



Poverty, Inequality and Access to Land: The Lived Realities of Women in Rural KwaZulu-Natal, South Africa

By

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Thesis submitted in fulfilment of the requirements for the Degree of Doctor of Philosophy in Public Policy, University of KwaZulu Natal, School of Social Sciences, Howard College, Durban, South Africa.

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FEBRUARY 2024

DECLARATION OF SUPERVISION

This is to certify that we have supervised Ms S Nhlapho's PhD thesis to the best of our abilities. We have read and approved the final thesis that was submitted for examination in September 2023.

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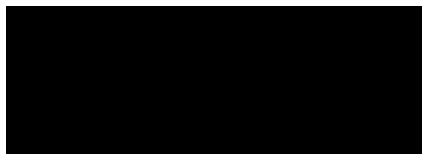
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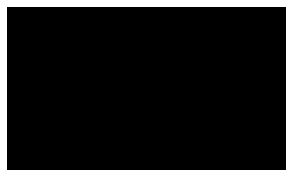
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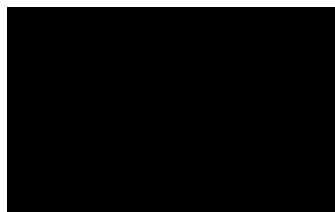
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DEDICATION

This work is dedicated to my late parents, T. Dladla Nhlapho and J Nhlapho,

And,

To Mama, Weziwe Thusi, late Prof, Hlengiwe Mkhize, PWMSA and all rural women of South Africa, KwaZulu-Natal.

ACKNOWLEDGEMENTS

I wish to express my deepest gratitude to my supervisors, Dr Fikile Vilakazi and Dr Balungile Zondi, for their unwavering support, guidance, and understanding throughout the duration of my study. My gratitude also extends to Thank Prof Nhlanhla Mkhize and Prof Khondlo Mtshali for their continuous encouragement and invaluable expertise. Your professionalism was instrumental in my doctoral journey which, though challenging, was made more manageable by your support. You have taught me that perseverance is key to success. I am profoundly thankful for your significant contributions, your wealth of wisdom, and intellectual guidance. I am profoundly grateful to God Almighty for his love, mercy, and grace, and for providing me with the opportunity to work with such excellent individuals. May God bless you all abundantly. Kea leboga.

I would also like to express my heartfelt thanks to my family, especially my sisters, with special mention to Sindy, Mandla, Siyabonga, Thembaletu, Ntokozo, Lihle, Miranda, Amanda, and my late sister, Thabile. I am deeply appreciative of your support, understanding, and love. To my family, I say, "Mighty warrior, great in battle, Jehovah is your name." Kea leboga.

To Mama Weziwe Thusi, Mama Hlengiwe Mkhize (the late), Baleka Mbete, Getroot Mtsweni, and the progressive women of South Africa, thank you for your leadership, nurture, love, mentorship, and for shaping me into a person capable of creativity and innovation. To the staff of the University of KwaZulu Natal, particularly administrators Nonhlanhla Mthembu, Nonjabulo Ngcobo, and Duduzile Dlamini, thank you for your tireless effort and support on my path to success. I also wish to extend my thanks to the EThekweni Municipality Academy and research class mentors, Prof Mpilo Ngubane and Dr Collin Pillay, and their support staff. Your work is truly remarkable. Thank you.

Special thanks to Tom Jackson, Wandile Ngobese, Nkanyiso Ntuli, Vusi Mshengu, Lomave Mthembu, Richard Raber, Bonga Dlodla, Mbongeni Miya, Nokhwezi Buthelezi, Ma Monica, Paballo Moerane, Gugu Mchunu, Busi Shezi, Bahla Thusi, Dr Sisana Majeke, and Sphe Binda. Thank you, everyone.

To the God of holy grace, Abba Father, 'Lord, you deserve the glory'.

ABSTRACT

This research focuses on the considerable challenges that women in rural KwaZulu-Natal encounter in gaining access to vital economic resources, particularly land. It underscores the substantial responsibilities borne by Zulu women, who not only support their families but also engage in efforts to alleviate poverty and achieve economic growth. These challenges are deeply ingrained in long-established cultural traditions and are perpetuated by a dominant patriarchal system. Historical analysis reveals that South Africa's attempts at land reform have been unsuccessful in addressing the wrongs of the colonial and apartheid eras, including those related to gender bias. Adopting a case study method and informed by Structuration Theory and Black Feminist Theory, this study explores the impact of poverty, inequality, and limited land access on women in rural KwaZulu-Natal. It combines insights from the cultural-social sphere and the political-economic sphere to highlight the specific obstacles these women encounter in their pursuit of land. The research involved interviews with 29 participants from rural KwaZulu-Natal, including local women, farmers, government officials, civil society members, and traditional institution leaders. Through thematic analysis, the study captures the stories of these women, revealing how discrimination and gender inequality—rooted in conventional gender roles—bar them from participating in decision-making processes. Such entrenched issues not only curtail the opportunities available to women but also impede the country's efforts towards achieving economic stability, enhancing food security, and reducing the feminization of poverty. The participants strongly voiced their desire for reform and pointed out the intricate dynamics between government policies and traditional practices, emphasizing the inefficacy of current policies and the ongoing legal and customary obstacles that prevent their access to land. The research highlights the essential role of land in rural communities, vital for both agriculture and sustaining livelihoods. It calls for the creation of a Restorative Land Human Dignity Commission and a detailed monitoring framework to evaluate the effect of land policies on gender inequality in KwaZulu-Natal.

Key Words: Customary Laws, Cultural Norms, Land Reform, Rural Development, Gender Inequality, Land Tenure, Structuration of power in land reform.

LIST OF ABBREVIATIONS

ABET	Adult Basic Education and Training
AET	Adult Education and Training
AFRA	Association for Rural Advancement
ANC	African National Congress
ANCWL	African National Congress Women's League
AsgiSA	Accelerated and shared Growth Initiative for South Africa
CASAC	Council for Advancement of South African Constitution
Cogta	Co-operative Governance and Traditional Affairs
ClaRA	Communal Land Rights Act
CLTP	Communal Land Tenure Policy
CGE	Commission for Gender Equality
CPAs	Communal Associations
CRLR	Commission of the Restitution of Land Rights
DALRRD	Department of Land Affairs and Rural Development
DFID	Department for International Development
DLA	Department of Land Affairs
DoA	Department of Agriculture
DRDLR	Department of Rural Development and Land Reform
ESTA	Extension of Security of Tenure Act

ETLR	Evolutionary Theory of Land Rights
FAO	United Nation Food and Agriculture Organisation
GEAR	Growth, Employment and Redistribution in South Africa
HLP	High Level Panel
IFAD	International Fund for Agriculture
ITB	Ingonyama Trust Board
KZN	KwaZulu Natal
LTA	Labour Tenant Act
LRC	Legal Resource Centre
LRAD	Land Reform for Agricultural Development
PLAAS	Poverty, Land and agrarian Studies
RDP	Reconstruction and Development Programme
RWM	Rural Women's Movement
RSA	Republic of South Africa
SAHO	South African History Organisation
SLAG	Settlement Land Acquisition Grant
SLLDP	State Land Lease and Disposal
StatsSA	Statistics South Africa
TA	Traditional Authorities
TCB	Traditional Court Bill

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CHAPTER ONE: BACKGROUND OF THE STUDY

1.1 INTRODUCTION

The 1913 South African Native Land Act and associated land seizures had a profound impact on black South Africans, dispossessing them of land rights and causing lasting damage to their economic status, human rights, and identity. This major event in South Africa's colonial history is a key contributor to the ongoing poverty experienced in the post-apartheid era. Before these land seizures, few native South Africans lived in poverty.

According to Modise and Mtshiselwa (2013), the legacy of socio-economic injustices, most notably the 1913 Native Land Act and the subsequent apartheid exclusion policies, hindered most South Africans from engaging in significant economic activities and accessing essential public services. This led to an unequal resource distribution, causing poverty, landlessness, and chronic poverty, particularly for black South Africans and rural women.

The advent of democracy in 1994 prompted the need for resource redistribution to address racial, spatial, and economic inequalities. Initiatives like RDP, GEAR, and AsgiSA advocated "leaving no one behind" and aimed to alleviate and reduce poverty (The World Bank, 2018). Despite implementing many pro-poor policies and expanding the social security system, particularly for women, children, and the disabled, research indicates rural women are still being left behind (Van der Berg et al., 2005).

Land ownership signifies not only economic upliftment and social welfare but also represents a symbol of respect and self-reliance. Njieassam (2017) underscores the crucial role of land as a lifeline that sustains millions globally, particularly within indigenous communities and among women. Yet, cultural norms often intensify women's impoverishment by engendering bias against their control and ownership of land. Indigenous women confront an intersection of prejudices based on their gender, ethnicity, and economic status.

In South Africa's KwaZulu-Natal Province, patriarchal norms still prevail. Cultural traditions view women as children and deny them the right to claim land without a male representative. These customs don't recognize women's power and voice, despite Constitutional guarantees for justice access, non-discrimination, and equality.

Table 1: Land Ownership by Gender in South Africa

Province	Male	Female	Other
EC	53%	26%	22%
FS	60%	34%	6%
GP	56%	40%	4%
KZN	42%	29%	28
LP	51%	33%	16%
MP	55%	34%	11%
NW	46%	28%	26%
NC	63%	32%	5%
WC	56%	34%	10%

Source: Land Audit Report, 2017

In 1994, the KwaZulu Legislature Assembly enacted the Ingonyama Trust Act, transferring all former KwaZulu homeland land to the Trust. This gave traditional authorities control over this area's land. Several rural women's organizations have voiced concerns about the Act's negative impact on women. Despite land redistribution efforts to rectify historical injustices, studies show little progress in empowering women through land ownership since 1996 (Deininger, 2008). Given widespread poverty in South Africa, historical land dispossession, current gender role norms, and laws that disadvantage women, this study will examine the difficulties women in rural Kwa-Zulu Natal face in accessing land, experiencing poverty, and facing inequality.

This study is premised on existing information on the topic, aiming to scrutinize whether implemented legislation has achieved justice for women, particularly rural women. Land is crucial for women as it provides shelter, a means of production, and can be used as collateral for loans. This highlights the essential role of qualitative research in making effective policy recommendations. This study examines the complex interplay of poverty, gender inequality, and land access difficulties faced by women in rural Kwa-Zulu Natal, South Africa. It explores the impact of historical land dispossession, cultural gender norms, and certain legal practices that contribute to women's struggles in acquiring land. It also scrutinizes the effectiveness of laws like the Extension of Security Tenure Act (ESTA) and the Labour Tenants Act (LTA) in delivering

justice to women, particularly in reducing poverty and inequality, and enhancing land access.

The research assumes the existence of ample information on these issues, intending to analyse the efficacy of these laws in bringing tangible benefits to women. A qualitative approach will be employed, shedding light on the social relationship inherent in women's sustainable development. Land serves as a crucial resource for women, providing shelter, enabling production, offering collective work opportunities, and enhancing self-esteem.

The post-apartheid constitution of South Africa, adopted in 1996, intended to rectify historical injustices, promising socio-political and economic rights to marginalized communities, especially the impoverished and vulnerable. The Bill of Rights in the constitution ensures equality before the law and prohibits discrimination, providing significant recognition to women who had been treated as second-class citizens due to their race and gender.

The study further delves into international and continental perspectives on poverty, inequality, and land access, with case studies from Cameroon, Latin America, and India, among others. It seeks to make a comparative analysis to identify gaps and learn from global and local realities. This analysis will serve as the basis for policy recommendations aimed at promoting livelihoods and addressing the ongoing realities of poverty, inequality, and land access challenges faced by rural women in South Africa, with a special focus on Kwa-Zulu Natal.

1.2 RESEARCH PROBLEM

The right to access and control land is central to the lives of rural women in regions where their income and livelihood primarily depend on these natural resources. Women's lack of land rights jeopardizes their living conditions, economic empowerment, physical security, and their quest for equity and equality in patriarchal societies. The absence of land rights deprives women of a stable food source and limits their access to other essential resources like credit, which is crucial for productive activities. This limited access to credit and extension services further diminishes women's ability to maintain control over their lands (UN Women, 2015). Women play a significant role in small-scale farming and food production, making their access to land critical not only for their well-being but also for food security. The issue of limited access to land is particularly acute in contexts involving land grabs, climate change, and conflict, especially considering the rising number of female-headed rural households. Despite the development of land policy reforms at

various levels, women's land tenure remains legally insecure due to discriminatory laws, the coexistence of multiple land law regimes, and gender-neutral statutes. These reforms often fail to address women's socially and legally constructed disadvantages, resulting in equal land rights in form but not in substance (UN Women, 2015).

The Constitution of South Africa advocates for principles of non-sexism, equality, and equitable access to opportunities for all its citizens. This research paper critically examines the paradox where, despite these constitutional mandates, the marginalization of rural Zulu women in exercising and enjoying their rights highlights a significant gap in the Constitution's effectiveness in addressing the ongoing challenges faced by women. It further articulates that the impact of the South African Constitution (Act No. 108 of 1996) has fallen short in transforming the lived experiences of rural Zulu women, particularly in their endeavors to gain access to land for agricultural purposes. The daily experiences of these women are characterized by socioeconomic marginalization and unequal access to economic opportunities, including land ownership. The access to land is identified as a pivotal route towards economic wellbeing, alleviation of poverty, and the correction of historical injustices in South Africa. Nevertheless, a substantial number of women remain marginalized from this critical resource due to enduring economic disparities and prevailing cultural norms.

This gender inequality in economic opportunities, particularly land ownership, is globally prevalent but is starkly evident in rural KwaZulu-Natal, South Africa. Women in this region are often excluded from decision-making processes and traditional councils, largely male-dominated, reflecting bias and resistance to sharing authority. Rooted in patriarchal culture, Zulu custom treats women as minors, restricting their ability to own or inherit land.

The research aims to critically examine intersections of cultural practices and national laws promoting gender equality, focusing on women's land ownership in rural South Africa. Moreover the study strives to understand the tension between cultural beliefs governing rural KwaZulu-Natal and laws and policies promoting women's empowerment in land ownership. The study also examines the challenges in public policy implementation amidst contradictory pressures and competing societal visions: a predominantly patriarchal cultural perspective and the national aspiration for equality, social justice, and anti-discrimination.

Given land's crucial role in poverty alleviation and wellbeing enhancement, especially considering the detrimental effects of forced land dispossession on South African society, addressing this issue is vital. This is particularly true as the negative impacts of poverty disproportionately affect women in South Africa. Therefore, the research seeks to provide valuable insights into this pressing concern.

A deeper understanding of the complexities surrounding women's land rights is needed, particularly in the context of land grabs and climate change. A gendered analysis of the impact of land reforms is essential, as is a comprehensive knowledge of different tenure systems and their effects on women's access, ownership, and control of land. Additionally, efforts should be made to protect women's land rights within the context of land grabs. The restoration of common land management systems that traditionally safeguard access rights for marginalized groups is another avenue to explore (UN Women, 2015). This aligns with Hart and Aliber's (2010) assertion that agricultural development researchers and extensionists in South Africa lack effective communication skills, gender awareness, and people-oriented skills, underscoring the need for education in these areas. The complexity of land tenure systems necessitates multifaceted policy solutions that consider cultural, political, and ecological factors at various levels of governance. Evaluating the implementation and impacts of land tenure reforms across multiple governance levels is essential to identify constraints, devise solutions, and ensure that reforms protect the rights and livelihoods of women and marginalized groups (Roja, 2018, p. 72).

While land reform and legal recognition of women's land rights represent significant initial steps toward promoting gender equality in land and property rights, the battle for women's land rights does not end with enacting such laws. The challenges lie in implementation and the need to change established practices and culture, a more challenging task than legislation enactment but one that significantly affects the realization of rights. Grassroots women must be actively involved in the land rights agenda, with an emphasis on encouraging their leadership roles and fostering networks with like-minded organizations at local, regional, and international levels. Community involvement in decision-making, policy formulation, and program design is crucial for solidifying women's land rights. Establishing national platforms for grassroots women's engagement on various land rights issues and creating funding mechanisms for credit facilities to support investment are also essential (UN Women, 2015). Documentation of issues affecting women's land

rights and their rights in situations of conflict and displacement is necessary for future reference. It is also vital to educate women about their rights and the avenues for enforcing those rights (UN Women, 2015).

Furthermore, addressing the agricultural information needs of women farmers is vital. This includes knowledge related to changing environmental conditions, drought management, water scarcity, and the revitalization of indigenous agricultural techniques. Cultural changes in local contexts have led to the disintegration of social systems in many rural areas, further emphasizing the importance of education and awareness in these communities (Hart and Vorster, 2006). Empowering women with information about drought-tolerant crops and sustainable farming practices, as well as fostering their understanding of these issues, can contribute to improved agricultural outcomes (Yusuf, Masika, and Ighodaro, 2013, 108). Ensuring access to information sources such as newspapers, magazines, television, radio, and agricultural exhibitions can facilitate knowledge dissemination among women farmers (Roja, 2018).

The right to access and control land assumes paramount importance in the lives of rural women in regions where their income and livelihood predominantly hinge upon these natural resources. The absence of land rights among women places their living conditions, economic empowerment, physical security, and pursuit of equity and equality in patriarchal societies in jeopardy. Furthermore, the dearth of land rights deprives women of a stable source of sustenance and constrains their access to other indispensable resources, such as credit, which plays a pivotal role in productive activities. This restricted access to credit and extension services further erodes women's capacity to retain authority over their lands (UN Women 2015).

Women hold a significant role in small-scale farming and food production, underscoring the critical nature of their access to land, not only for their well-being but also for ensuring food security. This predicament of limited access to land becomes particularly acute in contexts involving land grabs, climate change, and conflicts, particularly in light of the escalating number of female-headed rural households. Despite the promulgation of land policy reforms at various administrative tiers, the legal security of women's land tenure remains precarious due to prejudicial legislation, the coexistence of multiple land law regimes, and gender-neutral statutes. Often, these reforms fall short of addressing the socially and legally constructed disadvantages faced by women, resulting in ostensibly equal land rights in form but not in substance (UN Women 2015).

A comprehensive comprehension of the intricate issues surrounding women's land rights is imperative, particularly in the context of land grabs and climate change. It is crucial to undertake a gendered analysis of the repercussions of land reforms and possess a comprehensive understanding of different land tenure systems and their implications on women's access, ownership, and control of land. Additionally, endeavors should be made to safeguard women's land rights in the context of land grabs. The reestablishment of communal land management systems that traditionally safeguard access rights for marginalized groups presents another avenue worth exploring (UN Women 2015). This aligns with Hart and Aliber's (2010) contention that agricultural development researchers and extensionists in South Africa lack effective communication skills, gender awareness, and people-oriented skills, thereby highlighting the need for education in these domains. Given the complexity of land tenure systems, multifaceted policy solutions that account for cultural, political, and ecological factors across various levels of governance are imperative. A comprehensive evaluation of the implementation and consequences of land tenure reforms across multiple levels of governance is essential for identifying constraints, formulating solutions, and ensuring that reforms safeguard the rights and livelihoods of women and marginalized groups (Roja 2018, p. 72).

While land reform and the legal recognition of women's land rights represent significant initial strides towards promoting gender equality in land and property rights, the challenges lie in implementation and the necessity to reform entrenched practices and culture, a task often more arduous than enacting legislation but one that profoundly impacts the realization of rights. Grassroots women must be actively engaged in the land rights agenda, with a focus on nurturing their leadership roles and fostering networks with like-minded organizations at local, regional, and international levels. Community participation in decision-making, policy formulation, and program design assumes paramount significance in consolidating women's land rights. Establishing national platforms for grassroots women's involvement in various land rights issues and creating funding mechanisms for credit facilities to support investments are also indispensable (UN Women 2015). The documentation of matters affecting women's land rights and their rights in conflict and displacement scenarios becomes essential for future reference. It is equally vital to educate women about their rights and the avenues available for enforcing these rights (UN Women 2015).

Moreover, addressing the agricultural information needs of women farmers assumes vital importance. This encompasses knowledge pertinent to changing environmental conditions, drought management, water scarcity, and the revival of indigenous agricultural practices. Cultural shifts in local contexts have precipitated the breakdown of social systems in numerous rural areas, underscoring the significance of education and awareness in these communities (Hart and Vorster 2006). Equipping women with information on drought-resistant crops and sustainable farming techniques, as well as enhancing their comprehension of these issues, can contribute to enhanced agricultural outcomes (Yusuf, Masika, and Ighodaro 2013, 108). Ensuring access to information sources such as newspapers, magazines, television, radio, and agricultural exhibitions can facilitate the dissemination of knowledge among women farmers (Roja 2018).

