206 R.E. 2002. This happened when the central government decided to revitalize local government authorities due to the backlog of cases in ordinary courts. However, Section 8 (1) of the Ward tribunals Act of 1985 provides the primary function of each tribunal is to secure peace and harmony in their areas by mediating, consulting and endeavoring settlements of disputes. Also, section 62 of the Village Land Act (1999) and section 3 of the Land Dispute Courts Act (2002), Chapter 216 of the laws of Tanzania and its Constitution of 1977 indicate that land dispute settlement structure starts from the Village Land Council, the Ward Tribunal, The District Land and Housing Tribunal and the Land Division of the High Court. These tribunal courts have the power to administrate and manage all land cases filed by agro-pastoralists. But up to date land disputes are still an endless song to most agro-pastoralists in Tanzania, specifically in Mpwapwa and Mbarali districts of Dodoma and Mbeya regions, respectively. For example, between 2015 and 2016 there were about 1,872, 2016 and 2017 there were 2996 land cases in Southern Highland while in the Central zone between 2015 and 2016 there were 2011, 2016 and 2017 there were 2009 of land cases filed in tribunal courts (OXFAM, 2018). But also, Kironde (2009) study in Tanzania reported that in 2006 there were 5, 583 filed in land tribunals and 2,632 have been decided while 2,951 cases were pending. Between 2005 and 2008, 33,163

cases were lodged with District Land and Housing Tribunals out of which 15,149 (48%) were heard and decided upon. In spite of the government establishing these land tribunal courts in 1985 and reforming other legal instruments for the aim of dispensing land rights in rural and urban areas still agro-pastoral community faces challenges of land disputes. Therefore, the paper assessed the effectiveness of these land tribunals in dispensing land rights basing on community opinions in Mpwapwa and Mbarali Districts in Dodoma and Mbeya regions, respectively.

## 2. Theoretical Framework

Institutional and property right theory has been adopted in this paper so as to provide and explain information on how tribunal courts operate in dispensing land rights to agro-pastoralists. The institutional theory explains the effectiveness of tribunal's courts, trend and procedure, knowledge, social environment, tribunal regulatory structure used by authorities to guide and manage land issues (Scott, 2007). Furthermore, property right theory provides a theoretical lens on rights, equality and legitimacy of the government on managing land (Demsetz, 1967; Libecap, 1989). It also, informs the bundle of rights like use rights on land, control or decision making rights and rights to transfer land. All these bundles of rights should be understood by tribunal courts and agro-pastoralists so as to know their responsibility and rights in owning land. Also, the framework shows the role of intermediate variables on how they can affect positively or negatively land titling in rural areas like politics, education population growth, resources, and policies. Therefore, the framework of this paper shows the way variables have been used in addressing the effectiveness of tribunals in dispensing land rights among agro-pastoralists in Mpwapwa and Mbarali districts.

## 3. Methodology

The study investigated the effectiveness of land tribunal courts in dispensing land rights in Mpwapwa and Mbarali districts. Four villages were picked Pwaga (Household with CCRO's) and Lupeta (Household without CCRO's) in Mpwapwa Districts and Mahadaga in Mapogoro ward (also with CCRO's) and Mswiswi in Mahongole ward (Household without CCRO's) in Mbarali Districts respectively. The population density of Pwaga (11,217), Lupeta (8,477), Mapogoro (24,754) and Mahongole (10,309) respectively (Village Register, 2017). The reasons for selecting these were due to frequent land disputes which cause a backlog of land cases.