Furthermore, women worldwide face numerous obstacles in accessing economic resources, including land, even as they shoulder an inordinate share of responsibility for family support, poverty alleviation, and the pursuit of economic well-being. Such gender inequality frequently stems from entrenched cultural practices. In certain instances, these cultural norms dictating gender roles, including land ownership, are ingrained into customary law. Conversely, in some situations, laws designed to address gender equality exist, but their implementation and the realisation of their intended outcomes are inconsistent, due to either a lack of enforcement or a shortfall in collective determination among citizens. This experience of gender inequality is exemplified in numerous global cases.

Ananda, Moseti, and Mugehara (2020) discuss how the fulfilment of women's land rights often falters at the stage of action plans and policies, which, regrettably, frequently remain unimplemented. This is largely due to a lack of genuine political will and the persistent influence of patriarchal norms within the African context. Supporting this perspective, Osorio and Galina (2020), as referenced by Ananda et al. (ibid), agree that gender inequality is a significant factor in determining the degree of women's substantive participation in land governance. This issue continues despite the African Union's appeals to national governments to enhance women's involvement in land administration, as well as obligations set forth in the Maputo Protocol to ensure women's improved and effective participation in all levels of decision-making.

Ananda, Moseti, and Mugehara (2020) further detail the challenges in actualising women's land rights, often hindered by unimplemented action plans and policies. This situation is mainly

attributed to a lack of genuine political engagement and the continued prevalence of patriarchal values in Africa. Echoing this sentiment, Osorio and Galina (2020), as cited by Ananda et al. (ibid), highlight the central role of gender inequality in affecting women's meaningful involvement in land governance. Despite the African Union's calls for enhanced female participation in land administration and the commitments under the Maputo Protocol for states to ensure women's representation at all decision-making levels, these issues persist.

Historically, customary land ownership in many African societies has prioritised communal and male lineage systems, often sidelining women from direct property rights and equal decision-making authority. Research indicates that women, especially upon marriage dissolution or the death of a husband, face eviction and are frequently deprived of land rights, even when familial intentions had been otherwise (Wildschut & Hulbert, 1998; Marcus et al., 1996; Classen & Ngubane, 2008; Njieassam, 2019). Customary law, valuing land as a collective asset for future generations, often sees men as the custodians, thereby exacerbating ownership and control disputes.

This dissertation emphasises that barriers to equal land rights stem from man-made impediments preventing the fulfilment of international commitments, crucial for rural women whose livelihoods depend on land. The absence of land rights for women and girls adversely affects their socio-economic development, health, and pursuit of equality in male-dominated environments. In rural South Africa, women's primary roles in agriculture and household tasks are undermined by patriarchal norms that exclude them from land ownership and related decision-making. The regulatory frameworks often favour men, sidelining women, particularly those with children (Land Reform Report 2018).

Moreover, this challenge is not unique to South Africa but is a global issue. Mbote (2016) points out the critical role women play in sectors such as agriculture and entrepreneurship, yet their contributions are seldom recognised in terms of land ownership or leadership in agricultural ventures. Legal barriers in many countries restrict women's equal rights, especially concerning land ownership, despite formal legal systems advocating gender equality. Customary tenure systems frequently leave widowed and divorced women at risk of dispossession.

The International Organization for Migration Report (2016) underscores that women encounter

numerous barriers when it comes to accessing, owning, and controlling land and property. In addition to poverty, they confront gender-specific impediments, including the design and implementation of programs that neglect women, a lack of awareness among women about their rights and land-related initiatives, gender-biased conduct by land officials, and social and cultural practices within specific communities. Another prevailing presumption in rural areas is that women are ill-suited to managing financial responsibilities, a role traditionally reserved for men. Many reports reveal that men possess superior information and procedural knowledge about land registration and inheritance policies. In contrast, women are often confined to household chores and family caregiving, diminishing their recognition as capable property owners and land transaction managers. Sociocultural and structural barriers effectively proclaim, "No land for women." This implies that even when women possess legal rights to land and property, these rights may not be socially recognized as legitimate. Society's distrust of women's land ownership and concerns about potential misuse of property by women form the basis for their exclusion. These decisions are rooted in misconceptions. In cases where women have land registered in their names, it is often due to male household members seeking tax exemptions or women receiving land as dowry from their parents, yet they may not fully enjoy the benefits of this land ownership.

Although signs of patriarchy exist, a typical patriarchal household usually provides material and emotional support for rural women (Walker 2003, 63). This support, however, makes substantive empowerment for women challenging in community decision-making processes, given the hegemonic practices in rural settings (McEwan 2005, 16). Married women are frequently treated as lacking land rights, with decisions about the land often made without their consultation (Jacobs et al. 2011, 381). The struggle for gender equality in land ownership, thus, is a global issue with deep economic, historical, cultural, and justice implications.

In Latin America, land reform experiences have confirmed that legal rights alone do not lead to significant advancements towards gender equality. Women should possess both access and ownership rights for land reform to be genuinely gender sensitive (Wilschut & Hulbert 1998, 4). In Zimbabwe, divorced women lack rights to their husband's land, even trees they have planted themselves. They are forbidden from living in homes they built and furnished. In Rwanda, gender inequality is prevalent in land access. Until the law governing prenuptial agreements, gifts, and inheritance came into effect in 1999, a man's death saw his widow become the usufruct of all

property acquired by the couple. However, now the widow's entitlement to conjugal property depends on whether the couple's prenuptial agreement stipulated joint property ownership (Tengey 2008, 17).

In Cameroon, as in most African states, customary law is integral to the legal system, with constitutional recognition and protection, especially concerning customary land tenure and its governance institutions. These laws, practices, and customs, respected and binding on every community member, serve as customary laws. Women in Cameroon, as noted by Njieassam (2019, 8), do not typically face challenges in accessing land for food production. However, the issue lies in complete control and ownership of land. Men traditionally dominate decision-making under customary law, often resulting in discriminatory practices against women. These practices stem from the patriarchal nature of indigenous communities, making land control and ownership difficult for women. Despite women being major contributors to sustainable development, food security, and poverty alleviation, the perception of them being weak and incompetent discourages them from land investment.

In South Africa, various factors contribute to women lacking rights to land they can access. Past colonial and apartheid laws, especially the Native Land Act of 1913, deprived black South Africans of their land, leading to socio-economic injustice and widespread landless citizens (Presidential Advisory Panel on Land Reform and Agriculture 2019, 10). A land audit in 2013/2014 revealed that 79% of the land was privately owned, with 14% owned by the state and 7% unaccounted for. Individuals, companies, and trusts owned 90% of the audited land, with white ownership at 72%, coloured at 15%, and blacks at 4% (Dellile 2021, 23).

Gender disparities frequently stem from institutionalised social frameworks that emphasise gender distinctions. Marginalisation, a process shaped by policy within society, can result in individuals feeling sidelined from their community. The case of Sizakele Nkosi sheds light on the injustices, inequalities, and discrimination faced by rural women, underscoring the need for more qualitative research. Such investigations can ensure that their stories contribute to the formulation of policies and programmes that are responsive to their needs.

Meer (1997:37) categorises four groups of women encountering barriers to land access:

- Widows with adult children fare best under the tenure system, with their families widely

accepted.

- Widows without children, akin to abandoned wives with independent children, can generally retain their land, although their situation is less secure, especially if they have only daughters, leaving them susceptible to impoverishment and loss of land.
- Single mothers are often marginalised, typically denied land rights due to societal pressures.
- Married women with absentee husbands usually struggle to secure arable land and possess limited freedom, depending heavily on their husband's support.

Women, treated as minors, struggle to access residential land, primarily allocated to men in patrilineal areas. Representation in tribal councils and courts is often denied, with proceedings typically dominated by elderly men, resulting in eviction or denial of redress for women (Budlender et al., 2011). Concerns about women's rights, particularly in cases of death, abandonment, divorce or additional marriage of their partners, highlight the priority of inheritance practice and customary law in land rights discussions (Cousins, 1996: 2). The powerlessness of women regarding land access was underscored in a Northern Transvaal study (Small, 1995). Redistribution land grants were typically given to male household heads, while unmarried women or persons were ineligible, leading to evictions and conflicts. This patriarchal system conflicts with national legislation, such as the Constitution's chapter 12 (211), which mandates traditional leadership to promote gender equality (Commission for Gender Equality, 2017:07). However, gender inequality and discrimination persist under traditional authorities (Commission for Gender Equality, 2017:35). Women's dependence on their husbands is exacerbated by the practice of allocating land to men (Small, 1995). This power imbalance prevents women from challenging discriminatory practices and hampers their ability to contest existing gender inequalities once they acquire land rights.

In the realm of legal entity studies, it has been observed that women exhibit a reluctance to engage with community structures due to societal censure (AFRA News, 1999:8). These concerns underscore the imperative need for mainstreaming gender equity within constitutional, legislative, and policy frameworks. The prevailing land policies across Africa have systematically marginalized women, depriving them of their rightful status as primary beneficiaries of land resources. This inequity is deeply rooted in patriarchal norms, which perpetuate the notion that men are heirs while women, regardless of age, agency, or marital status, are relegated to

subordinate positions akin to children. Regrettably, the South African democratic dispensation has failed to rectify this man-made structural problem, resulting in a lack of tangible positive outcomes in the implementation of democratic policies and laws. This protracted delay raises pertinent questions: What is the role of the Women Directorate in the Office of the Presidency in South Africa? What impediments hinder the realization of policies aimed at addressing this pressing issue? What measures are necessary for women to attain equitable access to land across Africa?

Research conducted within the African context serves as a stark reminder that the continent has yet to make substantial progress in resolving the issue of gender inequality. The inability to access land and the pervasiveness of poverty are identified as formidable challenges faced by women in Africa. Zondi and Magwaza (2023) emphasize in their publication that poverty in Africa disproportionately affects women. A study conducted in Ghana (Tengey, 2008) underscores the link between women's elevated poverty rates and their heavier domestic burdens, as well as lower literacy levels, primarily stemming from insecure access to land. Women are frequently tasked with family enterprises, cooking, water and firewood collection. Societal disregard exacerbates poverty levels among women who have limited access to labor opportunities, thereby intensifying their susceptibility to poverty. While men are economically active and possess access to land, women are ensnared in poverty, a predicament that could be readily alleviated if they were granted access to land to initiate food security projects.

1.2.1 Gender Inequality in South African Land Policy, Practice and Cultural Norms

As elucidated earlier, women's entitlement to land in South Africa is influenced by historical, legal, and socio-cultural factors. This paper vehemently asserts that any form of benefit that excludes women is a product of human design and warrants radical challenge. Colonial and apartheid-era laws dispossessed black South Africans of their land, and current land reform policies have proven inadequate in addressing the enduring gender disparities and injustices. Women confront a multitude of challenges in accessing land and economic resources, including patriarchal norms, traditional authorities, cultural constraints, violence, limited education, and inadequate legal safeguards. Consequently, women in South Africa persistently grapple with asserting their land rights, even when they have access to land. This unresolved dimension is a consequence of the enduring legacy of colonial and apartheid laws that dispossessed black South Africans of their land, perpetuating socio-economic injustice (Presidential Advisory Panel on Land Reform and

Agriculture, 2019:10). As articulated by Budlender et al. (2011:25), the South African government has attempted to enact laws aimed at advancing women's inclusion, but these efforts have not effectively ensured equitable access to land and wealth for women. This predicament is unlikely to ameliorate in the near future, as the Ingonyama Trust grapples with numerous challenges that undermine its role in addressing land-related issues. Consequently, women, especially those in rural areas with limited education and employment opportunities, continue to face significant barriers, including unequal division of labor, institutional violence, patriarchal land allocation and inheritance practices, traditional authorities, cultural constraints, and a dearth of legal protection, social services, education, and training. The absence of progressive policies and institutions further silences their voices, which should be advocating for their rights. Those who have attempted to assist rural women have made limited progress, primarily because they represent women who, due to entrenched patriarchy, are perceived as undeserving. This starkly highlights the prevailing stigma associated with being a woman in Africa.

Cheteni, Khafula, and Mah (2019:5) assert that gender relations, or power dynamics between men and women, remain a multifaceted concept with multifarious effects on economic outcomes celebrated by both genders. This issue has attracted the attention of numerous economists who have critiqued the unitary model for treating a household as a single entity in terms of consumption and production. As per the economists' analysis, this approach assumes that household resources are consolidated and allocated by an altruistic household head, who represents the household's preferences and seeks to maximize its utility. Moreover, in most rural and traditional settings, males typically assume the role of the household head culturally. This implies that household decision-making predominantly rests with males, excluding women from access to family resources. Within the African context, poverty appears to be perpetuated by decisions made within households, primarily controlled by males. Men inherit resources, including vast tracts of land, from their fathers and great-grandfathers. They also have the advantage of migrating to urban areas for employment, leaving behind their wives and children in rural areas, where they grapple with poverty and lack of access to land for starting vegetable gardens as a means to escape impoverishment. Consequently, the dominant narrative revolves around male control over household consumption and expenditures since males serve as the primary breadwinners.

Culture and social norms further exacerbate women's poverty and hinder their access to land.

Cheteni et al. (2019) also contend that culture and social norms imposed in patriarchal societies normalize this state of affairs. Social norms often delineate the principles governing households, dictating who should and should not have access to land. These social norms undermine women by constraining their opportunities for land ownership and perpetuating a cycle in which young women, born into poverty and deprived of land access, continue to face these challenges across generations. Consequently, poverty and land-related issues persist stubbornly in the sub-Saharan region, as policies address the symptoms of a patriarchal system rather than addressing the system itself. As a result, the redistribution of land remains largely controlled by men in South Africa.

Customary land ownership in South Africa historically emphasised communal ownership, reinforcing patriarchal cultural systems whereby land inheritance predominantly favoured the male lineage. This situation is underscored by Wildschut and Hulbert's observation that women, despite having access to communal land, are subjected to numerous restrictions pertaining to land usage, settlement, cropping, marriage, and more (Wildschut & Hulbert, 1998:34). Despite many women participating in and supporting male mediation, there is a significant faction that aspires for unmediated property rights and equal authority with men. This lack of access to land rights among African women is symptomatic of a deeply entrenched patriarchal society (Marcus et al., 1996).

Research conducted by Classen and Ngubane (2008) shed light on the tribulations women face in securing land allocations from traditional leaders. Their study found that women often face eviction following the breakdown of a marriage or the death of a husband. Divorced or widowed women who return to their natal homes frequently encounter hostility and are ejected by their brothers. Unmarried sisters suffer a similar fate, often being expelled from their natal homes by their married brothers following the demise of their parents. This arises as sons invariably claim sole inheritance rights, even if the father had designated his daughter as the steward of the family home. Despite these manifestations of patriarchy, it is noteworthy that traditional patriarchal households often provide material and emotional support for rural women (Walker, 2003:63). However, this arrangement often impedes the substantive empowerment of women within community decision-making processes, primarily due to the hegemonic practices in rural settings (McEwan, 2005:16). Typically, wives are not recognised as having rights to land, which is viewed as the property of the husband and his natal family. As such, wives are seldom consulted regarding decisions about the land, whether these pertain to land usage or land transactions (Jacobs et al.,

2011:381).

A comprehensive land audit conducted between 2013 and 2014 unveiled the stark disparities in land ownership in South Africa. It found that 79% of the country's land was privately owned, while the state owned a mere 14%. A baffling 7% of the land remained unaccounted for. Of the total land audited, 90% was owned by individuals, companies, and trusts. A racial breakdown of the audit demonstrated an overwhelming bias, with 72% of land being owned by whites, 15% by coloureds, 4% by blacks, with an additional 1% shared by co-owners. The remaining 3% of land owners could not be identified by race (Dellile, 2021:23).

The Mail & Guardian (6th February 2022) reported that in 2020, 83% of female beneficiaries of land leases and disposals were part of collectives, indicating that they did not hold individual land leases but were instead members of collective groups, which also included men. In contrast, only 50% of male beneficiaries received land as individuals. This suggests that, in most instances, women could access land redistribution policies only if men also benefited. Given the clear constitutional and political mandate for change, why has land redistribution remained an unattained goal for South African women? Answering this question is challenging due to the lack of transparency surrounding the state's land redistribution program. The policies governing land allocation are opaque, and data concerning land reform beneficiaries is seldom published. This opacity poses particular hardships for women.

The right to access and control land is pivotal in the lives of rural women in South Africa, as it enables them to feed themselves and their families and generate income. Access to land creates intergenerational wealth, food security, and fosters self-determination, thereby contributing to women's social and economic empowerment. Failure to address gendered land ownership patterns amounts to a failure to uphold women's right to equality and human dignity.

Additionally, the Mail & Guardian (ibid) further elaborates that the current approach to land redistribution reinforces inequality by emphasizing demonstrated agricultural skills and experience, which women often lack. Existing land ownership patterns also mean that women are less likely to possess the skills typically required for land redistribution.

Table 2: Land ownership by gender

Province	Male		Female		Other		Total
	No.	%	No.	%	No.	%	
EC	6 145	53	3 016	26	2 519	22	11 680
FS	9 182	60	5 119	34	876	6	15 177
GP	26 690	56	19 139	40	1 762	4	47 591
KZN	12 674	42	8 780	29	8 538	28	29 992
LP	8 135	51	5 283	33	2 495	16	15 913
MP	7 139	55	4 480	34	1 401	11	13 020
NW	11 154	46	6 739	28	6 228	26	24 121
NC	4 536	63	2 318	32	333	5	7 187
WC	9 395	56	5 775	34	1 681	10	16 851
Total	95 050	53	60 649	34	25 833	14	181 532

Source: Land Audit report 2017.

The table illustrates disparities in land ownership based on gender. The presented data unequivocally demonstrates that males possess 276 hectares of land, while females own only 80 hectares. Odeny (2013) and Massay (2020) have highlighted a recurring challenge faced by women in their pursuit of equitable land inheritance rights, particularly when government policies confer such rights. This challenge stems from a lack of education and awareness regarding these entitlements. Odeny (ibid) asserts that laws granting women land rights can only be effective if there is widespread awareness of these laws, the capacity to assert these rights, a conducive governance environment, and a shift from customary practices to statutory laws. Customary traditions that remain unyielding tend to favor one group at the expense of another, persisting when the favored group controls a community or nation's economic, political, and social spheres.

1.2.2 South Africa's Land Reform Policy

South Africa's transition to a democratically elected government in 1994 introduced a new dimension aimed at rectifying the injustices of the colonial and apartheid eras. This democratic transition was not only celebrated as a political liberation but also as an avenue through which South Africans could reclaim what had been held by the regimes of the preceding political eras. The primary objective was the reclamation of land that South Africans regarded as ancestral. In accordance with the provisions of the South African Constitution (No. 108 of 1996), the Department of Land Affairs took the initiative to revise policies in alignment with participatory democracy, thus affording security of land tenure for all citizens.

The institutionalization of the Department of Land Affairs was sanctioned by Section 9 of the Constitution (ibid). The department's principal mandate was to review land reform policies fundamentally designed to facilitate and expedite land redistribution to rightful beneficiaries. This endeavor was not only in acknowledgment of the achievements of the democratic dispensation but also in accordance with international policies supporting the redress of land issues in South Africa. These principles unequivocally prohibit any form of unjust discrimination, whether direct or indirect, based on factors such as race, gender, sex, pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, language, or birth.

In April 1997, the South African Land Policy became a public document. Its fundamental purpose was to rectify or reform past injustices in land allocation, which were repercussions of the ideological and economic policies of the apartheid era. The land reform policy put forth a vision and implementation strategy for South Africa's land policy that aimed for justice, reconciliation and stability, and aimed to promote economic growth and strengthen household welfare (DLA, 1997: v). It incorporated three sub-programmes: Redistribution, Restitution, and Tenure Security, with several laws enacted within the programme to actualise the reforms. The programme related to tenure security has so far struggled to pass a law that would address the land insecurities primarily seen in the former homelands/Bantustan areas.

The land policy underscored the necessity of gender equity so that women could obtain fair and equitable benefits. It further acknowledged the right to equality before the law and the right to equal protection and benefit of the law, as entrenched in section 9 of the constitution. The policy aimed to ensure that these rights would be protected and implemented.

Land ownership and gender rights have witnessed significant advancements with the extension of the Security of Tenure Act. For the first time, this act acknowledged women on equal footing with men in its definition of "occupier." The government's white paper on Land Reform has emphasized its specific intention to target women within its land reform policy. Following the democratic elections of 1994, the government undertook revisions and amendments to rectify past discriminatory policies and legislation, aimed at addressing gender discrimination. Furthermore, the establishment of a Commission on Gender Equality and a Ministry responsible for Women was executed to ensure women's full and equal participation in all aspects of society.