Data were collected from both primary and secondary sources. The study employed qualitative and quantitative techniques. The methods used were questionnaire survey, interview, observation, and documentary review. About 397 questionnaire guides were distributed to the heads of the household or any person entrusted by the family. Focus Group Discussions which comprised fourteen (14) participants were conducted in each selected village. For the





purposes of triangulation, different methods and sources of data were used. Qualitative data were organised into themes and concepts of manageable units to back up findings. Quantitative data were coded and analysed using IBM- SPSS version 20. A one way ANOVA –test and Scheffe Post-test were used in analysing data. Effectiveness of land tribunals was measured or captured by computing the Mean Index of the attributes on Likert scales (Table 2). But also, quantitative data involved aspect like knowledge, effectiveness, and trends which were organised and presented in the form of tables and graphs to show the relationship between the effectiveness of land tribunals in dispensing land right in Dodoma and Mbeya regions in Tanzania.

The study employed two sampling techniques which were purposive and simple random sampling. Simple random sampling was used in this study to avail respondents an equal chance of being represented. Therefore using two sampling techniques helped the study to identify the extreme perspectives that are present in each population group. The sampling unit for this technique included village officers from all villages, tribunal members, ward officers, districts and region administrative, council leaders, village leaders, lawyers, and land officers. Village Executive Officer (VEO) from each village was consulted for information regarding the number of people in their village. The study sampled the household through a random number table which was used to select households to be involved during data collection.

#### 4. Findings and Discussion

##### 4.1 Awareness of Agro-pastoralists on authorities which address land cases in Mpwapwa and Mbarali districts

In order to know if the respondents were aware of the authorities (at village, ward and district and national level) which address land cases, the respondents were asked to mention all tribunal courts. Results in Table 1 indicate that 36.0% of the respondents mentioned Village Land Tribunal while 23.9% reported that Ward Tribunal Court. Results from the study imply that frequently emerging land disputes in the villages force people to know where they can report such cases through opening and filing land cases.

**Table 1: Awareness of Agro-pastoralists on Tribunal courts which addresses land cases in Mpwapwa and Mbarali districts**

| Villages         | Mention Tribunal Land Court |               |                                    |                             |                 |
|------------------|-----------------------------|---------------|------------------------------------|-----------------------------|-----------------|
|                  | Village Land Tribunal       | Ward Tribunal | District Land and Housing Tribunal | Land Division of High Court | Court of Appeal |
| Pwaga (n=81)     | 23(28.4)                    | 19(23.5)      | 17(21)                             | 7(8.6)                      | 6(7.4)          |
| Lupeta (n=62)    | 25(40.3)                    | 18(29.0)      | 7(11.3)                            | 5(8.1)                      | 2(3.2)          |
| Mabadaga (n=179) | 62(34.6)                    | 43(24)        | 42(23.5)                           | 6(3.4)                      | 15(8.4)         |
| Mwieni (n=75)    | 33(44)                      | 15(20)        | 7(9.3)                             | 5(6.7)                      | 11(14.7)        |
| <b>Total %</b>   | <b>36.8</b>                 | <b>23.9</b>   | <b>18.4</b>                        | <b>5.8</b>                  | <b>8.6</b>      |

This was supported by FGD participants from the study villages and interview from Chairperson of Ward Tribunal Land Court in Mabadaga and Pwaga villages who both reported that respondents in the village know where they can report land cases. This signifies that land conflicts have been common events in these villages. These results are also consistent with what a 63 years old woman said at Mabadaga village on 26<sup>th</sup> March 2018:-

*"From the historical perspective, these instruments addressing land cases were present starting from the colonial regime which undermines human rights, specifically to women not to own land...is where I started to fight for my right so as to pick my land which I used for farming and pasturing my cows. But, after land reformation during the post-independence era is when these formal legal instruments emerge (Tribunal land court. I forced to see this court and I won against my opponent (a man 73 years old) and the registered case was at Mbarali District Court with Criminal Trespass Case Number 13/2017. These challenges forced me to know legal institutions that address land disputes".*

Obviously, from what this woman said it indicates that she was aware of many historical events about informal and formal or legal instruments and authorities addressing land issues.