Present-day discussions in South Africa predominantly revolve around the issue of land access. Certain political parties have advocated for land expropriation without compensation. Recently, the Cabinet granted approval for a draft Position Paper on Land Administration and Land Tenure Reforms in Communal areas, which will undergo further consultation with pertinent stakeholders. Meanwhile, work is in progress on a Land Expropriation without Compensation Bill designed to facilitate state-driven land access for all citizens. These proposed reforms aim to provide a legal framework to initiate the process of transferring communal land to individuals or communities whose land tenure is legally insecure.

The primary objective of the Land Redistribution for Agricultural Development Act is to promote commercial farming activities among African farmers. The Act also commits to prioritizing women, young people residing in rural areas, and projects led by women, with the objective of allocating one-third of the resources to women. However, it is regrettable that this policy does not establish specific measures to advance women's interests in this context (Khuzwayo 2021:203). The proposed Communal Land Tenure Policy of 2014 (CLTP) has been put forward as a replacement for the contentious Communal Land Rights Act (CLRA) of 2004, which was ultimately invalidated by the Constitutional Court. Similar to its predecessor, this policy does not address gender considerations and stipulates that Communal Property Associations (CPAs) will not be formed in areas where a traditional council exists (Khuzwayo 2021:204). The Communal Land Rights Act (CLRA) of 2004 raised concerns among academics and activists as it granted chiefs increased authority over land and failed to enhance land tenure security for ordinary or vulnerable individuals. The Constitutional Court eventually invalidated this Act in 2010 (William et al. 2017). The authors contend that it is erroneous to bestow traditional authorities with land ownership or significant rights in its allocation and administration. They also highlight the emergence of another variation of customary tenure in KwaZulu-Natal.

1.2.3 The Ingonyama Trust

The Ingonyama Trust is an entity that oversees state-owned land in KwaZulu-Natal, a province in South Africa. It was formed in 1994 as a result of a deal between two political parties, the National Party and the Inkatha Freedom Party, before the country's democratic transition. The Trust's role is to manage about 2.8 million hectares of land on behalf of certain communities. The board of the Trust has the authority to grant land tenure rights to around 4.5 million people who live on the trust

land under the control of 241 traditional councils. The board also has the duty to protect land rights from illegal occupants and to implement appropriate spatial planning for integrated development. However, the law requires that the Trust must respect the land rights of individuals and communities under its jurisdiction (Centre for Law and Society 2015:2). Sizani Ngubane, a late land rights activist and founder of the Rural Women's Organisation, highlighted during a live stream from the Geneva Ennals Award Ceremony that "In South Africa, women face discrimination, with the most egregious expression being widespread gender violence. In rural communities, they frequently experience land expropriation and are denied access to education and justice" (AllAfrica 2020:2).

1.3 ORIGINALITY OF THE STUDY

The originality of the study is centered on persisting experiences of rural women in the context of land access and ownership. It extended to critically review past and present land policies, group areas act, Ingonyama Trust Act and later developmental programs such as 2019/2020 Presidential Pilots Projects of Employment Stimulus Projects. The concluding chapter recommended an intervention that is contributed as a solution to the explored problem.

This project, under the Presidential Employment Stimulus, aims at job creation, job retention in vulnerable sectors, and direct support for livelihood strategies. In 2014, South Africa introduced the 50/50 policy to allow farm workers to own shares in the farms they work on, providing them job security.

President Cyril Ramaphosa initiated fifty pilot projects to test this policy, primarily aimed at supporting vulnerable groups such as women, youth, and individuals with disabilities. The policy focuses on transforming land ownership and stimulating economic development in the agricultural sector. The inaugural pilot project, launched in KwaZulu-Natal in 2016, has yet to deliver outcomes that significantly benefit women, highlighting a persistent challenge that has particularly motivated this research. The application of Structuration theory and Black Feminism theory has enabled this study to identify and examine intersecting barriers that obstruct the effective implementation of the South African Constitution's provisions (Act No.108 of 1996), which advocate for the inclusion of rural women in land rights discussions, as well as access and utility.

These theoretical frameworks have also facilitated an analysis of obstacles preventing the

successful realisation of policies and interventions designed to rectify the injustices excluding rural women from direct land ownership benefits. A systematic review of existing literature reveals a scarcity of research on women's experiences participating in these projects. Moreover, there has been insufficient examination of the outcomes from the 2020 Ingonyama Trust judgment, a legal challenge brought forward by the Rural Women's Movement, and its consequences for rural women's access to land. This study seeks to fill these research voids.

The research further explores the global historical trend of women being denied access to essential resources such as land. Endemic poverty often exacerbates broader societal issues and contributes to the creation of unsafe communities, necessitating collaborative efforts between governments and individuals. Empowering people, especially those who depend on land for their livelihoods, is crucial in addressing poverty, inequality, and hunger, thereby reinstating dignity within society.

Women worldwide have historically been denied access to resources like land. This study explores the impact of colonialism, patriarchy, socio-cultural customs, and current policy decisions on women's access to land. The analysis of land reform policies from other countries confirms that colonial legacies significantly affect land ownership. Despite progressive constitution, gender equality, and land policies in post-1994 South Africa, there is a likelihood that rural women may not be benefiting as intended due to existing injustices and prejudices. The study aims to investigate these inequalities, particularly affecting black women in KwaZulu-Natal rural areas.

This research seeks to analyse how poverty, inequality, and lack of land access experienced by rural women contradict their constitutional rights and the policies meant to economically empower them. It aims to contribute to policy and legislation recognising land rights and usage and participate in the current debate on land access. The research will focus on rural women in KwaZulu-Natal, as there is limited research combining the themes of poverty, inequality, and access to land for these women.

Previous research has mainly concentrated on poverty, inequality, and unemployment, with less focus on rural women's access to land. This study aims to address this research gap and contribute to the understanding of the experiences of impoverished black women in rural KwaZulu-Natal.

1.4 INTRODUCTION TO THEORETICAL FRAMEWORK

The study utilised three theoretical frameworks: Structuration Theory, as developed by sociologist Anthony Giddens, alongside Black Feminism Theory. The intersectionality of these theories lies in their critical examination of structural issues that disproportionately exclude women from basic human rights, services, and opportunities, which are more readily available to men. Structuration Theory posits a reciprocal relationship between societal structures and individual actions, suggesting that societal systems emerge from the interplay of social orders and individual behaviours, thus refraining from giving precedence to either aspect. This duality, enacted by societal participants, promotes the development of social systems through routine interactions.

Giddens' theory, when applied to rural women's poverty, provides an innovative approach, recognising both social structures and individual actions as contributors to persistent poverty, unemployment, and inequality, despite anti-poverty measures. For instance, barriers like land access for rural women represent this dynamic. Giddens opposes the separation of structural and individual influences when assessing social issues such as poverty.

Structuration theory brings to light the continuous interplay between societal processes and individual actions, shaping institutions and organisations. It offers a balanced understanding of societal systems, reconciling structural and individual elements. In terms of poverty, it helps to understand how both societal structures and individual actions can contribute to or alleviate social issues.

Giddens defines agency as human action crucial for society's reproduction and transformation. He introduces "reflexive monitoring of action" - agents' ability to reflect on their actions in specific contexts. This study applies Giddens' structuration theory to explore the gendered practice of knowledge sharing. Within this framework, structure is conceived as rules and resources organised as social system properties, while agency is defined by individual actions and constraints.

Giddens proposes three primary sources of interaction in individuals' agency: communication, power, and sanction. These sources interact with each other and relate to the structural dimensions of signification, domination, and legitimisation. In this study, theories provide constructs for better understanding the dynamics of public policy formulation and the realities of social injustices.

The study utilises Giddens' structuration theory and Black Feminist theory to better understand the

livelihood challenges, discrimination, exclusion, and oppression faced by indigenous rural women in South Africa. The goal is to introduce transformative approaches that can influence policy-making decisions for the benefit of rural and impoverished populations. The primary focus of social science should be on social practices, as their reproduction through social activities forms the foundation of societal interactions and transformations.

The Black Feminism Theory delves into the interconnectedness of race, gender, class, and various socio-cultural and political identities. It underscores the notion that feminist theory is not solely concerned with women but also addresses multiple forms of oppression and their intersectionality. Black Feminism Theory scrutinises societal norms, the patriarchy, and culturally constructed roles for women, which are frequently associated with demanding physical labour without male assistance.

In summary, the insights provided by these theoretical frameworks shed light on the experiences of rural women, which are shaped by structural challenges, policies that fail to respond effectively, and patriarchal traditions. The forthcoming summary of Giddens’ Theory will explore the intersections of these two frameworks. These discussions will be contextually elaborated in chapter four of the thesis.

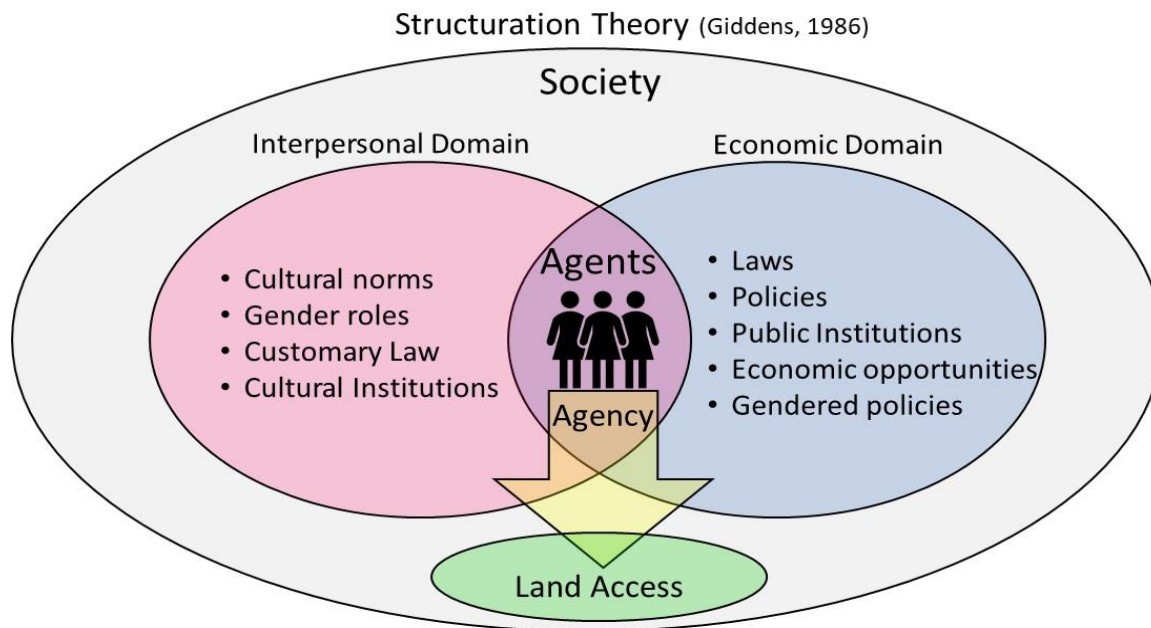


Figure 1: Theoretical Framework of Women’s Land Access

1.5 RESEARCH OBJECTIVES & QUESTIONS

The principal aim of this research is to investigate the difficulties faced by rural women in KwaZulu Natal in gaining access to and control over land. The objectives of the research are informed by the theoretical frameworks utilised in the study. The research questions for this empirical investigation are formulated to provide a deeper understanding of the research problem previously introduced. The key research objectives of the study, linked to two theoretical frameworks, are outlined as follows:

1.5.1 Structuration Theory of Social Milieu

Objective 1: To investigate experiences of Agents in owning and seeking land in rural KwaZulu-Natal.

1.5.2 Interpersonal Cultural Domain

According to the theoretical framework of Structuration Theory, one of the two domains constructing the social milieu is the interpersonal domain. Therefore:

Objective 2: To assess Agents' influence of culture, marital status, sexuality and gender on access to and ownership of land in rural KwaZulu-Natal.

1.5.3 Research Questions

The primary question of the study was: 'What are the daily realities and challenges faced by rural women seeking access to land for agricultural purposes?' The secondary research questions were as follows:

- How is your marital status affecting you to participate on land issues and to own land?
- How is your status entitled to inherit or to own land this area?
- What is the extent of inequality that is experienced by women land owners and seekers?
- What is the prevalence of women owning land in rural KwaZulu-Natal?
- To enquire about women's land ownership, land entitlement, land inheritance.

1.5.4 Political Economy Domain

According to the theoretical framework of Structuration Theory, one of the two domains constructing the social milieu is the economics and policy domain. Therefore:

Objective 3 is: To assess influence of Agents' knowledge of land rights, poverty, food security availability of employment, empowerment programmes levels on access to and ownership of land in rural KwaZulu-Natal.

Research Questions:

- What is your employment experience?
- Do you have any access to empowerment programmes?
- How is your experience of food security?
- What is your level of understanding of land rights and land policies?
- What are the levels of poverty amongst women land owners and seekers in rural KwaZulu-Natal?
- What level of farming skills do you have?

1.6 RESEARCH METHODOLOGY

The study employed qualitative research methods, which are inherently inductive. These methods seek to comprehend social reality by capturing the subjective definitions, experiences, in-depth descriptions, and meanings individuals attach to specific events. Researchers utilising qualitative methods in this study hold the view that human consciousness, thoughts, feelings, and perceptions are crucial for understanding the depth of individuals' experiences within their natural environments. Experiences documented through qualitative research are subsequently used by researchers to assess whether policies have achieved their intended outcomes or have contributed to the marginalisation of vulnerable groups, thereby informing the development of holistic and comprehensive interventions. The selection of qualitative research was also influenced by two theoretical frameworks previously outlined. Insights from these frameworks necessitate detailed accounts of the experiences of rural women concerning land access, ownership, and usability.

A case study was employed as the research design. Case study research designs are deemed the most suitable for this study as they facilitate the exploration of real phenomena (women's experiences of land ownership) within a specific context (rural Kwa-Zulu Natal). The qualitative case study methodology is apt for uncovering various dimensions of the phenomena within this particular setting. This study aims to delve into how individual participants perceive and experience poverty and inequality, rendering the qualitative approach ideal. Qualitative researchers adopt the case study research design to analyse and describe people's needs, life

situations, and histories. Case studies focus on groups of people, which in this study's context are rural women and key activists in land activism. Through the case study research design, the researcher immerses in the real world of the studied population to record detailed narratives of the challenges faced. The primary goal of case study research designs is to enable the researcher to collect data directly through face-to-face interaction rather than relying on technological methods of data gathering.

Data collection remains empirical and inductive. In-depth interviews were utilised as the method of data collection, aligning with the qualitative research method's objectives by allowing the researcher to ask open-ended questions through which participants can share their experiences. In-depth interviews enable the researcher to probe until saturation is reached, serving as a measure of the validity and reliability of the findings in qualitative research. As discussed by Kvale & Brinkmann (2009), this approach is favoured in qualitative research for its effectiveness in deepening our understanding of the phenomena under study.

The objective of using this method was to interpret reality, describe and explain the social world, and develop explanatory models for the case being examined (Cresswell, 2013). Individually conducted in-depth interviews were chosen for their potential to yield genuine insights into the participants' experiences. The study purposively sampled twenty-nine research participants, considered a large number for a qualitative study, but necessary to ensure the inclusion of all key participants. The University of KwaZulu-Natal granted ethical clearance for the study, which also received gatekeeper permission before the commencement of data collection.

The study adopted inductive thematic analysis and flexible coding systems tailored to the data collected, to analyse the transcribed interviews (Elo & Kyngäs, 2008). Manual coding facilitated the identification, classification, and categorisation of variables useful for data analysis. Thematic analysis was conducted following the principles of qualitative description, employing both manifest and latent thematic analysis (Graneheim & Lundman, 2004).

1.7 STRUCTURE OF THESIS

Chapter 1: Background of the Study. This chapter outlines the study, providing a background to the research, justifying the research, presenting the research problem, setting the research objectives, posing research questions, summarising the research methodology, asserting the

trustworthiness of the study and addressing ethical considerations.

Chapter 2: Literature Review–Land and Gender. This chapter explores general issues of women’s inequality in society, tracing the origins of inequality to customary laws and cultural practices, showcasing commonalities across different countries. The chapter discusses this gender inequality phenomenon in relation to land access, and frames the intersection of cultural practices, social norms and political and economic policies as a lens for understanding women’s access to land. It depicts South Africa as a detailed case for these issues.

Chapter 3: Literature Review–Zulu Women and Land. This chapter describes the specific case of rural women in KwaZulu-Natal, investigating the issues around gender inequality, customary law, cultural practices and the intersection of these with political policies concerning land access.

Chapter 4: Theoretical Framework. This chapter consolidates the issues discussed in the literature review chapters, using a theoretical framework based on Structuration Theory to analyse these issues. The theoretical framework offers a structure for the research objectives and research questions, aiming to validate the theoretical framework of women’s unique experiences of accessing land in the case study context.

Chapter 5: Research Methodology. This chapter outlines the research methodology employed in the study. As part of the chapter, it discusses the research procedures followed in the collection and interpretation of data.

Chapter 6: Data Analysis and Findings. This chapter presents the findings from the empirical research in a thematic form based on the research questions and initial analysis.

Chapter 8: Research Conclusions and Recommendations. This chapter discusses the research findings, offering analysis in relation to the research problem, literature reviewed, research questions and theoretical framework. The chapter explores contributions made by the research to the body of knowledge and suggests recommendations for applying the findings and for future research.

CHAPTER TWO: LITERATURE REVIEW–LAND AND GENDER

2.1 INTRODUCTION

This chapter ventures into an extensive exploration of literature regarding poverty, inequality, and access to land, drawing upon perspectives that span across continents and around the globe. The goal is to amplify the global uproar calling for policies designed to obliterate poverty and inequality, and to champion the cause of land access for women in rural areas. The international viewpoints examined, including those from Cameroon, Latin America, and India, promise to contribute valuable lessons for South Africa. This chapter directs its lens towards literature emerging from the Global South, with a particular spotlight on former settler colonies within the Southern African Development Community (SADC) region, such as Zimbabwe. The scholarly consensus is unwavering: poverty, inequality, and access to land rank as the most pressing socio-economic challenges the world faces today.

Furthermore, the chapter offers a critical examination of public policy, land reform policy, historical contexts, and other significant aspects that have contributed to the complex land challenges faced by Zulu rural women. It also rigorously critiques laws deemed unjust, especially those that encroach on the human rights of rural women, including the Ingonyama Trust Act, the Extension of Security of Tenure Act (ESTA), and the Labour Tenants Act (LTA). The analysis of empirical data focuses on evaluating the effectiveness and appropriateness of land reform policy and its relationship with the development of public policies designed to empower women and address their marginalisation. The objective is to perform a comparative analysis of strategies implemented by various countries encountering similar issues, pinpointing the gaps between global and local realities. These findings will assist in comprehending the situation of rural women in KwaZulu-Natal in terms of land access.

2.2 GENDER INEQUALITY

Gender inequality, the societal process whereby men and women are subjected to unequal treatment, often originates from differences related to biology, psychology, or deep-seated cultural norms. These distinctions, some firmly anchored in empirical evidence and others seemingly shaped by social construction, lead to a diverse array of lived experiences among different genders.

Gender inequality is an omnipresent element in cultures across the globe (Unesco 2021,10).

Women around the globe confront formidable barriers to accessing economic resources, land being one of them, whilst simultaneously shouldering a disproportionate share of familial responsibilities. This inequality frequently stems from ingrained cultural practices, which at times are institutionalised into forms of customary law. Laws aimed at promoting gender equality do exist, but their enforcement and the achievement of their intended outcomes are inconsistent, often hampered by enforcement challenges or an absence of collective resolve.

The Department of Traditional Affairs Strategic Plan (2015) recognises this gender bias, candidly stating, "The sector is male dominated at all levels... it is still a long way to achieve gender equity within the sector" (CSDA 2019, 14). Women are presented with numerous hurdles that prevent them from actualising their full potential, thereby inhibiting social and sustainable inclusive development.

Gender is a crucial identifier of social and economic stratification, leading to exclusion. Systematic gender disparities in material well-being persist, with men typically holding superior positions in social, economic, and political hierarchies. The quest to reduce gender inequality has been a key objective in global and national strategies for more than two decades (Unesco 2021, 15).