Similarly, the study by Adam and Birhanu (2017) conducted in rural Ethiopia report that tribunals which address land disputes were known in Amhara region because land administration system (LAS) is well structured and the effort to strengthen good governance in land administration at local/village is a commendable intervention. A study by Shimwela, (2018) in Tanzania, confirmed that villagers in Mbozi district were very familiar with tribunal courts due to occurrence of numerous land disputes in Mbozi district. The results conform to the report from an interview with a 45 years old man from Mabadaga village who was quoted saying:

*"Indigenous people know the Ward tribunal court and District court after facing challenge of land conflicts with Investor (Mbarali Farm Rice Estate) as opponent who wanted to appropriate the whole land, with registered criminal case No. 109/2017/45 contrary to section 299(a) of the penal code 16 Volume 1 of the law revised in 2002. Up to now, the case is still in the tribunal court".*

Due to numerous incidences of land cases at the study villages; respondents' knowledge and awareness on legal aspects on how to address land issues seem to be enhanced. Furthermore, the results from ANOVA test indicates that there were no statistically significant differences in the results between study villages at  $p=0.493$  on knowledge on the tribunals.



#### 4.2 Effectiveness of Tribunal courts in addressing land disputes in Mpwapwa and Mbarali districts

The respondents were asked on how effective they perceive the services received from local tribunals (village and ward). Results in Figure 1 indicate that 53.4% of the respondents from study villages reported that tribunals are ineffective and only 46.6% of the respondents reported that tribunals are effective in providing services. However, at Lupeta village, majority of the respondents (75.8%) reported that tribunals are not effective comparing to Mswisi (53.4%) who reported that tribunals are effective. The reason was given by District Land Officer (DLO) in Mbarali who reported that awareness in Mswisi and other villages in Mbarali district was created by non-governmental organizations particularly Legal and Human Rights Centre.



Figure 1: Effectiveness of Tribunals in addressing land disputes in Mpwapwa and Mbarali districts

Table 2 presents agro-pastoralists opinions on effectiveness of rural tribunal courts from a Likert scale. It was reported that most of the respondents (74.2%) in the studied villages disagreed on the mentioned attributes (Table 2). The Mean Index ( $\bar{X}$ ) on opinions on effectiveness from Likert scale (Table 2) was computed. Results revealed that the Mean Index ( $\bar{X}$ ) = 2.0469 indicated 74.2% of all mentioned attributes that are not effective to tribunal courts in addressing land matters to agro-pastoralists in rural areas.

Results conform with Institutional theory which claims that ineffectiveness of the authorities which engage in land management are caused by the failure in practising good governance at workplaces (Scott, 2007). In similar cases, Property rights theory argues that investor who has economic power tries to force poorer people to leave their productive land which hence land disputes (Demsetz, 1967).

Table 1(a): Agro-pastoralists Opinions on Effectiveness of Rural tribunal court in Mpwapwa and Mbarali districts

| Attributes                             | Mpwapwa (n=48) |      |      |      |      | Lupeta (n=42) |      |      |      |      |
|--|----------------|------|------|------|------|---------------|------|------|------|------|
|  | SD             | D    | N    | A    | SA   | SD            | D    | N    | A    | SA   |
| Address land cases timely              | 42.1           | 28.7 | 14.2 | 21.0 | 0    | 22.6          | 18.1 | 13.3 | 7.5  | 5.4  |
| Land governance practices (corruption) | 27.3           | 28.4 | 4.8  | 12.1 | 17   | 38.8          | 35.3 | 4.1  | 11.1 | 1.9  |
| Justice compliance                     | 23.2           | 28.3 | 3.4  | 19.2 | 11.8 | 29.2          | 28.4 | 3.3  | 12.0 | 11.3 |
| Adequacy of tribunal resources         | 24.8           | 25.9 | 8.0  | 12.8 | 10.2 | 34.3          | 35.1 | 2.9  | 6.4  | 9.3  |
| Transparency                           | 2              | 22.7 | 3.7  | 13.8 | 11.1 | 34.1          | 49.3 | 8.9  | 3.6  | 4.3  |
| Tribunal workload                      | 34.7           | 12.8 | 9.9  | 13.1 | 10.3 | 38.8          | 25.1 | 5.3  | 15.5 | 12.3 |