Despite sustained global efforts, women in many parts of the world remain less educated and have less access to resources, capabilities, and opportunities compared to men. Women are more likely to find employment in the informal sector, earn lower wages, and have lesser access to productive assets and financial resources (Unesco 2021, 21). The survival strategies employed by women and men in the face of extreme poverty can actually intensify poverty. For example, when economic resources are scarce, women often ramp up their income-generation activities while continuing to undertake routine care work at home, culminating in 'time poverty'. In contrast, men often resort to escapism, depleting household resources and imposing additional burdens on women and older girls (FAO 2010).

Women constitute half of the world's population but do not enjoy an equitable share of wealth, well-being, and opportunities (IPS, 2011). The discourse on gender-based disparities in land ownership is not a new one, although empirical studies on the subject have been lacking. Over the course of human history, the primary impediment to improving the socioeconomic status of

women has been identified as men's control over critical economic resources. This argument is rooted in the historical dominance of men over land, the first essential economic resource, which subsequently extended their supremacy into other aspects of human life (Engels, 1884; Adams & Sydie, 2001). The association between patriarchy and landownership has long been a topic of debate, with multiple perspectives.

The existence of dual tenure systems and multiple legal frameworks is one of the contentious issues that exacerbate women's challenges in accessing land, especially in many developing countries, notably African nations. This complexity hinders legal coherence, as statutory and customary laws often differ. Land tenure is subject to various rules, laws, customs, traditions and perceptions that are sometimes contradictory. Land rights are influenced by different, sometimes conflicting, bodies of law, such as land titling law, constitutional law, marriage and divorce law, as well as a blend of customary and religious laws (Namubiru-Mwaura 2014, 2-3). These multiple legal frameworks can generate contradictions and confusion regarding women's rights and which rights should be recognised. Consequently, many of these rules continue to reinforce gender inequities (ibid). Razavi (2005, 1) observes that the new generation of land reforms, despite addressing gender inequality, does not necessarily create more gender-equitable environments than earlier efforts. Land reform policies often remain gender-blind. For most rural women, land tenure remains complex, with access and ownership layered with barriers present in their daily lives, such as discriminatory social dynamics, unresponsive legal systems, limited economic opportunities and a lack of influence in decision-making. South African women, in particular, continue to experience significant challenges related to land dispossession and insecure land tenure (Waldron 2018, 251; Claassens 2014, 5).

During the apartheid era in South Africa, land allocation in homelands favoured male farmers, disregarding women's prior claims (Murugani 2013, 2). Although legislations introduced in 1985 and 1988 no longer considered rural women as legal minors in land-related matters, this new legal status did not necessarily align with customary law and practices. Customary law often excludes Black women, relegating them to minority status concerning land rights and ownership (Weideman 2004, 365-568). In rural settings, creating a stable environment is essential for women to exercise their rights. Pressing issues that hinder rural women's empowerment include patriarchal hegemony and functional divisions defining the "ideal" woman, as well as government misuse of power that

can disrupt the unity among program beneficiaries. Factors like illiteracy in tribal areas contribute to a lack of awareness about training, skill enhancement or educational programs (Rathore 2012). Sewpaul (1994) emphasises that women need heightened awareness and politicisation to confront the oppressive forces shaping their lives. Reflective dialogue, praxis (a process of action and reflection) and the development of critical consciousness are essential for women to understand how external social and political realities influence their lives (Freir 1970). Additionally, deconstructing dominant notions of masculinity and femininity is crucial. Men must comprehend how their gender privileges them and work to dismantle patriarchal narratives. Stereotypical gender thinking and relationships also disadvantage men in various ways (Sewpaul 1994). Deconstructing these concepts of masculinity and femininity is a critical step toward emancipating all women (ibid).

2.3 RURAL WOMEN

Women, particularly those in rural regions, constitute a substantial portion of those living in poverty. Alarmingly, the ratio of females living beneath the poverty line outstrips that of men. Gender inequalities and societal norms, which designate their roles, interactions, and positions within families and communities, intensify the deeply distressing life experiences of women and girls, particularly those in rural environments (Journal Arts & Culture).

Tracing back to the earliest centuries, African women have been engaged in a protracted battle against unequal power dynamics. Individuals growing up and living in rural environments are inculcated into fulfilling distinct societal roles and adhering to gendered expectations, norms, and values. The cultural construction of gender solidifies within these rural households, exacerbating the subordinate position of women and girls in these settings and amplifying their lived experiences. Despite their crucial socio-economic roles, women remain impoverished, unseen, unheard, and excluded from decision-making processes (ibid). Gender inequality, typified by a societal process in which men and women are treated differently, may originate from distinctions rooted in biology, psychology, or prevalent societal norms. Some of these differences are empirically supported, while others seem to be socially contrived.

Gender inequalities often originate from societal structures that have institutionalised perceptions of gender differences. Marginalisation at an individual level can result in someone feeling

relegated to the fringes of their respective society. This societal process illustrates how extant policies can impact individuals. The rationale of the study is to uncover the stark realities of injustice, inequalities, and discrimination experienced by rural women.

Women are often treated as minors within both the family and the community. Single women face substantial obstacles in accessing residential land, as residential sites are "traditionally" allocated solely to men in patrilineal areas. Women are often barred from participating in traditional institutions such as tribal and village council meetings where land rights decisions are made. The lack of representation of women in tribal councils and courts, restrictions on addressing meetings, and women being dismissed or overlooked when they try to speak have been cited as key issues. Tribal courts, typically dominated by elderly men and seen as favouring men over women, handle family and land disputes. This has serious implications, with disputes potentially resulting in women's eviction from their homes and women being denied redress when they allege rights violations (Budlender et al., 2011:15).

Women express concerns about their rights and security in cases where their male partners die, abandon them, divorce them, take additional wives, or choose not to marry. Consequently, inheritance practices and customary law become priority issues for women when discussing land rights. There are also concerns about the rights of their daughters and unmarried women. They call for the assurance of rights and access to land in the long term, irrespective of the fate of the men they are in relationships with (Cousins, 1996: 25).

References to inequality, equity, and disadvantage can take various forms. Legislative, policy, or strategy documents from the state clearly state that apartheid-era injustices have led to inequalities in the distribution of resources, services, and opportunities, requiring sectoral policy to acknowledge and address these inequalities. These documents also indicate clear synergies between poverty, inequality, and social exclusion, with similar recognition across themes. There is a broad, multi-dimensional understanding of inequality, recognising its political, social, and economic dimensions due to inequalities being deeply rooted in the discriminatory policies of the past (Centre for Social Development Agency, 2019: 26). States are obliged to eliminate discrimination against rural women to ensure gender equality and their participation and benefits from rural development (Kambel, 2004:13).

The catastrophic impacts of the climate crisis have been felt worldwide, and women, due to their societal roles, discrimination, and poverty, disproportionately bear the brunt of these negative effects (Bua News, 08 March, 2012, p1). The lives of indigenous women, heavily reliant on natural resources, are being undermined due to droughts and flooding. As firewood and water become increasingly scarce, girls and women are compelled to travel longer distances to procure them. This exposes them to a heightened risk of sexual or physical violence, and leaves them with less time for education, employment, or social participation.

In efforts to provide for their families, women frequently spend more time collecting water or food due to climate change, rather than generating income. In times of financial hardship, girls are often required to assist in the field instead of attending school. Moreover, women are often excluded from political decision-making, even though their traditional roles often provide them with a deeper understanding of how to devise effective measures.

2.3.1 Gender and Poverty

The prevalence of poverty in South Africa, particularly among women, constitutes a complex and multifaceted issue with deep roots in structural inequalities. The escalation of poverty in women, referred to as the 'feminisation of poverty,' symbolises a widening gender gap and denotes a higher rate, severity, and increasing incidence of poverty among women compared to men (Kehler, 2001: 43). A better understanding of the nature of poverty is a crucial step toward finding solutions to alleviate it.

Poverty can be interpreted in absolute and relative terms. Absolute poverty signifies a situation where individuals cannot afford a basic basket of goods necessary for material survival, such as nutritional and other essential items (Mohr, 2010:166). In contrast, relative poverty describes individuals whose income is lower than the median or average value, such as those within the lowest 10, 20, or 40 percent of the income distribution. This form of poverty varies across countries and even regions within a country, such as the disparity between the US and South Africa (Mohr, 2010:166).

The South African context reveals that these manifestations of poverty are intimately associated with landlessness and structural character, with poverty rates persistently high and large populations trapped in chronic poverty, with few opportunities for social mobility (Brady, 2009). These conditions tend to be more severe in rural regions, where poverty rates exceed those in urban areas, particularly among individuals living in female-headed households (World Bank, 2018:32). Reports indicate a significant disparity between hunger in female-headed households (11.1%) and male-headed households (9.7%) (StatsSA, 2019).

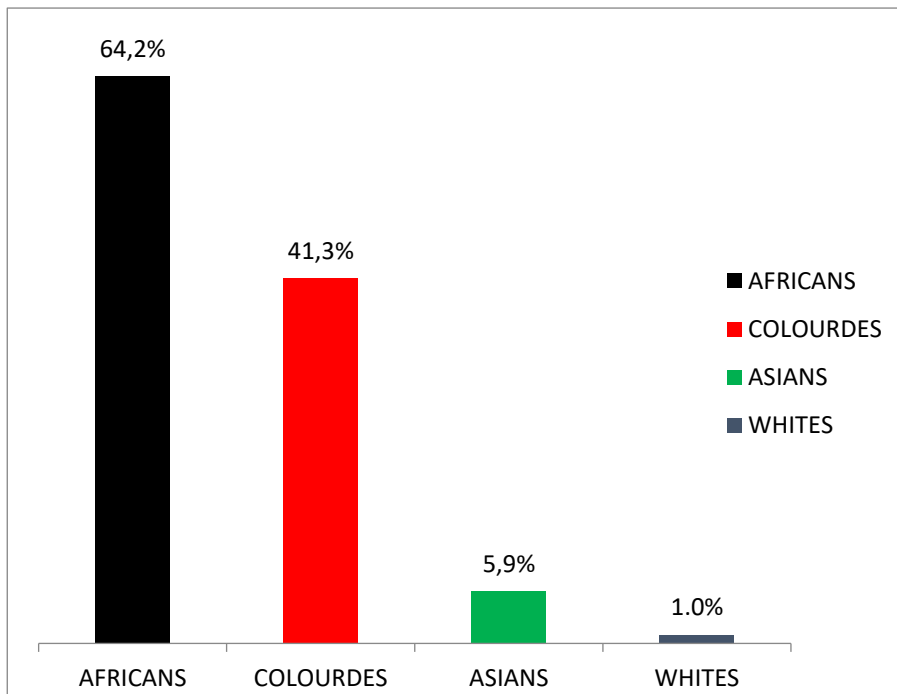


Figure 2: Living in Poverty Statistics (SAHRC, 2018)

Decades of exclusionary policies based on race have resulted in an unequal distribution of resources, leading to high levels of poverty among marginalised groups (ibid). With the advent of democracy in 1994, there arose an urgent need for transformation and redistribution of resources to address the prevailing racial, spatial, and economic inequalities. The effects of these exclusionary policies are evident in the high poverty levels among women, particularly those leading households.

Women in South Africa, especially those in rural areas, often face social isolation, limited access to education and training, and barriers to accessing information regarding land reform programmes (Meredith Sagger et al., 2011). This state of affairs contributes to the maintenance of women's

inferior societal status and complicates their poverty experiences, making them more complex than those of men (FAO, 2010).

To measure and understand these nuances in poverty experiences, some researchers have proposed assessing poverty at an individual rather than a household level more accurately. Traditional measures of poverty, such as household income or consumption, often fail to capture the realities of within-household inequalities, particularly disadvantageous for women (FAO, 2010). By assessing poverty at the individual level, we can better account for these internal disparities.

However, tackling the 'feminisation of poverty' in South Africa requires more than understanding its nature and manifestations. Policies and interventions aimed at eradicating poverty should incorporate various mechanisms such as increasing employment, incomes, and productivity as well as social protection and quality public services (ibid). They should also consider women's decision-making in relation to assets, an essential aspect of their empowerment, especially in rural areas (Commission for Gender Equality, 2017:07).

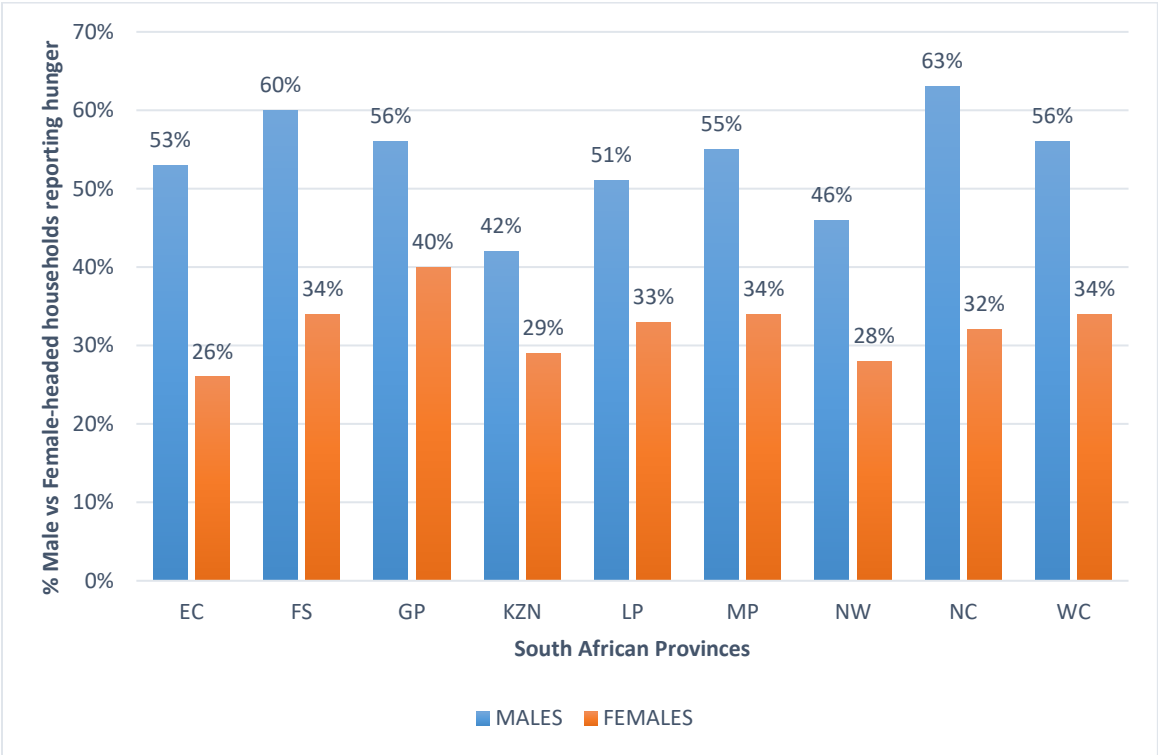


Figure 3: Male vs Female-headed households reporting hunger by Province (StatsSA, 2019)

It is vital to remember that these efforts should not inadvertently deepen existing divides or have counterproductive effects. Some policies aimed at reducing poverty and creating opportunities for

women have sometimes had paradoxical consequences, deepening the chasm separating urban and formal 'insiders' from rural and informal outsiders (Ramantsima et al., 2020:5). An approach that integrates the complexities of poverty and the specific challenges faced by women is therefore essential to the success of these endeavours.

In conclusion, the 'feminisation of poverty' in South Africa is a manifestation of systemic gender inequalities and historical, race-based exclusionary policies. To combat this phenomenon, it is crucial to understand its complexities and apply a multidimensional perspective. Furthermore, gender-sensitive poverty measures and interventions, coupled with a commitment to social transformation and the redistribution of resources, are key to achieving the goal of poverty eradication.

The World Bank's 2018 study provides an overview of the poverty landscape in post-apartheid South Africa, revealing significant yet uneven progress towards socio-economic equality (World Bank, 2018:32). With a pronounced rural-urban divide and a spatial pattern closely linked to apartheid-era segregation, the study portrays a multifaceted picture of poverty in the country, emphasising the notable concentration in rural areas and provinces like Eastern Cape, KwaZulu-Natal, and Limpopo. It further underscores that female-headed households and Black South Africans are particularly affected, reiterating the interplay of race, gender, and spatiality in poverty manifestation (World Bank, 2018:32).

Historical apartheid policies, predicated on racial exclusion, engendered high poverty levels by systematically impeding most of the country's population from meaningful economic participation and accessing basic public services. As a consequence, resources were unfairly distributed, relegating marginalised groups to enduring hardship. However, the advent of democracy in 1994 brought an urgent call for transformation and redistribution, instigating policies such as the Reconstruction and Development Programme (RDP), Growth, Employment and Redistribution (GEAR), Accelerated and Shared Growth Initiative for South Africa (AsgiSA), and subsequently the National Development Plan (NDP) (ibid). South Africa's NDP envisions the elevation of living standards through a blend of initiatives, including the augmentation of employment opportunities, income levels, and productivity, bolstered by social protection and quality public services. The government's commitment to poverty eradication is embodied in its fiscal policy, and the effectiveness of development policies will be gauged by improvements in the living conditions of

the poorest South Africans (ibid).

Considering the gendered experiences of poverty, the FAO (2010) asserts that women's encounters with extreme poverty can often be more intricate and multi-layered than men. This can be attributed to the intersection of gender with existing socio-economic marginalisation and the burdens of social norms and expectations (FAO, 2010). Traditionally, poverty measurement has centred on household-level income or consumption metrics, such as the World Bank's guidelines rooted in purchasing-power-parity. Nevertheless, such approaches can be critiqued for their gender-blind nature, which may obscure the actual extent of poverty among women and fail to encapsulate their unique experiences (FAO, 2010).

To effectively discern the prevalence of extreme poverty among women compared to men, it is necessary to shift from household-based assessments to individual-level analysis. The latter confronts conventional assumptions of equal intra-household resource distribution, revealing the gendered disparities within domestic settings. Despite the methodological difficulties, this individual-focused approach can generate a more nuanced understanding of poverty, exposing women's often disadvantaged positions in accessing income and assets (FAO, 2010).

Some scholars argue that poverty should not be confined to income-based measurements, echoing the multidimensional conceptualisation of human well-being. Such an approach promotes the incorporation of diverse deprivation forms experienced by men and women into poverty assessments. This broader, more inclusive understanding of poverty is imperative to comprehensively address the phenomenon in South Africa, particularly in light of the persistent rural-urban divide and the gendered and racialised disparities in poverty experiences.

2.3.2 Women and Climate Change

Climate change has manifested through a series of catastrophic events felt globally, and research indicates that women are disproportionately affected. The brunt of these ecological disruptions is often borne by women, especially those in vulnerable positions. Therefore, a path to sustainable future must inevitably integrate gender equality and women's empowerment into climate crisis solutions. This is particularly essential in regions like KwaZulu Natal, where women's livelihoods are greatly intertwined with environmental stability.

In the rural sectors of KwaZulu Natal, the Department of Agriculture and Rural Development has

observed firsthand the gender-specific impacts of climate change. Natural disasters and changing environmental patterns disproportionately threaten women's education and livelihood. This heightened susceptibility results from a complex interplay of women's social roles, systemic discrimination, and prevalent poverty (Bua News, 08 March, 2012, p1).

The climate crisis is exacerbating existing gender inequalities, as disadvantaged groups, including women and girls, face further deprivation. For instance, the lives of indigenous women are inextricably tied to natural resources, which are rapidly diminishing due to ecological degradation. Droughts, floods, and other calamities triggered by climate change are leading to loss of livelihoods, forcing women and girls to traverse longer distances for firewood and water. Such efforts expose them to heightened risks of sexual or physical violence and compromise their opportunities for education, employment, and social participation.

Women's responsibilities often increase in the face of climate change. More time and energy must be spent procuring water and food, which could have been dedicated to income-generating activities. As resources dwindle, girls are often pulled from schools to assist with these burdens. Yet, despite their intimate knowledge of their environments and their significant contributions, women frequently find themselves excluded from decision-making processes.

Women's unique insights, drawn from their traditional roles and responsibilities, could be instrumental in formulating effective climate adaptation and mitigation measures. As powerful agents of change, they possess indigenous knowledge that can enhance food security, prevent environmental degradation, and maintain agricultural biodiversity. Therefore, their active participation and consultation must be ensured in environmental planning, financing, budgeting, and policymaking processes. For instance, rural women's involvement in climate adaptation and mitigation efforts at community level can prove particularly beneficial.

The call for gender equality in climate action stems from the recognition that gender concerns are intrinsically linked to every aspect of climate change. Just as climate policy interventions are evaluated for cost-effectiveness and environmental impacts, they should also be assessed for their implications for social justice and gender equality. To ensure this, binding requirements for gender assessment should be incorporated into policy design and implementation. The expertise available in gender analysis should also be utilized to optimize climate action outcomes. This integration of

gender concerns is crucial in our quest to navigate the complex challenges of the climate crisis and build a sustainable future. (ibid)

2.4 WOMEN AND TRADITION CUSTOMS

Customary, cultural and religious practices are often imbued with patriarchal ideologies that place women in subordinate positions (Mansfield, Preston and Crawford 1988, 12). The roles assigned to women are typically stereotyped and confining, and thus women are often excluded from meaningful participation, leadership and decision-making in cultural and religious practices (ibid). The challenges faced by rural women, who account for a quarter of the world's population, are particularly marked. These women struggle more than men in accessing public services, social protection, employment and markets due to cultural norms, security issues, marginalisation, exclusion and lack of identification documents (Mansfield, Preston and Crawford 1988, 15). Therefore, the empowerment of rural women is a matter of urgency.

Women have concerns about the rights and security they have when men die, abandon them, divorce them or take other wives. As such, inheritance practices and customary law become significant issues for women when discussing land rights. They are also concerned about the rights of their daughters and unmarried women (Cousin 1996, 2). A study undertaken in the Motaong village of the Northern Transvaal by Small (1995) indicated a great degree of powerlessness in relation to land access for women. Land redistribution grants were predominantly given to male household heads. Unmarried women, as well as those without land or homes of their own, were generally ineligible for land grants. However, single men could inherit their parents' land. There were instances where sons evicted their mothers due to conflicts. A divorced woman with children could apply for a stand if she produced a divorce certificate, a document that men were often reluctant to give (Small 1995, 22).

These customary and patriarchal practices are often at odds with national legislation, such as Chapter 12 (211) of the Constitution, which recognises traditional leadership in the context of customary law, especially in cases where traditional leadership is obliged to promote non-sexism and gender equality in rural areas (Commission for Gender Equality 2017, 07). Yet, issues of male dominance, gender stereotypes, gender inequality and discriminatory practices against women persist within traditional authorities (Commission for Gender Equality 2017, 35). In rural parts of

South Africa, land is largely under the custodianship of chiefs and kings, which gives traditional leaders a significant degree of control over land resources (Deveaux 2003, 172). Women's access to social resources and opportunities in any given society is often influenced by their disadvantaged position, which is based on a matrix of class, race and gender relations. Therefore, it is important to examine the effects of these relations on different aspects of women's lives, particularly rural women. Class should be understood as "social relations premised on access to resources as well as the production, exchange, distribution and consumption of goods and services" (Kehler 2001, 43).

Conversely, 'gender' should include social roles and attitudes, and societal expectations, which describe social and cultural beliefs about the interactions between women and men. Gender can thus be seen to encompass both "sexual division of labour and cultural definitions and ascriptions concerning femininity" (Bradley 1998, 22). In communities, the systemic allocation of land to men exacerbates women's dependency on their husbands. Married men, being accorded the highest status in the community, are expected to participate in all decisions concerning community welfare (Small 1995). Women's exclusion from decision-making roles often prevents them from challenging many discriminatory practices.

Within communities, the systemic allocation of land to men amplifies the dependence of women on their husbands. Married men, who enjoy the highest status within the community, are typically expected to partake in decisions pertaining to the welfare of the community (Small 1995). The exclusion of women from decision-making roles frequently hinders their ability to challenge numerous discriminatory practices. This underscores the powerlessness experienced by women, as obtaining land rights would empower them to transition from a subordinate economic, social, and political position. Land rights possess the potential to fortify women's capacity to contest prevailing gender inequalities across the realms of society, culture, politics, and economics (ibid).

The examination of select laws, policies, and strategies in South Africa revealed varying degrees of acknowledgment concerning poverty, inequality, and social exclusion. In general, policy and strategic documents exhibited a higher level of recognition, both prior to and post-2011, in contrast to legislative documents (Centre for Social Development Agency 2019: 25). These documents recognized the presence of vulnerable groups and the necessity to integrate them into public policy. Attention to gender and spatial disparities was widespread within certain sectors but not

universally embraced (ibid). Consequently, the theories employed in this study endeavor to elucidate how poverty, inequality, and restricted access to land adversely impact the lived experiences of rural women in KwaZulu-Natal (ibid).

2.5 WOMEN AND LAND

Land and its use are integral to the livelihoods of rural women, providing access to natural resources that sustain their existence. However, the lack of land rights for women and girls exacerbates their vulnerability, affecting not only their living conditions and economic empowerment but also their physical well-being, and impedes their fight against patriarchal inequality. Despite being responsible for the majority of agricultural food production and household labour in South Africa's rural communities, women are largely denied land ownership due to the patriarchal nature of African society.

The influence of this patriarchal system in land decision-making procedures often results in the marginalisation of women, particularly when it comes to land ownership. Rules governing access and inheritance in rural societies consistently favour men over women, contributing further to the gender disparity in land ownership (Land Reform Report, 2018:65). Women worldwide play a pivotal role in various sectors of economic production, from agriculture and livestock to business. Nevertheless, several studies show that in numerous countries, legislation limits women's ability to fully exercise their rights, particularly those related to land ownership. Additionally, the prevalent customary land tenure systems frequently bar women from possessing or controlling land, inhibiting their inheritance rights. This state of affairs leaves divorced and widowed women particularly susceptible to dispossession, despite the existence of formal legal systems and policies advocating gender equality (Mbote, 2021:16).

In Latin America, it has been observed that "having legal rights alone does not necessarily lead to substantial progress towards gender equality. For a land reform to be truly effective in terms of gender sensitivity, it is crucial that women have the ability to own and access land in their own right" (Wilschut & Hulbert, 1998:4). In Zimbabwe, divorced women are denied any rights to their ex-husband's land, including trees they might have planted themselves. They are even barred from residing in homes they have built and furnished. Similarly, in Rwanda, issues surrounding gender inequality and land access persist. Prior to the implementation of the law on prenuptial agreements,

gifts, and inheritance in 1999, a widowed woman would have usufruct rights to all properties the couple had acquired. However, under the current law, a widow's entitlement to marital property hinges on whether the prenuptial agreement stipulated a system of joint ownership (Tengey, 2008:17). The referenced literature sheds light on the breadth of experiences that women undergo within the framework of patriarchal customs and gendered inheritances, where men are often favoured over women.

Customary law, which serves as the foundation for the practices and activities of many indigenous societies, is considered a living set of regulations. Although indigenous groups generally regard land as a collective resource, several disputes have arisen over land rights, primarily those concerning ownership and control. As an ancestral gift, land is considered a natural resource meant to be conserved and passed on to future generations. Male local leaders or family heads customarily hold land in trust for the entire community and have the authority to "lease" land to individuals for various purposes, such as farming, hunting, or construction (Njieassam, 2019:6).

Studies have consistently revealed that the majority of the world's impoverished population, particularly women, reside in rural areas, with agriculture as their primary source of livelihood. However, addressing the pressing issues of poverty, hunger, and gender disparities requires not only a focus on women but also the active involvement of men in transformative efforts to reshape gender relationships (Doss, 1999:18).

This necessitates an in-depth examination of the lifestyles of rural women in Africa, especially within the context of globalization and its associated neoliberal capitalism, which has become the dominant socioeconomic framework worldwide. Globalization, while leading to significant wealth accumulation for a select few, has disproportionately excluded marginalized populations, with rural women and children being among the most affected (ibid).

Structural adjustment policies, closely intertwined with globalization, have further exacerbated challenges faced by women and children in Africa. Doss's comprehensive analysis, based on 25 years of research on women farmers in Africa, underscores the critical role of gender in shaping women's subordinate positions within their families and communities. These gender disparities manifest in various aspects, including access to land, labor, agricultural resources, and the devaluation of women's work, despite their significantly longer working hours compared to men

(Doss, 1999:21). Black rural women in Africa experience a compounded disadvantage, facing discrimination based on their race, gender, and socioeconomic status. Centuries of systemic discrimination have left these women among the world's poorest, limiting their access to essential resources such as markets, credit, land, education, and healthcare. Improved education among women has been shown to enhance productivity, leading to better family health, child survival rates, and investments in children's human capital. Societies benefit from economic growth, extended life expectancies, and improved political institutions as a result of empowering women. Despite the myriad challenges that Africa faces, including civil conflicts, corruption, debt crises, natural disasters, and health issues like malaria and tuberculosis, women remain disproportionately vulnerable to absolute poverty and food insecurity compared to men (ibid).

Access to clean drinking water presents a substantial hurdle for rural women in Africa. Collectively, these women lose over 40 billion work hours annually due to the necessity of obtaining safe drinking water. Additionally, the time spent collecting firewood further compounds their challenges. The lack of access to clean water jeopardizes the safety and privacy of rural girls and women, increasing their vulnerability to sexual abuse. Furthermore, inadequate sanitation facilities in schools contribute to the high dropout rates among girls, especially during menstruation (World Health Organisation Report, 2004).

Initiatives like the Water for People project, which installs toilets, drinking, and hand-washing stations in rural schools, have successfully increased school attendance and retention rates among girls (Haws, 2006). Shockingly, approximately 1.1 billion people globally, one-sixth of the world's population, lack access to safe drinking water, leading to 2.2 million deaths annually, primarily among children, due to water-related diseases (Obanda, 2003).

The arduous journey undertaken by African women to collect water, averaging around 6 kilometers, places immense physical strain on them as they carry water containers weighing up to 20 kilograms on their heads. It is worth noting that the water used to flush a toilet in many parts of the world equals the amount an individual in the developing world uses for various daily activities, including drinking, cooking, and cleaning (Keith Schneider, 2008:12). Disparities in water costs further compound the difficulties faced by the population, with Nairobi, Kenya, residents paying five times more for one liter of water than their North American counterparts. Additionally, 1.5 billion individuals worldwide suffer from parasite infections resulting from inadequate hygiene,

sanitation, and water access. Rural women, often marginalized due to their remote locations and lack of information, are disproportionately affected by various calamities (ibid).

The Food and Agriculture Organization of the United Nations conducted a study to analyse the patterns of land ownership in countries once affected by colonialism, comparing the extent to which women's empowerment was prioritised in relation to land rights (FAO, 2009). The study aimed to propose ways to improve the inclusion of women in policy processes and recognise them as a crucial group of beneficiaries. In South America, for example, around sixty million rural women work for over 12 hours a day to ensure their families' survival. Despite their central role in maintaining their families, these women's access to resources is often not guaranteed. It has been reported that men and women do not enjoy equal access to land resources, reflecting a gender disparity in land ownership (FAO, 2009).

The gender inequality in land ownership has been linked to a bias towards men in matters of inheritance, marital privileges, community and state programs of land distribution, as well as within the land market. Men are more likely to acquire land through community or state distribution or via the market than women (Deere, 2003).

Secured land rights are vital for the economic empowerment of women and can play a significant role in the fight for equality and sustainable development in South Africa. Issues of land redistribution have been fiercely contested and have long been a part of the national dialogue around equality, equity, and sustainable development. Women have traditionally been key drivers of stability, progress, and long-term development within societies (Walker, 2003: 47).

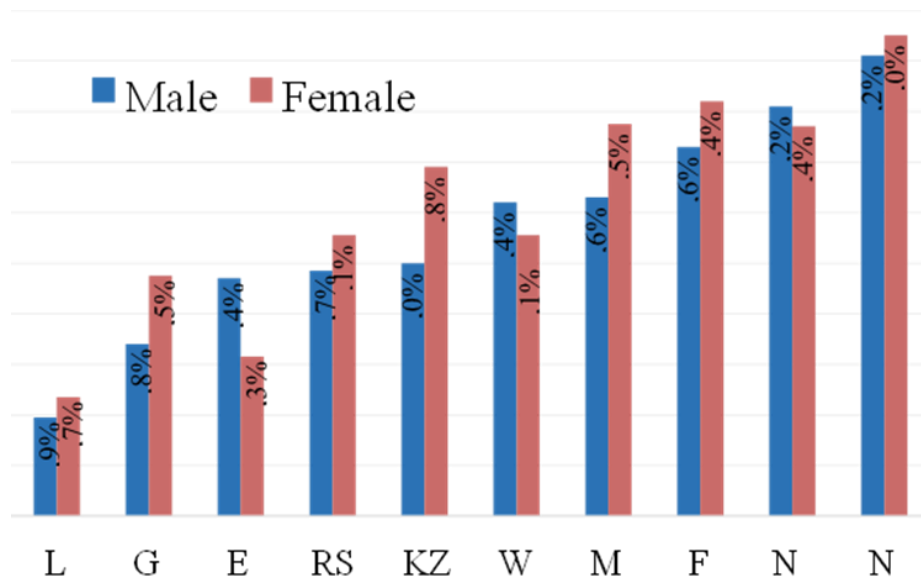


Figure 4: Gender Inequality in Land Ownership

Significant barriers exist for women in accessing land, as revealed by a study conducted in the Motaong village of the Northern Transvaal (Small, 1995). The study found that land grants were often only awarded to household heads, who were predominantly male. Unmarried women, or women without land or homes, were generally deemed ineligible for land grants. Single men, however, could inherit their parents' land. The study also found cases where sons evicted their mothers due to conflicts. Divorced women with children could apply for land only if they produced a divorce certificate, a document that men were often reluctant to give.

Meer (1997:37) identifies four types of women who face barriers to land access:

- Widows with grown-up children: These women are in the best position under the current tenure system. Their families are viewed as acceptable and are accepted by the wider community.
- Widows with no children: These women are equivalent to abandoned wives with young children who were already settled on their own land holdings before their husbands passed away.
- Single mothers with children: These women are considered the most disadvantaged group as they head their households but are not seen as eligible for land rights.
- Married women with an absent husband: These women are usually disadvantaged in securing arable land, have limited freedom, and may not be able to move the house without the husband's support and permission.

Women play a crucial role in food production in the developing world and are often responsible for feeding their families. Therefore, access to land should be considered central to the fight against colonialism and for equal rights (ibid). Creating safe environments for women is of paramount importance, particularly in rural areas, and legislative compliance should be monitored and enforced by the government to ensure that women can participate in community structures and in all areas of the economy (Hall, 2004: 25). Inequality based on gender refers to the unequal treatment or perception of individuals based on their gender, often stemming from distinctions that are either empirically grounded or socially construed (Ridgeway, 2011:89). This inequality is not solely perpetuated through differential access to and control over material resources. Gender norms and stereotypes further reinforce gendered identities and constrain the behaviour of women and men in ways that contribute to inequality.



Figure 5: Traditional Zulu Women

Source: Superstock.com/IOL

Many people worldwide, particularly women, still suffer from a lack of security of tenure. This presents unique risks and challenges for women who till the land but do not own it. Women around the globe are routinely denied their human rights to access, own, control, or inherit land and property (Benschop, 2004: 2).

In many parts of the world, innovative practices and programming have been developed to

facilitate gender-equitable property rights. The United States Agency for International Development (USAID) has suggested that legal and policy reforms might be considered as part of strategies to address these issues (Deere and Leon, 2001:68).

Land is a critical asset in agricultural economies, providing a means for rural people to feed themselves and their families. In several developing countries, laws have been enacted to protect women's land rights (USAID, 2008: 23).

Understanding the complexities surrounding women's land rights is essential for ensuring these rights are protected and improved. This entails acknowledging that laws, customs, and norms vary widely from country to country, region to region, and among ethnic groups within countries. Therefore, the meaningful inclusion of women in the design and implementation of projects and policies to secure women's land and property rights is imperative (Katz and Chamorro, 2003; Doss, 2005).

Land reform, as defined by Boyce et al (2005), involves reallocating rights to establish a more equitable distribution of farmland. This can be a powerful strategy for promoting both economic development and environmental quality. Facilitating access to land can therefore be a cornerstone for sustainable rural livelihood and community development.

Acquisition of land through inheritance or marriage is often complicated by social customs that conflict with legal reforms aiming to achieve gender equality. Even when some women inherit land, decision-making power over such land may be assumed primarily by male family members. Land registration practices in some countries record only the male's name, based on the assumption that the male is the head of the family, thereby limiting women's right to land (ibid).

2.6 LAND REDISTRIBUTION

Land reform, a broader term encapsulating both land redistribution and land tenure reform, is often implemented within the context of a more comprehensive strategy of agrarian reform. This is a collection of activities and modifications designed to alter a country's agrarian structure. Influential factors shaping this structure include bioclimatic conditions, socio-economic, cultural, and political systems, population density, and technology. The overarching objectives of agrarian reform typically aim to enhance agricultural production levels, both qualitatively and

quantitatively, and to improve agricultural producers' living standards.

Land reform often represents governmental attempts to alter land ownership distribution. Frequently, it aims to transform an agrarian structure predominated by large-scale farms into one where family farms are more prevalent. This is achieved by redistributing land taken from large landowners or the state to tenants and landless peasants. Historically, land redistribution has been enacted to abolish feudal, colonial, or collective forms of land ownership and to rectify historical injustices more generally.

The conducted study into the inability of policies to capture local conditions highlights the critical role of policy implementers, beneficiaries, and third parties in articulating and reinterpreting policy intentions (Long 1989, 200:57). The study reveals that when different parties share an understanding of the key concepts and normative principles underpinning the policies, a foundation is laid for negotiating locally specific settlements. However, some problem areas may persist as constraints and become the justification for open or covert acts of resistance (ibid).

Livelihood security struggles revolve around the capacity to respond to changes in the natural and policy environment. These struggles are informed by historical processes that have rendered full-time agricultural pursuits practically unviable. The study indicates two main implications for the research into the relationship between land reform and local livelihoods: intervention requires reconsideration, and greater attention must be paid to the numerous interactions at the interface (Long 2001:12).

Much of the uncertainty surrounding land reform outcomes in South Africa relates to the actor's struggle to balance absorption into extra-local institutions and networks, which may provide social and material benefits, and restructuring social relationships in which they are disadvantaged due to poverty, powerlessness, or invisibility (Cousins and Scoones 2010:34). They further highlight that policies, as expressions of intent, do not convey an uncontested truth. Instead, they manifest as a broad development language that may traverse various institutions and become encoded in technocratic discourse, policy documents, and bureaucratic practices.

According to Cousins and Scoones (ibid), this language is advanced by a decentralised 'policy community', comprised of various international, national, and local actors coordinated by an authority and participating in problem identification and presentation. The product of development

planning typically does not fully capture 'development realities', people's experiences of change, or their coping strategies. Instead, it reconstructs fragmented representations in simulation models of 'progress' and economic growth. In the context of land restitution policies, 'progress' and 'project viability' are presented to beneficiary communities as complete packages that couple historical redress of land rights with the establishment of viable commercial farming enterprises. The aspiration to uplift Africans involves recasting them in the mould of the established commercial agriculture sector and promoting a notion of large-scale production (ibid).

The role of government is crucial in establishing and implementing land reform policies, as land reform is a national mandate. Research has indicated that previous policies and legislation purposefully overlooked women as beneficiaries of developmental initiatives. Despite women's key role as family providers, they have limited influence on land matters.

A study analysing the experiences of poverty, inequality, and lack of land access among women in South Africa revealed a lack of literature on the subject. Although policies, legislation, and programmes exist to address poverty, inequality, and land access among women, progress is slow and lacks robust support and implementation. Thus, the formulation and implementation of land reform policy aim to eradicate poverty and promote equitable land access, responding to the call for growth and development.

Land tenure reform programs frequently attempt to modify the legal and institutional framework for land administration. Other common changes attempted by land tenure reform programs include altering the land tenure system and decentralising the land administration and management function. The need for land reform regularly re-emerges in any society as the legislative and institutional frameworks for land administration must be continually adapted to meet changing political, economic, and social circumstances.

2.7 LAND IN SOUTH AFRICA

2.7.1 Land History in South Africa

Despite the passing of over a quarter of a century since South Africa's transition to democracy, the transformative effect of this landmark event has not fully reached the millions who remain jobless and impoverished. Land dispossession persists as a hindrance to the prospects of innumerable

South Africans, creating a bottleneck in the nation's economic progress. The stark imbalance between black and white South Africans is one of the most critical obstructions to development (World Bank).

In order to fully unlock South Africa's economic potential, it is crucial to significantly reduce disparities in income, skills, assets, and opportunities. The historically skewed distribution of land and productive resources in the country is a source of inequality and societal instability. Next to skills, the present land distribution is the second-biggest obstacle to poverty alleviation and shared prosperity. Indigenous South Africans have voiced concerns that the country's assets — including its land, minerals, human resources, and businesses — have long been managed in a way that prevents full value realization.