Table 2(b): Agro-pastoralists Opinions on Effectiveness of Rural tribunal court in Mpwapwa and Mbarali districts

| Location                               | Mpwapwa (%) |    |    |    |     | Lupeta (%) |    |    |    |     |
|--|-------------|----|----|----|-----|------------|----|----|----|-----|
|  | SD          | D  | N  | A  | SA  | SD         | D  | N  | A  | SA  |
| Address land cases                     | 34.2        | 11 | 11 | 36 | 9.8 | 30         | 39 | 14 | 12 | 3.9 |
| Land governance practices (corruption) | 33          | 41 | 14 | 11 | 3   | 31         | 41 | 11 | 12 | 3.9 |
| Justice compliance                     | 34          | 41 | 14 | 11 | 4   | 31         | 38 | 14 | 11 | 6   |
| Adequacy of tribunal resources         | 33          | 41 | 14 | 11 | 3   | 31         | 41 | 11 | 12 | 3.9 |
| Transparency                           | 31          | 34 | 18 | 11 | 10  | 34         | 43 | 11 | 10 | 11  |
| Tribunal workload                      | 40          | 11 | 14 | 11 | 14  | 31         | 34 | 11 | 10 | 12  |

The study also investigated on what prompted ineffectiveness of tribunals in studied villages. It was found (Table 3) that about 41.1% of the respondents reported that shortage of labour force caused ineffectiveness of tribunals hence provision of poor services. This imply that the studied villages had a very few workers in the tribunals' offices hence failure in delivering services. Results from the study area are similar to Mangure (2015) study in Tanzania, which reported that about 92% of the respondents revealed absence of good working environment in the courts due to limited infrastructure. This has resulted into poor performance of tribunals. Additionally, studies (Shivji, 1999; Rwegasira, 2012; Hendrik *et al.*, 2019) report that effectiveness of many courts needs outlay of resources so as to increase the effectiveness in providing services to many people in rural and urban areas.



Table 3: Reasons for ineffective of Tribunal courts in addressing land cases in Mpwapwa and Mbarali districts

| Villages | Reasons mentioned by respondents |                         |                         |                    |
|----------|----------------------------------|-------------------------|-------------------------|--------------------|
|          | Lack of motivation               | Shortage of labor force | Lack of infrastructures | Poor customer care |
| Pwaga    | 20(24.7)                         | 33(40.7)                | 5(6.2)                  | 16(19.8)           |
| Lupeta   | 18(29)                           | 20(32.3)                | 6(9.7)                  | 9(14.5)            |
| Mabadaga | 39(16.8)                         | 75(41.9)                | 24(13.4)                | 29(16.2)           |
| Mwasi    | 8(10.7)                          | 35(46.7)                | 13(17.3)                | 7(9.3)             |
| Total %  | 19.1                             | 41.1                    | 12.1                    | 15.4               |

#### 4.3 Knowledge on procedures of filing and litigations of land cases at the tribunal land courts in Mpwapwa and Mbarali districts

Knowing how the respondents understand procedures of filing and litigation of land cases was an interest of the study. This obviously has effects on agro-pastoralists livelihoods in terms of time and income spent when dealing with such aspects, among others. Results (Figure 2) revealed that about 68.5% of the respondents reported that they do not know the procedure of filing land cases while only 31.5% knew the procedure of filing land cases. The study observed through in-depth interviews and FGDs that respondents were not knowledgeable on how to fill application form at the tribunal court for approval and payment for registration of the case. It was opposite to the procedure of opening a case before the ward tribunal as provided under the provisions of section 11 (1) of The Ward Tribunals Act as quoted; "Proceedings may be instituted by making of a complaint to the secretary of the Tribunal, the Secretary of an appropriate authority, Chairman of a Village Council or a ten-cell leader." Subsection 2 of the provision 11 provides that, any person who reasonably believes that any person has committed an offense may make a complaint about the matter to any of the persons specified in subsection (1).