The 1913 Natives Land Act, which led to the dispossession of land from indigenous people, was the original sin of apartheid. The "land question" traces its origins back more than a century to this Act, which formalized a process of dispossession that had been ongoing since the colonial era. The Act restricted African land ownership to 7%, and later 13% through the 1936 Native Trust and Land Act, resulting in thousands of black families being forcibly displaced from their land by the apartheid regime. This marked the start of the socio-economic issues that the country continues to wrestle with today, such as landlessness, poverty, and inequality.

South Africa has the dubious distinction of being the most unequal country globally, with high rates of poverty observed across different racial groups. Black South Africans account for 64% of those living in poverty, followed by 41% of coloured individuals, 6% of Indian individuals, and 1% of white individuals. This inequality is visibly evident across both economic and racial lines.

As per StatsSA, South Africa remains one of the most unequal countries worldwide in terms of gender, race, and economy. The report underscores that women continue to experience economic exclusion, thereby emphasizing the necessity for state policies that promote equitable economic participation, free from discrimination (StatsSA, 2018).

Giddens (2006) defines exclusion as the marginalization of individuals, resulting in restricted access to both material and social resources. Social exclusion can also result from personal choices, such as the failure to meet legal obligations or participation in illegal activities (Giddens, 2006).

2.7.2 Land Redistribution in South Africa: A Constitutional Mandate

Land redistribution essentially entails the fair reassignment of land to society's landless and dispossessed individuals. In the South African context, this aspect is tightly intertwined with the country's land reform programme and is contained within Section 25 (5) of the Constitution of the Republic of South Africa. This section obligates the state, within its available resources, to create conditions that allow citizens to access land on an equitable basis (The Constitution of the Republic of South Africa, 1996). (Mabasa et al., 2021:190). Therefore, this part of the Constitution necessitates that the state, within its means, cultivate conditions that enable equitable land access for the landless population. The South African state is anticipated to set up legislation and other institutions to accomplish this objective. This section provides the required measures to facilitate redress and equitable land distribution amongst all citizens (ibid).

2.7.3 Legislative Framework

White Paper on South African Land Policy

The White Paper on South African Land Policy (WPSALP) (1997) openly champions women as primary beneficiaries of land reform processes. This document accentuates that women's inability to break free from poverty is chiefly due to their limited access to, and rights over, land. It underscores that these inequalities are primarily a consequence of discriminatory social practices (WPSALP, 1997:12).

The 1994 Reconstruction and Development Policy (RDP), which supports the WPSALP, proposed that land redistribution should particularly concentrate on women. The policy aimed to reform institutions, practices, and laws that previously inhibited women's access to land. The declaration of the Rural Development Programme marked the beginning of a developmental state in South Africa, with transformation initiatives promoting this new paradigm (Levin, 2009: 944).

The 2016 High-Level Panel

In 2016, a high-level panel was constituted to examine legislation that might address the issues of poverty, unemployment, inequality, and nation-building in the country. Under the chairmanship of the former president Kgalema Motlante, land was a central issue. Public hearings provided an opportunity for those who have received land across the country to voice their opinions on the outcomes of restitution. The authors note that the hearings were dominated by frustrations and anger, with the government shouldering the bulk of the blame for various identified issues

(William et al., 2017:135).

William further argues that, due to the backlog and delays in processing land claims, there is a need for appropriate skills for the task. He suggests that section 9 of the Restitution Act should be used to appoint an independent, qualified research panel to oversee research, read reports, and ensure that they meet adequate standards. While there is little possibility that the government will meet the requirements set out by the Constitutional Court for validation of the Restitution Amendments Act 2018, it is crucial that these arrangements are in place before the new claims lodged under that process are considered (ibid).

The issue of land access is currently a dominant topic within national debates in South Africa. Certain political factions have proposed the notion of land expropriation without compensation. Recently, the Cabinet approved a draft position paper on Land Administration and Land Tenure Reforms in Communal areas, intended for further consultation with relevant stakeholders. Concurrently, the Land Expropriation without Compensation Bill is being considered, with an aim to provide all citizens with equal opportunities to access land. The proposed reforms aim to initiate the process of transferring communal land to individuals or communities with legally insecure land tenure (ibid).

Constitution of the Republic of South Africa

According to Section 25 of the Constitution of 1996, "the state should adopt appropriate legislative and other measures, subject to available resources, to facilitate conditions enabling citizens to have equitable access to land" (Constitution, 1996). This has led to the enactment of several legislative measures forming part of an extensive land reform programme aimed at rectifying the inequitable land ownership and transforming the spatial landscape.

The 1996 Constitution of the Republic of South Africa prohibits any unjust discrimination based on race and promotes equality.

Gender inequality is addressed in Section 187 of the Constitution. The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 espouses the following principles:

The consolidation of democracy in South Africa necessitates the eradication of social and economic inequalities, particularly those systematic in nature, which originated from our history

of colonialism, apartheid, and patriarchy, causing significant pain and suffering to the majority of our population. Three clauses included in the South African Constitution aim to redress the effects of apartheid in relation to land:

- An individual or community dispossessed of property subsequent to 19 June 1913 due to past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, to restitution of that property or to equitable redress.
- The state must adopt reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to have equitable access to land.
- An individual or community whose tenure of land is legally insecure due to past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, to secure legal tenure or to comparable redress.

The White Paper on South African Land Policy (WPSALP)

With the advent of South Africa's first democratically chosen government in 1994, the Department of Land Affairs initiated a process of reforming policies to align with participatory democracy and provide all citizens with opportunities to secure tenure (DLA, 1997: v). Land reform aims to correct or modify historical injustices related to land distribution that stemmed from the ideological and economic policies of apartheid.

The White Paper on Land Policy (1997) accentuates that the objective of land reform is to rectify income disparities and furnish the predominantly impoverished black rural populace with basic needs and more stable means of livelihood. The White Paper acknowledges that "the harshest poverty is found in rural areas, where Africans represent the poorest ten percent of the population, and households led by women are especially impoverished" (CSDA, 2019:36).

Gender equality is considered vital in land policy documents to ensure that women gain a fair and balanced advantage. The land reform policy acknowledges the need to uphold the right to equality before the law and the right to equal protection and benefit of the law, as protected by Section 9 of the Constitution. It is in this light that the Government is obligated to ensure equal opportunities regarding land. Alongside the Land Policy in April 1997, the Department of Land Affairs developed the Land Reform Gender Policy, which received approval from the Minister of Land

Affairs.

The National Development Plan, Vision 2030

The National Development Plan's Vision 2030 seeks to eradicate poverty and decrease inequality by 2030. The plan embodies a long-term strategy to enhance and expand opportunities for constructing an inclusive society, recognizing that "A thriving political democracy cannot persist and thrive if the majority of the people continue to live in poverty" (NDP, p:24).

The Labour Tenant Act (LTA), 1996

The 1996 Labour Tenant Act (LTA) serves as a pivotal piece of legislation in South Africa, offering protection to labor tenants and individuals associated with them in the context of land occupancy and utilization. Under the LTA, labor tenants are granted procedural rights that are equivalent to those of other land occupants governed by the Extension of Security of Tenure Act (ESTA). Beyond the regulation of evictions, the LTA extends the opportunity for labor tenants and their associates to attain ownership of the land they inhabit. Currently, the South African government is engaged in a comprehensive reassessment of both the LTA and ESTA to address any existing deficiencies within these legislative frameworks (Pepeteka, 2013).

The primary objectives of the Land Reform (Labour Tenants) Act 3 of 1996 can be delineated into two main facets. Firstly, it seeks to safeguard labor tenants and their associates by legally recognizing their existing land rights and shielding them from arbitrary evictions. Secondly, it endeavors to facilitate land redistribution by instituting an application process whereby labor tenants can acquire ownership rights and related entitlements concerning the land they occupy or other available land. Remarkably, the LTA amalgamates elements of both tenure reform and land redistribution within its ambit (Pepeteka, 2013).

The purview of the LTA is explicitly directed towards agricultural land, affording protection to individuals classified as "labor tenants" and their associates. According to the Act's provisions, a labor tenant is defined as an individual who provides labor to a farm owner or lessee in exchange for the right to reside on the farm and utilize cropping or grazing land owned by the farm proprietor. Furthermore, it is a prerequisite that the labor tenant's parent or grandparent must have similarly provided labor to a farm owner or lessee in exchange for the right to occupy and utilize land on such farmland. Importantly, individuals engaged as farm workers who primarily receive

compensation in cash or alternative forms of remuneration, rather than the right to occupy and use land, are not considered labor tenants in accordance with the Act (Clark et al., 2017).

The implementation of the LTA has encountered substantial challenges, primarily stemming from resource constraints and a lack of capacity within the government. Additionally, certain procedural mechanisms adopted by the state have impeded the realization of the LTA's objectives. For instance, the Act mandates the prompt notification of landowners regarding labor tenant applications; however, the state has often treated these applications as claims against the state itself, resulting in delays and undermining the protections guaranteed by the Act. Since the early 2000s, formal and procedural implementation of the LTA has significantly dwindled, with the state ceasing to issue notices in response to legal challenges from landowners. This lapse in implementation poses a significant threat to the tenure security of labor tenants (Clark et al., 2017).

The Labour Tenant Act (LTA) of 1996 occupies a pivotal role in safeguarding the rights of labor tenants and contributing to land redistribution in South Africa. Nevertheless, the sluggish implementation and the challenges encountered in enforcing the Act underscore the imperative for a comprehensive review and strategy to address deficiencies present in both the LTA and ESTA. It is of paramount importance for the government to prioritize the effective enforcement of these Acts to ensure the security and rights of labor tenants. In doing so, South Africa can move closer to achieving a more equitable and just land tenure system.

Land Redistribution for Agricultural Development Act

The Land Redistribution for Agricultural Development Act was enacted with the primary objective of promoting commercial farming activities among African farmers. This Act also emphasizes the importance of including women, young people living in rural areas, and projects led by women. However, while the Act allocates a third of its resources to women, it lacks specific interventions to advance the interests of women in this particular context (Khuzwayo, 2021:203).

The Communal Land Tenure Policy of 2014 (CLTP)

The Communal Land Tenure Policy of 2014 was proposed as a replacement for the controversial Communal Land Rights Act (CLRA) of 2004, which was ultimately invalidated by the Constitutional Court. However, similar to the CLRA, the CLTP fails to adequately address gender considerations. It echoes the intentions of the CLRA and stipulates that Communal Property

Associations (CPAs) cannot be formed in areas where a traditional council already exists (Khuzwayo, 2021:204).

The Communal Land Rights Act (CLRA) of 2004

The passing of the Communal Land Rights Act (CLRA) in 2004 was met with criticism from academics and activists who expressed concerns that it granted chiefs excessive authority over land, without adequately improving the security of tenure for ordinary or vulnerable individuals. The Act reinforced a dichotomous view of South Africans as either full citizens in a democratic country or subjects of chiefs in communal areas, potentially leaving them vulnerable to an authoritarian system that could perpetuate gender discrimination. Ultimately, the Constitutional Court invalidated the CLRA in 2010 (William et al., 2017).

PESI

In April 2020, President Cyril Ramaphosa pledged to invest R100 billion into job creation as part of a national stimulus package. By June 2020, R19.6 billion was designated for this purpose, initiating a comprehensive planning process across all nine provinces. The Presidential Employment Stimulus aims to promote job creation, preserve existing jobs in vulnerable sectors, support livelihood strategies, and expedite impactful employment catalysts. Its focus also includes the repair and maintenance of secondary and rural roads, which provide essential connectivity for rural communities (Presidency Newsletter, 2020).

This stimulus is anticipated to provide an additional 50,000 work opportunities through labour-intensive construction, offering training and skills development whilst enhancing infrastructure delivery capacity. It also provides targeted support to vulnerable groups including Early Childhood Development practitioners, youth enterprises, small-scale farmers, and sectors like cultural institutions. The programme aims to address the increase in poverty, inequality and vulnerability caused by the Covid-19 pandemic, particularly among rural women who contribute significantly to the agricultural labour force (ibid).

The PESI project, launched in response to the pandemic, aims to support 50% women, 40% youth and 6% people with disabilities. It provides aid in the form of vouchers ranging from R1000.00 to 12000.00, prioritising child-headed households, farm dwellers, farmworkers and military veterans. In some cases, group applicants can receive more than R12000.00, and the Department of Land

affairs and Rural Development leads these projects, with a focus on commodities such as vegetables, grains, sugarcane, cotton, poultry and livestock (Khoza, 2022: 2).

President Ramaphosa affirmed the initiative's impact, citing the employment of over 600,000 young people as school assistants and its successful reach to over a million participants, majority of whom are women and young people. The president also highlighted the initiative's positive effect in schools and its potential to inspire young people to pursue further education and teaching careers (Amanda Khoza, Times LIVE 04/10/22:2).

2.8 WOMEN'S RIGHTS POLICIES

2.8.1 The Department of Women

Various policies have been implemented to address the barriers that hinder women from accessing equal opportunities and services. These policies aim to apply principles of non-discrimination and rectify historical gender inequalities in specific sectors. The Department of Women Strategic Plan for 2017/2018 acknowledges the department's leading role in promoting gender mainstreaming and responsiveness to the needs of South African women, aligning with the goals outlined in the National Development Plan (NDP) and Vision 2030. Additionally, sector-specific policies emphasize the importance of gender mainstreaming. The National Skills Development Strategy (NSDS III) prioritizes women's access to skills development, particularly for black women, and calls for gender equality promotion within skill development initiatives. The National Development Research Strategy (NRDS) (2002) highlights the need for gender-inclusive policies in centres of excellence (StatsSA, 2018).

2.8.2 The ANCWL Women's Charter

The ANCWL Women's Charter, which serves as a crucial tool and guiding framework for the liberation of women, presents a clear roadmap for addressing the challenges faced in achieving its objectives. The Women's Charter strongly asserts the rights of women as citizens of South Africa, emphasizing the need for recognition, respect, and equitable participation in all spheres of society, with the aim of establishing a non-sexist and non-racist democratic nation. It highlights the adverse political, economic, and social consequences resulting from the exclusion of more than half of the population from meaningful contributions to South Africa's development.

Throughout history, women have experienced oppression and marginalization stemming from patriarchal norms, colonialism, racism, and apartheid, which relegated them to the domestic realm while men wielded power and authority in the public sphere. The Charter underscores that traditional interpretations of democracy and human rights have been predominantly framed through male perspectives, perpetuating women's subordinate status. Women aspire to attain autonomy in decision-making, not only within their households but also within the broader societal context.

The Charter advocates for shared responsibility and decision-making within households and strives to achieve genuine gender equality in various facets of society, including politics, law, and the economy. Women have historically endured marginalization, exploitation, and disproportionate levels of poverty, making them the most disadvantaged group in South Africa. To make democracy and human rights truly meaningful for women, it is imperative to address the historical injustices of subordination and oppression. Active participation by women in shaping the character and structure of democracy is seen as essential.

In response to these challenges, women's organizations have united in a coalition and have embarked on campaigns that draw upon women's lived experiences to delineate the necessary transformations required within the new political, legal, economic, and social systems. The Charter underscores that unlocking the full potential of both women and men will enrich and benefit society as a whole. It presents a comprehensive program aimed at achieving equality across all dimensions of life, encompassing areas such as the legal framework, economic opportunities, education, development initiatives, infrastructure, political representation, family dynamics, cultural norms, religious practices, healthcare, and media portrayal. For democracy and human rights to hold genuine meaning for women, it is essential to confront the historical subjugation and oppression faced by women. This entails active participation by women in shaping the foundations and structures of democracy, as emphasized by the ANC Women's Charter (ANCWL Women's Charter).

2.9 WOMEN AND LAND IN SOUTH AFRICA

Despite the introduction of legislative guidelines aimed at promoting gender equality, South Africa continues to face challenges in ensuring that women have equal access to land for sustainable

development. Studies reveal that the government's commitment to gender equity has not translated into successful policies that address women's access to land, wealth, and authority. Factors such as unequal division of labour, institutional violence, patriarchal land allocation and inheritance practices, cultural restrictions, and lack of legal protection contribute to the marginalization of women in land-related matters (Budlender et al., 2011:25).

The legacy of the 1913 Natives Land Act persists in present-day South Africa, resulting in extreme poverty and high levels of inequality. Although legislation introduced in 1985 and 1988 granted rural women legal recognition in land transactions, customary law and practice do not always reflect this new status. Enforcing respect for women's rights, including land rights, is crucial (ibid).

Insecurity of land tenure and property rights for women in Africa can be attributed to a combination of economic and social factors, including colonial and post-colonial property legislation, increased land value, market liberalization, land commodification, population growth, resettlement, competition over land, land scarcity, and large-scale land acquisitions (FAO, 2007; Cousins, 2009; Anseeuw et al., 2012).

The Extension of Security of Tenure Act plays a significant role in promoting gender equality in land rights by including women in the definition of "occupier." The White Paper on Land Reform also emphasizes the government's intention to prioritize women in land reform policies. However, despite the establishment of commissions and ministries focused on gender equality, challenges such as poverty, inequality, and limited access to land persist for rural women (Boudreaux and Sacks, 2009).

Secure land rights for women have both economic and social benefits. Land ownership provides economic access to markets and serves as a source of income, collateral for credit, and a key input in agricultural production and enterprise development. Socially recognized land rights also enable women's participation in household and community-level governance structures. However, without legally and socially recognized land rights, women may not fully benefit from these advantages (ibid).

Despite the implementation of redistributive social policies and legislative frameworks aimed at inclusive development and deepening democracy, South Africa continues to face discrimination and marginalization based on race, gender, class, and spatial distribution. Achieving gender equity

requires mainstreaming it in the constitutional, legislative, and policy regimes. Changes to the constitution have outlawed gender-based discrimination and called for the alignment of laws and policies with constitutional principles of gender equity. However, poverty, inequality, and sociocultural barriers, along with territorial interests, continue to impede women's full realization of their human rights (ibid).

2.10 WOMEN AND LAND POST 1994

Despite the implementation of land restitution programs since 1994, women in South Africa continue to face challenges in accessing land. Land disputes and court battles persist in various areas, including KwaZulu Mzingazi, Richards Bay, Dukuduku, Mtubatuba, and Ndiza.

The allocation of land often favours men, disregarding the presence of single women living on the claimed land. Descendants who bear different surnames from their grandfathers are excluded from inheriting land (Routledge, 2011:137-162). Traditionally, women's access to land is traced through men, perpetuating gender discrimination. Despite being providers and survivors who rely on land, women are not prioritized in land allocation. This violation of women's land rights can be attributed to the legacies of colonialism and apartheid.

Although policies prioritize women applicants, official data reveals that women are marginalized within the land redistribution program, constituting less than a quarter of beneficiaries nationwide. This marginalization can be attributed to both discrimination against women and the program's emphasis on full-time commercial farming, which is not feasible for the majority of women smallholders operating on the margins of the agricultural sector (Panel report land - final report of the presidential advisory panel on land and agriculture, May 2019).

Owusu (2018) argues that while South Africa has strong laws to protect women's property ownership and inheritance rights in theory, these laws are often not implemented in rural Zulu-speaking communities. Traditional leaders, who hold power in these communities, often prioritize customary laws over constitutional principles of gender equality (Phyllis, 2019). A report by the Department of Women in 2015 found that women in South Africa have little formal presence in the national economy and often do not own the land they work on. The majority of commercial farmers are men, despite women's significant contributions as food producers and caretakers of families (Owusu, 2019).

Phyllis (2022) emphasizes the need to address gender inequities in land ownership and the career progression of farm workers. In South Africa, farmworkers face appalling labour and living conditions, limited access to education and healthcare services, and persistent poverty. Land reform in post-apartheid South Africa has failed to address the injustices of colonialism and apartheid. The market-oriented approach prioritizing willing buyers and sellers has deepened inequality, with elites and large agricultural corporations benefiting the most. Restorative justice and solving the land hunger among the masses and Black farmers have yet to be achieved.

2.11 GENDER INEQUALITY IN SOUTH AFRICAN LAND POLICY: PRACTICE AND CULTURAL NORMS

The denial of land rights to women in South Africa can be attributed to various factors, including the historical impact of colonial and apartheid laws. The Native Land Act of 1913, for instance, resulted in the dispossession of land from black South Africans, perpetuating poverty and socio-economic injustice (Presidential advisory panel on land reform and agriculture, 2019:10). Data from the 2013/2014 Land Audit reveals that the majority of land in South Africa is in private ownership, with whites owning 72% of the land. The audit highlights the racial disparities in land ownership, with blacks owning only 4% of the land (Dellile, 2021:23).