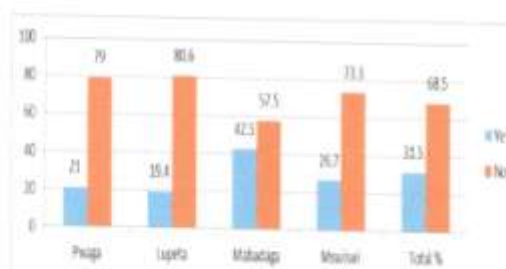


Figure 2 Knowledge on procedure of filing and litigations of land cases to the Tribunal land courts in Mpwapwa and Mbarali districts

Results indicate that Mabadaga village had more respondents who know the procedure of filing land cases at the court. It was observed and noted that in Mbarali District there are many NGOs dealing with human rights issues that take

dealing with advocacy of court procedure and litigations and other relating issues. This has helped residents in the area to know these procedures compared to other study areas. The results were similar to FGD participants from the study areas who reported that villagers do not know how to process land cases because earlier they used customs and traditional leaders to address land disputes. This report from FGD holds the same view from an interview with a 47 years old man from Pwaga on 19<sup>th</sup> March 2018, who was quoted claiming that...

".....I am blaming our government of URT which does not even think about the general education about laws and court procedures to people.....Because even those who went to school are not familiar with court procedures, thus in 2017, I had a case with Mr X and my case was criminal trespass which causes boundary disputes and was contrary to 299 of the penal code 16 revised in 2002, because I did not know procedure of filing and technicalities of litigations of cases to the court I lost my right and paid fine of Tshs.20,000/= and if I were not able to pay I would have gone to jail ..."

Studies (Ray 2015; Gilbert and Begble, 2018) posit that indigenous people are generally subjected to loose their land rights because they do not know the procedures of processing, filing and litigations of land cases. This was also supported by Districts Court magistrate from Mbarali who reported that in practice before going to court a person and their legal teams have to develop a process of documenting attachments of their land claims issues which could help to process the case. Moyo (2017) and Marwa (2015) studies conducted in Tanzania, noted that most women are unaware of the tribunal courts and the procedure of filing land cases compared to men.

#### 4.4 Types of Land disputes addressed by Tribunal Courts in Mpwapwa and Mbarali districts

Moreover, in the study the respondents were asked on the type of land disputes which result in filing land cases to the tribunals. It was found (Table 4) that about 92.2% of the respondents reported that boundary conflicts amongst farmers and 84.4% reported farmers against pastoralists was the dominant land dispute existing to all studied villages. Results imply that studied villages are experiencing frequent land disputes. Similar arguments were made by District Livestock Officer (DLO) and village leaders from all studied villages that there are endless land conflicts in villages which affect agro-pastoralist livelihoods. The argument from DLO corroborates with Sanga (2019) study in Tanzania, Charter (2019) study in New Zealand and Gebretsadik (2019) study in Ethiopia which report that lack of land use planning in rural and urban areas leads to different types of land disputes among users, consequently affecting their income, food security and time in dealing with land cases to the tribunals.



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**Table 4 Types of Land disputes which addressed by Tribunal Courts in Mpwapwa and Mbarali Districts**

| Attributes                           | %   | Progs (n=81) | Landps (n=42) | Settlement # (n=179) | Settlement (n=78) | Total % |
|--------------------------------------|-----|--------------|---------------|----------------------|-------------------|---------|
| Farmer/Pastoralist                   | Yes | 48 (59.4)    | 48 (59.4)     | 103 (57.5)           | 103 (57.5)        | 34.4    |
|                                      | No  | 18 (22.2)    | 18 (22.2)     | 38 (21.3)            | 38 (21.3)         | 12.8    |
| Farmer/Herder (Boundary Conflicts)   | Yes | 75 (92.6)    | 75 (92.6)     | 160 (90.5)           | 160 (90.5)        | 52.2    |
|                                      | No  | 8 (9.9)      | 8 (9.9)       | 17 (9.5)             | 17 (9.5)          | 5.6     |
| Pastoralist/Pastoralist              | Yes | 48 (59.4)    | 48 (59.4)     | 103 (57.5)           | 103 (57.5)        | 34.4    |
|                                      | No  | 18 (22.2)    | 18 (22.2)     | 38 (21.3)            | 38 (21.3)         | 12.8    |
| Herder/Villager                      | Yes | 83 (1.1)     | 83 (1.1)      | 186 (104.4)          | 186 (104.4)       | 59.4    |
|                                      | No  | 7 (8.8)      | 7 (8.8)       | 15 (8.5)             | 15 (8.5)          | 4.9     |
| Communal Villagers (TANAPA)          | Yes | 11 (13.6)    | 11 (13.6)     | 24 (13.4)            | 24 (13.4)         | 7.8     |
|                                      | No  | 70 (86.4)    | 70 (86.4)     | 155 (86.6)           | 155 (86.6)        | 50.2    |
| Village/Village (Boundary Conflicts) | Yes | 37 (45.7)    | 37 (45.7)     | 84 (46.9)            | 84 (46.9)         | 27.3    |
|                                      | No  | 44 (54.3)    | 44 (54.3)     | 95 (53.1)            | 95 (53.1)         | 30.7    |

Furthermore, the study investigated on the occurrence of land disputes between 2012 to April 2018. Table 5 indicates that the trend of land disputes has been increasing, the ANOVA test shows that the results were statistically insignificant at  $p=0.141$ . When the Scheffe Post hoc-test was computed, the results revealed that no significant statistical differences between all study villages. The study results were similar to the growing body of literature like OXFAM (2018), Schreiber (2018), Hendricks *et al.* (2019) and Sanga *et al.* (2019) who found that land disputes in rural areas are increasing rapidly every year hence affecting livelihoods to most agro-pastoralists. Results are in line with District Land Officer (DLO) from the studied villages who both reported that land disputes, specifically boundary conflicts, are still occurring in villages because people want to own large farms while there is shortage of land.

**Table 5 Experience of Agro-pastoralists on Trends of Land Disputes and Filed Cases in the Villages from 2010 up to April 2018 in Mpwapwa and Mbarali Districts**

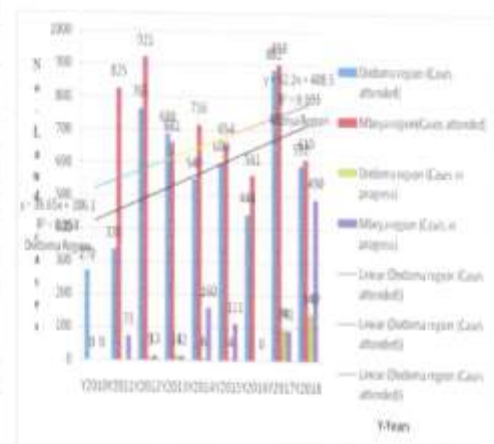
| Villages   | The trend of Land Disputes in villages (%) |      |      |      |      |            | ANOVA test |
|------------|--|------|------|------|------|------------|------------|
|            | Before 2012                                | 2012 | 2013 | 2014 | 2015 | April 2018 |            |
| Progs      | 11.1                                       | 34.8 | 21.3 | 9.9  | 19.8 | 22.0       | 1.4        |
| Landps     | 18.1                                       | 11.7 | 23.0 | 12.9 | 34.2 | 14.1       | 9.6        |
| Settlement | 13.4                                       | 10.6 | 13.4 | 11.2 | 23.9 | 24.6       | 10.2       |
| Settlement | 14.7                                       | 29.9 | 11.3 | 12.0 | 10.7 | 25.3       | 11.1       |
| Total %    | 15.4                                       | 15.4 | 17.4 | 11.3 | 18.6 | 24.7       | 9.6        |