Patriarchal cultural systems and customary laws have further marginalized women in terms of land inheritance, as land ownership has traditionally been passed through the male line. Women face numerous restrictions in accessing and utilizing land, including limitations on settlement, agricultural practices, and decision-making (Wildschut & Hulbert, 1998:34; Marcus et al., 1996). Studies have illustrated the challenges faced by women in securing land allocations from traditional leaders. Women are often evicted from land when their marriages break down or when their husbands pass away. Sons tend to assert sole inheritance rights, even when the father may have chosen a daughter to be responsible for the family home (Classen & Ngubane, 2008; Jacobs et al., 2011:381).

While South Africa has implemented policies to address gender inequality in land ownership, the practical implementation has been limited. Official data shows that women remain marginalized within the land redistribution program, constituting less than a quarter of beneficiaries. This can be attributed to discriminatory customs, social practices, power relations, and legal restrictions

(Panel report land - final report of the presidential advisory panel on land and agriculture, May 2019).

2.12 GENDERED LAND REFORM

The Land Reform Gender Policy (LRGP), developed in 1997, aims to create an enabling environment for women to access, own, control, and manage land. The policy recognizes the need to address discriminatory customs, social practices, power relations, and legal restrictions that hinder women's land rights (DLA 1997:35).

The LRGP adopts the Gender and Development (GAD) approach, which analyses the roles and needs of both men and women. The approach recognizes that women's and men's access to resources and decision-making are crucial for improving development policy. The LRGP promotes gender equity through various guiding principles, including the facilitation of awareness of women's rights and opportunities, the use of gender-sensitive methodologies in land reform, economic empowerment of women, an integrated approach involving multiple government departments, gender-disaggregated data collection, and partnerships with NGOs and CBOs (DLA 1997:43-45).

However, despite these policy efforts, the challenges of women's land rights persist in South Africa. Restorative justice and equal land distribution remain unachieved, and women continue to be marginalized in land ownership and decision-making processes (Phyllis, 2022). The denial of land rights to women in South Africa can be attributed to a combination of historical factors, patriarchal cultural systems, and discriminatory practices. While policies and initiatives have been implemented to address these challenges, their practical implementation has been limited, resulting in ongoing gender inequalities in land ownership and access. Efforts to promote gender equity in land reform must continue to address these barriers and strive for inclusive and transformative change.

2.13 COMPARATIVE EXPERIENCES OF WOMEN AND LAND

2.13.1 Experiences in Africa

The undervaluation of rural women's contributions to development and their underrepresentation in decision-making processes have exacerbated their marginalization in African societies. Citing

data from a Markinor study, Trevor Manuel (2007), the Minister of Finance in South Africa, revealed significant disparities between rural and urban women in terms of education, income, and employment. Specifically, the data indicated that only 15% of rural women possessed a school leaving certificate (matriculation), in contrast to 50% of urban women. Approximately 16% of rural women had no formal schooling, compared to 3% of urban women. Moreover, while roughly 50% of urban women lived in households earning more than R2,500 per month, only 30% of rural women enjoyed a similar financial status. Employment rates also exhibited disparities, with about 36% of urban women being employed compared to only 20% of their rural counterparts.

However, it is important to acknowledge that these statistics may not accurately reflect the actual roles and contributions of rural women, as they are often categorized as housewives in agricultural households, despite their involvement in various activities beyond domestic chores. This phenomenon has been noted by the UN Food and Agriculture Organisation (FAO) and Africa Recovery (2008). Lawson (1995) further emphasizes that women's exclusion from mainstream economic opportunities has led to their engagement in casual, informal, and unregulated labor, often at rates exceeding those of men. This trend towards informalization of work has been observed within the context of globalized capitalism. In sub-Saharan Africa, approximately 80% of both subsistence and market food production is attributed to rural women, as highlighted by the Hunger Project (2008). This includes activities such as food storage, transportation, processing, and marketing, yet women often have limited control over the income generated from these activities (ibid).

The significance of larger social factors and transformations on women's land rights is evident in developing countries. These nations typically exhibit low human development indices, with disproportionately low and imbalanced women's literacy rates in countries such as Bangladesh, Burkina Faso, Ethiopia, and Ghana. These disparities often deter women from asserting their land rights or navigating complex bureaucratic processes. Moreover, women's lower education levels weaken their land access in countries transitioning to privatized land tenure systems. Education is pivotal in fostering independent thinking and decision-making, opening minds to new perspectives. Existing literature consistently underscores that the social and economic empowerment of rural women yields positive outcomes in terms of women's land rights (FAO, 2020).

2.13.2 Land Tenure and Female Poverty in Ghana

Tengey's (2008) study of gender relations, rural women, and land tenure in Ghana identified a heightened state of poverty among women, ascribed to their larger time burdens and increased illiteracy rates. Moreover, the study demonstrated that unstable access to land and other productive resources significantly contributes to the persistence of poverty.

The research underscored that women are compelled to expend substantial amounts of time on familial duties - including child rearing and essential household tasks such as cooking and the retrieval of water and firewood. Women with restricted access to labour - including widows, elderly women, childless women, and those caring for young disabled children - are more prone to societal stigmatisation and thereby at a higher risk of severe poverty. This scenario leads to a disproportionate poverty burden falling on women (Tengey, 2008).

2.13.3 The Gendered Landscape of Land Ownership in Kenya

Research points to a history of discriminatory and inequitable practices against women in Kenyan gender relations. These practices permeate the legal system and governmental administrative structures. Moreover, discrimination against women is deeply entrenched in the customs, traditions, and usages of various ethnic communities within the country.

Two primary issues related to women's status have emerged from the research: the historical legislation and treatment of women, and the need for lobbying for change on the part of women and awareness-raising among legislators and other policymakers. The second issue concerns women's awareness of their rights and their capacity to assert these rights.

Gender imbalance in the allocation and management of resources is a salient issue in Kenya. Despite the fact that women comprise over 70% of the productive land-based labour force in Kenya, land relations are largely dictated by laws, customs, and practices which marginalise and disempower women in their right and capacity to own, manage, and transfer land (FAO, 2009).

2.13.4 Customary Law and Female Land Ownership in Cameroon

Customary law forms a significant part of the legal system in Cameroon, as in many other African states, and has been granted constitutional recognition and protection, especially in relation to customary land tenure and the institutions governing it. These laws, practices and customs are

embedded in indigenous and local communities. Njieassam (2019) observes that women in Cameroon do not generally face challenges in accessing land for food production, but issues arise concerning full control and ownership of land.

The decision-making process under customary law is dominated by males, and decisions regarding tenure security often discriminate against women. Indigenous communities operate mainly as patriarchies, making it difficult for women to achieve parity with men in terms of land control and ownership. Cameroonian land is a symbol of indigenous people's survival and culture, and access to and control over land is a crucial aspect of daily existence. However, customary law governing indigenous communities has been reluctant to incorporate land titling and ownership for women. This situation has discouraged indigenous women from investing in land, despite their integral role in promoting sustainable development, food security and poverty alleviation within their communities (Njieassam 2019). Despite the country's commitment to guaranteeing property rights and ensuring gender equality, the issue of land rights for women remains a contentious topic in Cameroon.

The 1996 Constitution and the 1974 Land Ordinance are not gender-biased, and both laws enhance citizens' rights to prosperity. The state ensures the protection of minorities and the preservation of indigenous populations' rights in accordance with the law. However, the perception that women are weak and incompetent persists, which contributes to their limited involvement in land control and management, despite their potential to contribute to poverty and hunger eradication and community development (Njoh and Ananga 2018).

2.13.5 Gendered Land Rights in Zimbabwe

International experience suggests that beneficiary selection procedures based on assumptions about "sustainable" or "efficient" land reforms have discriminated against women. Evidence indicates that married beneficiaries outperform unmarried beneficiaries, leading reform project planners to allocate land preferentially to male-headed households.

In Zimbabwe, a shift in land reform policy from a focus on poverty alleviation and justice (1980) to an emphasis on efficiency and sustainability (1986) has detrimentally affected women's access to land (ICRW, 382).

Traditional societal norms in Zimbabwe prevent women, who spend 90% of their time on the land,

from making decisions about agricultural practices. The majority of families and individuals living on customary land derive their livelihoods from the land through subsistence or improved farming.

The Zimbabwe Communal Land Act, 1982 vests all community land in the president, who is permitted to grant user rights on these lands. However, many owners of customary land rights experience land tenure insecurity, and the protection of women's land rights does not favour women (SARW). The land laws in Zimbabwe do not explicitly mention the right to consent. Power is given to the president, local authorities, traditional leaders, and responsible ministers according to section 26 (1) of the Traditional Leaders Act (Chapter 29:17) of 1998. The Communal Lands Act does not stipulate the need to consult communities, which limits land rights holders' power to object to development projects (SARW: 40).

The Rural Districts Council (RDC) oversees rural regions, yet there seems to be a lack of explicit policies outlining the role that the RDC ought to undertake (Tilley, 2007). Consequently, the issue of gendered land rights in Zimbabwe persists as unresolved. The experiences of Zimbabwean women with land demonstrate that African nations have yet to make considerable progress in guaranteeing women's inclusion in discussions about land, land inheritances, and land ownership.

2.13.6 Women and Land in India

The United Nations' Sustainable Development Goal (SDGs), Goal 5, underscores the importance of equal land rights for women as a central element of its gender equality agenda. Analyzing gender disparities in land ownership plays a pivotal role in assessing women's progress in accessing land. This examination is also essential for evaluating the impact of progressive legislation on real-world practices and for monitoring SDG 5, which focuses on gender equality (FAO). While the Indian Constitution affirms equal rights for all its citizens, there are claims that this principle is not universally applied in India, with practices often exhibiting gender-selective and male-oriented tendencies.

A comparative study of inheritance laws across six South Asian nations revealed significant constraints on women's inheritance rights imposed by laws and societal norms governing familial relationships. Women's equal inheritance rights have been denied in several countries. The study further suggested that official laws sometimes indirectly discriminate by deferring to religious or customary laws. This discriminatory practice is particularly noticeable in Pakistan and north-

western India, although it is not confined to these areas. For instance, in Bangladesh, Muslim inheritance laws stipulate that daughters inherit half the share of their brothers, a wife can claim an eighth of the property, and a mother is entitled to a sixth (Ramachandran 2006:16).

2.13.7 Women and Land in Asia

Across Asia, women encounter similar challenges in acquiring and asserting their land rights. In some instances, legal and policy reforms, ostensibly gender-neutral and not overtly discriminatory, have failed to deliver equal benefits to women and men. As in Africa, rights to land must be both legally and socially recognized to be enforceable. Achieving social recognition often proves to be more challenging (Panda and Agarwal 2005:56).

In many Asian countries, official laws reinforce women's property rights; nevertheless, societal norms hinder women's ability to exercise these rights. In India, despite women having the same legal rights as men to own land, fewer than 10% of privately-owned land is registered in a woman's name. This can be attributed in part to the dowry system, which, although formally illegal, continues to be widely practiced. Families often view a daughter's dowry as her share of the inheritance (Field 2003; Datta 2006:16).

2.13.8 Women and Land in Latin America

In Latin America, civil or family laws mandating joint ownership of land acquired during marriage grant women some degree of control over land whilst married and assure them a portion of the land in the event of divorce or abandonment. The majority of Latin American nations have some form of marital property laws. Furthermore, a “second-generation” agrarian reform in Latin America—one prioritising the clarification and legalisation of property rights over redistribution—has focused on women (Deere and Leon 2001, 67).

Despite possessing progressive marital property and inheritance rights for women, deep-rooted patriarchal values obstruct the securing of women's land rights. Most of these countries establish full or partial property ownership as the standard marital regime and offer equal inheritance rights to both boys and girls. Countries like Colombia and Bolivia limit testamentary freedom to ensure widows and children are entitled to an inheritance. However, enforcement is often dependent on tradition (ibid). In Latin America, men are favoured in all forms of land acquisition and consistently exhibit weaker control over a range of productive resources. Such disparities, whether

in education or productive resources, impede women's ability to participate in development and contribute to their families' higher living standards.

Literature indicates a significant land gap in Latin America, which can be attributed to five primary factors: male preference in inheritance, male privilege in marriage, male bias in community and state programmes of land distribution, and gender bias in the land market. Men and women tend to acquire land differently, with women primarily becoming landowners through inheritance, whilst men more frequently utilise the land market. There is also evidence suggesting an increasing trend towards egalitarian inheritance of land in Latin America, as well as in state programmes of land distribution and titling. However, these positive trends are occurring in a broader context in which land distribution is becoming increasingly concentrated and land market transactions are growing in importance (ibid).

Women in America, particularly Black and Latin women, are more likely to live in poverty than men. Although poverty rates are identical for males and females throughout childhood, they rise for women during their childbearing years and again in old age. Women dedicate more time to unpaid caregiving than men and are more likely to shoulder the economic cost of raising children. Moreover, in situations where parents do not cohabit, women more frequently bear the financial burden of child-rearing (Center for American Progress report 2019).

2.13.9 Women and Land in Afghanistan

In Afghanistan, conducted studies have revealed a stark reality: the country has been hostile to female education. This hostility has been attributed to the desire to exert control over the population's mindset and impose an extreme interpretation of Islamic code. Afghan authorities claim that female education contradicts Islamic and Afghan values, necessitating the enforcement of dress codes and restrictions on specific subjects and courses. The pretext of ensuring safety for women and girls is often used to justify these education limitations. Notably, the ban on secondary education for Afghan women and girls is portrayed as being rooted in religious principles, although Muslim scholars and activists argue that gender-based denial of education has no religious justification (Meggiolaro, 2005).

The gender gap in Afghanistan is pronounced, with 61% of men and only 31% of women accessing education. Authorities contend that their restrictions on women working and girls studying are

temporary measures aimed at ensuring safe workplaces and learning environments. However, the recent indefinite ban on university education for Afghan women, imposed by the Taliban rulers, has raised concerns about the erosion of women's rights and freedoms. These irrational decisions to restrict and block young girls' access to education are perceived as detrimental, hindering their educational progress (Meggiolaro, 2005).

2.13.10 Women and Land in Bangladesh

Bangladesh, one of the seven countries worldwide where men outnumber women, grapples with gender discrimination, particularly in the domains of nutrition, healthcare, and education. This discrimination has been exacerbated by increasing poverty levels at the household level. Traditional socio-cultural values, coupled with ongoing poverty trends, perpetuate the subordination of women. The patriarchal and patrilocal marriage system, combined with escalating dowry costs, further reinforces the preference for sons (Meggiolaro, 2005).

In the realm of education, disparities persist in Bangladesh, with male children receiving more frequent access to schooling than their female counterparts. Women face limited opportunities for technical and vocational training and employment. Additionally, Bangladesh struggles with a high maternal mortality rate, ranking among the highest in the world. Rural Bangladeshi women actively engage in agricultural production, constituting 45.6% of the farming population. Traditionally, women have been involved in post-harvest work, while men handle field and market work. However, shifting dynamics, including extreme poverty and food crises, have blurred these roles, leading women to work in distant fields (Meggiolaro, 2005).

Women's contributions to rice production and their involvement in forestry, fisheries, and livestock further increase their workloads. Balancing dual responsibilities for farm and household production becomes increasingly challenging. While women significantly contribute to household income through wage labor, they earn only 71% of what men are paid. The control of rice production and marketing, a major staple in Bangladesh, predominantly lies in the hands of men. Consequently, women without waged employment, mainly those from higher social status families, lack independent income sources (FAO, 2004; Shehzad, 2004).

In rural Bangladesh, food insecurity arises from seasonal variations in food availability and unequal access to food. Over half of the population struggles to afford an adequate diet, a situation

exacerbated by population growth. These pressures on land have led to increasing indebtedness, landlessness, and destitution, particularly among female-headed households. The prevalence of female-headed households has risen, primarily due to male outmigration, desertion, and divorce. Notably, the majority of women from landless and near-landless households engage in agricultural wage labor, while women from larger farms are less involved in field activities (FAO, 2004).

2.13.11 Women and Land in Ghana

Ghana, with a population of nearly 15 million people, has 62% of its population residing in rural areas, where agriculture serves as the primary source of income (Bruce, 1998). Similar to many other Sub-Saharan countries, Ghana heavily relies on the active participation of women in its rural economy. Ghanaian women constitute approximately half of the agricultural labor force and are responsible for producing roughly 70% of the nation's food crops, covering 40% of cultivable land (COHRE, 2004; Duncan and Brants, 2004).

In the well-defined division of labor characteristic of Ghanaian rural communities, women balance between non-productive and productive roles. Non-productive roles encompass childbearing, rearing responsibilities, and domestic tasks essential for labor force reproduction (Duncan and Brants, 2004). Women's productive roles encompass both market-oriented and subsistence home-based production. Consequently, women's agricultural contributions include working as independent farmers and wage laborers. Their tasks span planting, weeding, watering, harvesting, transporting farm produce, agro-processing, and marketing small quantities of crops, while men primarily handle the marketing of larger crop quantities (ibid).

This voluntary unpaid work extends to the provision and upkeep of collective resources such as water, healthcare, and education (Duncan and Brants, 2004). Despite the pivotal role women play in development across all levels, disparities persist in their access to education, healthcare, and economic resources. Factors such as high illiteracy rates among Ghanaian women and limited access to information contribute to their insufficient awareness of their rights (ibid).

2.13.12 Women and Land in Uganda

Reports reveal that within Ugandan households, women bear the responsibility for childcare, cooking, and caring for the sick and elderly. Women constitute over 70% of the agricultural labor force and contribute to more than 80% of food production (FAO, 2004). However, land ownership

among Ugandan women is notably low, despite government claims that 97% of women have access to land. In agricultural pursuits, women primarily focus on food crops, while men take charge of cash crop cultivation. Gender disparities are evident in literacy rates, with only 44% of women being literate compared to 75% of men. Girls and women experience educational disadvantages, with significantly lower enrollment rates in secondary and university education. Moreover, women's health, especially in relation to gender-specific issues, receives inadequate attention (CEDAW/C/UGA/3).

Reports also indicate that Ugandan women often face discrimination due to a combination of cultural biases against women, weakened customary land tenure systems, and marriage practices, as well as the opportunism of men who navigate between customary and statutory laws to their advantage. While statutory law protects women's inheritance rights, these rights are frequently overlooked during property distribution within families. While a 2004 modification granted women the right to withhold consent, this alone does not guarantee a prominent role for women within households (ibid).

2.13.13 Women and Land in Ethiopia

Scant studies conducted in Ethiopia illustrate the extensive physical hardships endured by women. These hardships include carrying heavy loads over long distances, manual corn grinding, household chores, childcare, and cooking. Ethiopian women experience limited benefits compared to men concerning personal income, assets, healthcare, education, and employment opportunities. In rural areas where over 85% of Ethiopian women reside, peasant families primarily engage in labor-intensive subsistence agriculture. Rural women play a pivotal role in this economy, contributing to its physical demands alongside their children (CSA, 2007).

Ethiopia has witnessed a significant expansion of formal education at all levels. However, little emphasis has been placed on functional adult literacy, particularly for rural populations, which constitute approximately 85% of the demographic. Thus, this study underscores the importance of education and training as catalysts for sustainable development across political, social, economic, and technological spheres. It is important to note that uneducated individuals in Ethiopia reached 61.3% by 2003 (men, 56.1%; women, 66.6%). Despite organized efforts by women to assert their rights and demand equal participation in national affairs since 1942, their involvement in development and governance has faced challenges. While some progress has been observed,

complete liberation for women remains elusive (FAO).

Chen (2005) contends that the family institution and women's mothering role within the community are cultural phenomena that both reflect and reinforce the system of male dominance. Tinker, as cited in Tigist (2011), aligns with this perspective, asserting that family relations constitute one of the three avenues through which dominance over women is manifested, which includes unremunerated labor and control of the wife's earnings by the husband (Tigist, 2011).

UNFPA (1996) posits that women in politics and decision-making bodies play a pivotal role in reshaping political agendas by introducing new issues that specifically address women's concerns, values, and experiences, thereby offering fresh perspectives on mainstream political matters. According to the UN (1995), establishing mechanisms for women's equal participation and equitable representation at all levels of the political process is one way to promote women's empowerment and elevate their status. The absence of women in political deliberations and decision-making processes distorts the recognition of women's interests, as these interests remain poorly defined due to the insufficient knowledge possessed by male representatives and women's associations (CENRWOR, 1994). Nevertheless, women's participation at various decision-making levels remains limited and requires attention in order to realize democratic ideals in the nation. To adequately reflect women's concerns and achieve true participatory democracy, women must be integrated into the political decision-making process (McLendon and Eddings, 2002).