Moreover, the study results displayed (Figure 3) are in line with a report from tribunal court magistrate from Central and Southern Zones of Tanzania which reported that:

The total number of land disputes cases were 5125; cases attended were 4848, cases in progress were 267 from Central Zone of Tanzania while a total number of land case were

7538, case attended were 5846 and cases in progress were 950 from the Southern Zone of Tanzania. But also, the study found through trendline (Figure 3) that there was no statistically significant difference in the decreasing number of land cases at  $R^2=0.258$  and  $R^2=0.103$  in Dodoma and Mbeya regions, respectively. The statistical results imply that land disputes increase every year in the study regions. The report from Key Informants was confirmed by an old man (77) years who had a land case filed 2013/162/123 on 23<sup>rd</sup> July 2018 from Mahadaga village during an in-depth interview who politely reported that:

*"Land disputes in Mbarali and other areas of Tanzania will never end and will increase every coming year because of corruption and shortage of labour power to the tribunal's courts. There are few tribunals in the zones, every zone has one land tribunal court which resolves land cases which caused my case to be running into the land tribunal court for a long time"*



**Figure 3 Number of Land Cases in Rural Tribunals Court from Central and Southern Highland Zones (Zonal Tribunal courts, 2018)**

Furthermore, the findings are in the same vein with what was reported by FDG participants from the study villages. It was reported that land disputes within the study villages still exist and do not stop due to the increase of the inefficiency of tribunal courts in Tanzania. This argument is in line with studies (Mwamlangala *et al.*, 2016; Schreiber, 2018; Shimwela, 2018; Flitner, 2018; Kaasie, 2018; Hendricks *et al.*, 2019) which report that land disputes in rural and urban areas are unavoidable and will continue to grow due to corruption which leads to unsolved or pending land cases from tribunals. This argument holds the same view with an interview from the chairpersons of the Ward Tribunal land courts from Mbarali and Mpwapwa districts who claimed that there are about 5 to 6 land cases per week which make



20 to 24 land cases per month, especially during the rainy seasons. Generally, the trend of land disputes is rapidly increasing due to lack of efficiency and effectiveness of tribunals in implementing land cases in study areas.

#### 4.5 Effectiveness of Rural Tribunal court in considering Gender into decision making in addressing land cases

Gender is a sensitive issue in livelihoods and sustainable development in any society. This is because in practice it creates opportunities in performing social, economic and political activities. Results in Figure 4 indicate that about 62.4% of the respondents do not consider women's inclusion in tribunals' decision making while 37.6% reported that, gender inclusion is considered in tribunals for decision making.

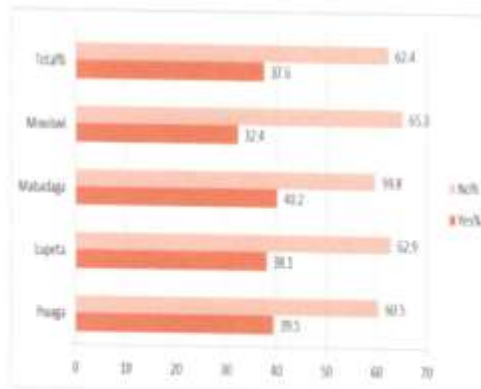


Figure 4 Gender consideration into Rural Tribunal court in addressing Land Cases

The results of the study imply that all villages excluded women in implementing decision making which affected the marginalised group. However, the difference showed in Mabadaga and Pwaga as registered villages were to some extent gender in the tribunal courts is well recognised compared to unregistered villages, that is Lupeta and Mkwisi. It was found that registered villages had knowledge from Property and Business Formalization Programme (PBFP) in Kiswahili "Mkakati wa Kukuza Uchumi na Kuondoa Umasikini Tanzania" (MKURABITA) and NGO's during implementation of VLUP and the enforcement of Districts Council in organising Village Land Committees (VLC's). This was made possible through the use of Village Land Act of 1999 which states that, for decisions in the Village Adjudication Committee (VAC), a quorum of five members is required, of which at least two must be women (Village Land Act 1999). Furthermore, Achterberg-Boness (2016) reports that, Section 14 of the Court Act, 2002 requires that in any mediation, three members of the local tribunal, of whom at least one must be a woman to constitute the panel. The Ward Tribunal comprises four to eight members elected by the Ward Committee, of whom a minimum of three members must be

women (Tanzania Ward Tribunal Court, 1987). Similarly, Moyo, (2018) argues that VAC or any officer must treat the rights of women equal to those of men. The results are in line with Chan, *et al.*, (2016) and Duncan, (2014) who reported that VLA stipulates that the VLC must treat all applications for land equally, regardless of the gender of the applicant, and it is forbidden to adopt any discriminatory practices or attitudes towards women. In corresponding with the report from the District Land Housing Tribunals from Southern and Central Tanzania, it was observed that the government is serious in assessing these tribunals and VLC to ensure equal opportunities between men and women in decision making in all land issues.

Studies (Chan, *et al.*, 2016; Veit, 2018; Moyo, 2018) hold the same view that Village Adjudication Committee (VAC) to be set up whenever a Village Assembly decides there is a need for an adjudication process concerning land. Females are eligible to participate in Village Assembly but no mandatory requirements to ensure female participation in the Assemblies or to ensure adequate female representation in their decision-making. Of the nine members of the VAC, four must be women.

Conversely, FGD's participants in Lupeta and Mkwisi villages reported that women are not being involved in all tribunals because they fear to apply for opportunities in Village Adjudication Committee in which they can be selected in land tribunals. This report from unregistered villages is consistent with a report from an in-depth interview where one woman (49) years old from Mkwisi on 24<sup>th</sup> March 2018 was quoted saying that:-

".....It is not easy to be involved in tribunal courts which provide strong decision upon the right of defendants and opponents. It needs experience, skills, but you must understand land laws ....So when I think of all these pertinent issues I lose confidence to apply for tribunals and other people identify you as a corruptive person. This makes me not accept these opportunities within my village....."

Generally, the study found that women excluded by their husbands to be involved in decision making during running land cases to the tribunal court. The reason was given by the agro-pastoral community that culture does not allow women to be involved in providing decisions in all community issues.

## 5.0 Conclusion and Recommendations

### 5.1 Conclusion

Basing on the findings, the study concludes that:-

- Generally, many respondents in the studied villages know ward tribunals which address land cases in their villages.
- It was observed that tribunals are not effective in addressing land cases because of the shortage of labour force and other resources.
- Land disputes are rapidly increasing in villages.
- Also, people are not familiar with the process and procedure of filing land cases.





- Lastly, there is limited inclusion of women in tribunal courts for decision making during running land cases and litigations.

## 5.2 Recommendations

From the conclusion above, the study recommends the following:-

- The Ministry of Land and Housing should cooperate with legal instruments (courts) in provision of land laws education to agro-pastoralists in order to minimize land disputes in rural areas.
- Also, the land tribunals should be provided with enough funds by the government and other stakeholders so as to assure all important resources are available. This will help to reduce unattended land cases in the tribunal courts.
- Gender consideration when appointing individuals to work as members of the committee of the tribunal by Local Government Authorities. Such appointments should also base on the capability and commitment.
- Furthermore, Ministry of Justice and Legal Affairs should continue establishing more tribunals in rural areas. This will reduce the problem of backlog of land cases which cause the trend of land disputes to grow every year which affect community livelihoods.

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