Mulwa (1999) echoes the sentiment that without women occupying prominent positions in national legislatures, local government, and major economic activities, it is unlikely that the full spectrum of gender-related issues will receive adequate attention. The literature underscores the paramount importance of women's education in enhancing their engagement in political and economic spheres. Ensuring gender equity and equality in education is a top priority in efforts to bolster women's political participation (Mulwa, 1999).

Practical evidence also supports this notion. For example, a study examining the relationship between women's empowerment and various variables found that four factors—education, family farm size, aquaculture production area, and family annual income—exhibited significant positive associations with the extent of women's empowerment. Additionally, a notable link was observed between women's education and their empowerment, particularly in terms of involvement in

decision-making processes (ibid). This underscores the role of education in enhancing women's empowerment, both within family dynamics and broader societal contexts. Education not only increases women's comprehension and awareness of their living conditions but also contributes to their cognitive and psychological empowerment.

Ahmed's study, as cited in Hiwot (2011), reinforces this perspective by demonstrating that education provides women with a voice against social and political injustices, granting them greater freedom as they acquire more education and knowledge. The study highlights the significant and positive correlation between women's level of education and their degree of participation in developmental programs (ibid).

Kaushik, S. et al. (2006) examined the role of education in empowering rural women in Rajasthan, India. The study found that women's literacy rates were low, and family income played a significant role in determining the level of education among rural women. The study recommended efforts to educate rural women and make them self-reliant, as education has the potential to empower them (ibid). Maretens, A. (2013) conducted a study in semi-deserted areas of India and investigated the impact of perceived returns to education and social factors on the ideal age of marriage. The study showed that the ideal age of marriage significantly influenced the education parents sought for their daughters but not for their sons. Additionally, boys were encouraged to pursue higher education, whereas similar aspirations for girls were less common (ibid).

Setty, E. et al. (1987) discussed the success of the Gandhi Gram Rural Institute for Higher Education (Deemed University) in Tamil Nadu, India. This institute aimed to improve the socio-economic conditions of rural areas by providing education and training programs for children and adults. The active participation of rural people contributed to the success of these programs, particularly in the village of Valayapatti. The study focused on the institute's educational philosophy and its impact on Valayapatti's success (ibid).

Ghose, M. et al. (2014) conducted a survey tracking 56 rural women learners in Northern India who had participated in an empowerment and education project 15 years earlier. The study examined the long-term impact of the project on these women's lives and found significant findings related to empowerment and education in rural India.

2.13.14 Educational Experiences in Ethiopia

In Ethiopia, a study was conducted to examine the impact of education on rural women's participation in political and economic activities. The findings of the study demonstrated that the level of education among rural women had a positive influence on their engagement in leadership roles, membership in various women's associations, and participation in activities related to good governance. Qualitative interviews corroborated the quantitative results (Tigist, 2011).

Additionally, Gender Activists noted that as women's education levels increased, they displayed greater confidence in speaking publicly, expressing their views freely, and asserting their rights. Membership in women's associations was found to empower women in political decision-making processes, including participation in elections and involvement in political parties. Rural women reported financial benefits resulting from their membership in women's associations and political parties (ibid).

Women's associations were instrumental in advocating for increased participation of women in credit services, safeguarding women's rights through various social and legal mechanisms, and enhancing women's decision-making authority in various aspects of family life and economic activities. Notably, women with some level of education appeared better equipped to adapt to government and NGO-initiated innovations (ibid).

These findings align with the conclusions of Ahmed, who posited that education provides women with a "voice" to address social and political injustices, ultimately affording them greater freedom and knowledge (Tigist, 2011). Education was also found to enhance women's understanding of innovations and influence their decision-making processes. Rural women with higher levels of education reported greater benefits from participating in microfinance programs and various projects sponsored by both NGOs and self-initiated endeavors. This result is consistent with established knowledge indicating that education equips women with the skills to manage finances prudently and profitably. As rural women's educational attainment increased, so did their involvement in political and economic activities, as well as the benefits derived from such engagement. Rural women with primary and secondary education experiences reported significantly higher levels of participation and benefits compared to illiterate rural women. Consequently, the study recommends the introduction and expansion of integrated and functional

adult literacy programs in rural areas by the Ethiopian government.

A mean comparison analysis revealed that women with primary and secondary education backgrounds encountered fewer problems when their husbands solicited credit compared to illiterate women. Those who participated in obtaining credit with their husbands reported fewer problems than those who did not participate. The differences were statistically significant.

A questionnaire assessing women's participation in microfinance or credit associations, loan repayment, and profit generation was administered to women with varying educational backgrounds. The results indicated that women with primary and secondary education outperformed illiterate women in microfinance participation, loan repayment, and profit generation. Post hoc analysis confirmed these significant differences, highlighting that women with primary and secondary school experiences significantly differed from illiterate women. However, no significant differences were observed between illiterate women and those who could read and write, or between women with primary and secondary school experiences and literate women.

One of the significant challenges reported in adult literacy and continuing education programs, as noted by Wanyama (2014), is the lack of coherent strategies and adequate regulations and policies to guide their operation. In contrast, primary and secondary education, as highlighted by Hinzen (2007), often benefit from legislation and financial provisions, while adult literacy programs frequently lack such policies and legislative support. Consequently, efforts to address these disparities and improve adult literacy programs are essential.

2.13.15 Experiences in India

In the context of India, it is evident that rural migrants from landholding families typically lack prior experience in wage labor and working outside their homes. Conversely, rural migrants predominantly from impoverished, landless families engage in wage labor and work outside their homes with more mobility and less concern about social stigmatization. This situation mirrors a common feature of developing countries, particularly in South Asia, where individuals with property and land enjoy better economic conditions compared to those who lack such assets. The majority of impoverished individuals in these regions, both men and women, predominantly reside in rural areas and depend on agriculture as their primary source of livelihood, considering it a

crucial and productive asset. Research by scholars such as Bardhan (1984), Agarwal (1994), Lerner (1987), and Desai (2005) has highlighted the pivotal role of property and land ownership, particularly land, in improving the lives of women and their families in rural India.

Within the Indian context, literature has explored the correlation between landownership and female child mortality. Bardhan's significant study (1984) indicates that the regional disparities in the health status of female children in India, specifically between northern and southern states, can be attributed to distinct agricultural systems prevalent in these regions. The study demonstrates that states in northern India, where dryland cultivation (wheat farming) is dominant, exhibit significantly higher female child mortality rates compared to states in eastern and southern India, where wetland cultivation (rice farming) is prevalent. Dryland cultivation requires less female labor in agricultural production, resulting in relatively lower participation of women in agricultural and income-generating activities. This disparity has led to a preference for sons, discrimination against daughters, lower socioeconomic status, and reduced decision-making power for women in northern Indian states. Nevertheless, the research on the primary determinants of gender discrimination in India remains inconclusive. In light of these considerations, this paper investigates the relevance of the "landholding-patriarchy hypothesis" in elucidating the complexities of gender discrimination in India.

2.14 CONCLUSION

In conclusion, this chapter has illuminated, through various sources, the numerous challenges that rural women encounter in securing land rights. Their day-to-day struggles are influenced by customary, cultural, and religious practices that uphold patriarchal ideologies, thereby subordinating women. The chapter suggests that the breadth of experiences rural women face introduces additional obstacles to accessing public services, employment, and social protection. Inheritance practices and customary laws further complicate women's rights to land, affecting their security and the rights of their daughters and unmarried women.

Furthermore, the chapter identifies a significant gap that must not be overlooked. Existing literature establishes that women frequently feel powerless and excluded regarding land access, with land redistribution initiatives often favouring male heads of households. Therefore, more qualitative research is required to address this marginalisation. There is a need for qualitative

studies to inductively explore why traditional authorities, who exert considerable control over land in rural areas, continue to enforce gender inequality and discriminatory practices against women. These experiences cannot merely be classified as well understood; additional research is necessary to devise solutions, hence the rationale for conducting this study.

The stance of this study is to comprehend the intersecting factors that have disadvantaged women's position and its repercussions on their access to social resources and opportunities. Gender roles and societal expectations significantly influence women's experiences. Addressing discriminatory practices and enhancing women's land rights are vital steps towards tackling social, cultural, political, and economic gender disparities.

Policy and strategic frameworks in South Africa must persistently acknowledge issues of poverty, inequality, and social exclusion, with a focus on vulnerable groups and addressing gender and spatial inequalities. Nevertheless, there is an imperative need to further integrate gender considerations across public policy to effectively tackle the challenges rural women face in obtaining land rights.

CHAPTER THREE: THEORY OF BLACK FEMINISM AND STRUCTURATION OF SOCIETY

3.1 INTRODUCTION

This chapter is presents the theoretical perspectives of Structuration Theory and Black Feminism Theory in the context of the research. Nueman (2000) characterizes a theory as a structured set of interconnected ideas or abstractions that efficiently compile and organize knowledge about the social world, a compact, systemic way of understanding our societal milieu. Nueman emphasizes the critical role theory plays in research, highlighting it as a researcher's indispensable ally. He notes that the use of theory varies across different types of research, but some form of it is present in most social studies. This chapter presents the theories of black feminism and structuration of society from the perspective of Anthony Giddens (1994) based on his book titled: “*The Constitution of Society*” and Patricia Hill- Collins’ book titled: “*Gender, Black Feminism, and Black Political Economy*”.

3.2 STRUCTURATION THEORY

Structuration theory, developed by sociologist Anthony Giddens, offers a framework that explores the intricate relationship between social structures and the actions of individuals within them. This theory posits that societal systems are the result of a dynamic interplay between structured social orders and the actions of individuals, without prioritizing one over the other. In simpler terms, structuration theory examines how our social systems are both created and upheld through the everyday interactions of individuals. This ongoing process has the capacity to bring about changes and developments in these social systems and is driven by the actors within them. According to Giddens, structuration is the continuous process through which social relationships are organized across time and space, stemming from the duality of social structures. In essence, society's core is not rooted solely in the individual's experience or in the societal whole; rather, it resides in social practices. It is through these practices, enacted by individuals, that social systems are sustained. Structures, distinct from systems, offer the rules and resources essential for individuals to shape social relationships (Giddens, 1994).

Applying Structuration Theory to the examination of poverty among rural women provides a fresh perspective, as Giddens' approach acknowledges the interplay between societal structures and

individual actions as contributing factors to persistent issues such as poverty, unemployment, and inequality, despite anti-poverty measures. Figure 1 illustrates Giddens' theory of structuration.

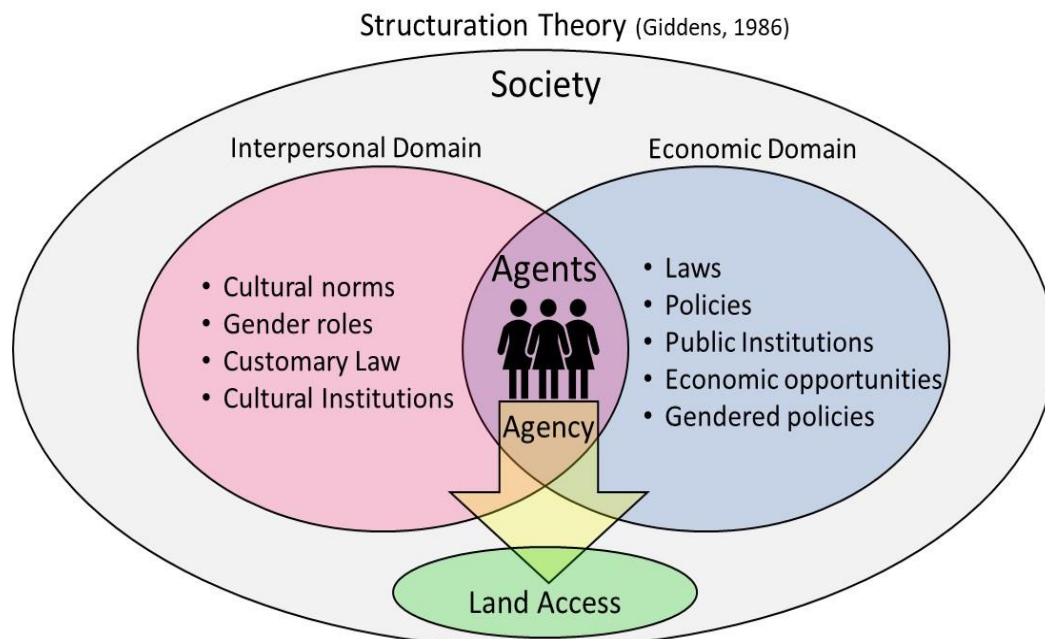


Figure 6: Giddens' Theory of Structuration

For instance, this dynamic may manifest in challenges related to land access for rural women, which arise from the systemic relationship between policy makers (the system) and rural women (the actors within that system). Giddens opposes the isolation of the influence of structures and individuals when analyzing complex social issues such as poverty. When poverty becomes deeply entrenched in a society, it can lead to broader social problems and unsafe communities. Addressing this issue necessitates collaborative efforts from both the government and individuals. By empowering individuals, particularly those dependent on land, to generate income and alter land ownership dynamics, society can restore dignity and tackle issues of poverty, inequality, and hunger.

Giddens' Structuration Theory sheds light on the ongoing interaction between societal processes and individual actions, which, in turn, shape institutions and organizations. This theory offers valuable insights into social practices like knowledge sharing, making it particularly relevant to the study of rural poverty and landlessness, which cannot be fully comprehended by examining existing structures and policies in isolation.

Giddens' theory illuminates the intricate relationships between human behavior and societal

structure, highlighting those individual choices, although somewhat constrained, remain choices that can impact their environment. It underscores that a comprehensive analysis of social systems necessitates an integrated approach that combines both structural and agent-based perspectives. Giddens suggests that the primary focus of social science should be on social practices, with structures representing the rules and resources that facilitate social transformation.

This theory offers a balanced approach to understanding societal systems by bridging the gap between structural and individual factors. It recognizes the interactions between societal structures and individuals as a driving force in shaping outcomes, especially in contexts like poverty. With this understanding, it becomes clearer how societal structures and individual actions can either contribute to or alleviate social problems such as poverty. By considering factors like power, communication, and sanctions, it provides a framework for understanding both the structural barriers to overcoming poverty and the role of individual actions in perpetuating or challenging these structures.

3.2.1 Agents and Society

Giddens (1984) asserts that agency constitutes an essential element of human behavior, playing a pivotal role in both the transformation and perpetuation of society. He introduces the concept of "reflexive monitoring of action," emphasizing the capacity of agents to scrutinize and interpret their actions within specific contexts and circumstances. The key aspect of agency lies in constant monitoring, as agents' actions are influenced by their capabilities and their understanding of available alternatives (pp. 25-26). According to Giddens, societal change emerges from the interplay between structure and agency. He posits that human agency and social structure are not isolated entities but are collectively shaped through social action and interaction. Society exhibits a duality of structures. On one hand, individuals act as actors in specific situations, executing informed actions and contributing to social activities and interactions. Concurrently, the societal realm comprises social systems and structures, representing the rules, resources, and social relationships formed through social interaction. Giddens argues that individuals construct their identity and self through social action and interaction, enabling them to navigate dilemmas (ibid).

To investigate the gender-oriented practice of knowledge dissemination, this study adopts Giddens' (1984) structuration theory. This theory portrays structure as rules and resources structured as facets of social systems, while agency is delineated as individual actions and the constraints and

facilitations encountered in their actions. Structuration theory fundamentally asserts that a duality of structure and agency is integral to the perpetuation of social practices, including knowledge sharing. Structure and agency are mutually indispensable. Structure serves as both the vehicle and result of practice production, while participation in social relationships arises from the continuous production and reproduction of social systems by members.

In this kind of social system, each person has social power, and individual agency is essential for understanding how knowledge is shared. Structuration theory highlights the influence of micro-cultures within professional environments and their effect on the intertwined duality of structure and agency in the context of knowledge sharing. The theory recognises the dynamic and unstable interaction between social processes and individual action, shaping institutions and organisations (Jacobson, Callahan and Ghosh 2015; Kenny and Donnelly 2019). Agency, within the context of structuration theory, is not only determined by individual will. Instead, the actions of individuals are guided by power dynamics, resources and structures (Coad, Jack and Kholeif 2016; Whittington 2010). Various organisational and normative rules, both formal and informal, govern the agency displayed by individuals. These rules legitimise and normalise certain behaviours and conventions. In such an environment, individuals with more power have greater agency, with the acquisition of more agency further reinforcing their dominant position, thus perpetuating the duality of the structure. This research aims to explore how this duality of agency and structure manifests in knowledge sharing within two different organisational settings (ibid).

Giddens (1984) outlines three primary factors influencing individual agency: communication, power, and sanction. Although distinct, these factors interact with each other and correlate with structural aspects of signification, domination, and legitimation. Signification pertains to the symbolic order governing discursive practices, interpretative meanings, and prevalent communication types. It influences daily communication and information exchange. Legitimation encompasses formal legal obligations within organizations and societal norms, values, and customs that dictate how social systems are formed or reproduced. Social standards evaluate individual interactions to determine their legitimacy. Domination relates to resources, power, and control, which define autonomy and influence (ibid).

Denzin (1988) advocates for a theoretical interpretation of social interactions. According to this perspective, theory delves deeper than mere reporting of actions and explores the intentions,

motives, meanings, contexts, situations, and circumstances of action. The aim of theorizing is to comprehend lived experiences rather than generalize (Glense, 1999). In this study, theories serve as useful constructs to gain a deeper understanding of the shifting dynamics of public policy formulation and the realities of social injustices, such as poverty, inequality, and land issues experienced by rural women in KwaZulu-Natal.

In this context, the study is guided by Giddens' (1984) structuration theory and Collins' (2000) Black Feminist theory to better comprehend the challenges, discrimination, exclusion, and triple oppression experienced by indigenous rural women in South Africa. The study seeks to move away from conventional perceptions of cultural stereotypes, customs, and traditions, without disputing or entirely negating the importance and relevance of culture and government public policy formulation in South Africa. Instead, it aims to propose transformative approaches that can influence policy-making decisions for the benefit of rural and impoverished populations. The next section introduces the theoretical foundation of Black Feminism as applied in the study, from the perspective of Patricia Collins' domains of power.

3.2.2 Interpersonal–Cultural Domain

The structural mechanism of male-dominated land allotment reinforces women's reliance on their spouses, thus deepening gender disparities. According to Small (1995), within communities, married males are considered high-ranking and are expected to be part of the decision-making process concerning community welfare. In contrast, women are frequently excluded from these decision-making processes, impairing their ability to challenge biased practices. Despite the incorporation of gender equality into the Constitution and policy documents, critics argue that the reallocation of resources and authority has not effectively addressed the structural causes of women's subjugation. It is imperative to formulate explicit policies that directly address the needs of disadvantaged women to promote social justice (Hassim, 2006).

3.2.3 Structuration and Society

The structural theory asserts that society is organised in a specific structural manner. In many societies, men are endowed with predominant powers, encompassing the ownership of significant resources such as land and buildings, alongside a substantial portion of the economy. Conversely, women are systematically assigned to the domestic sphere, where unpaid labour is predominantly

undertaken. While men are afforded opportunities to engage with the economic means of production, women are relegated to household tasks that offer no financial remuneration, thereby continuing to marginalise their agency. These are artificially constructed structural conditions that prevent women from participating in the economy or in large-scale agricultural initiatives, beyond their involvement in smaller poverty alleviation projects, which are typically limited to food consumption.

In this structure, the agents, here women in rural KwaZulu Natal, exist in a particular intersection of these forces— their society consists of cultural norms and proscribed gender roles, including related to inheritance and ownership of land, and a dual structure of public and semi-sovereign customary law pervading their realities. According to the theoretical framework and structuration theory, the social milieu is composed of an interpersonal domain and a political domain, and agents carry out their decisions and actions in the intersection of these domains. The interpersonal domain is populated with various structures of cultural norms including gender norms, customary law and cultural institutions and the immediate communal context. In this case study, these structures incorporate forms of Customary law around land access and other aspects of social or communal life, cultural norms of Zulu society. The other structural domain that composes the social milieu is the economic and political domain, which can be thought of as the larger setting in which interpersonal forces are mediated. The overall political economy supplies enforced laws and policies and supplies authority to any local structures and has the power to reshape existing Customary structures.

The integration of Structural Theory and Black Feminism Theory into this analysis provides a distinct set of structures or forces that affect individuals as they exercise their agency to navigate specific aspects of their lives, in this instance, women's access to land. Within the particular context of rural women in KwaZulu-Natal, the societal structure, comprising the intersection of the interpersonal (cultural and social) domain and the political economy domain, reveals that policies may intersect, and at times contradict or conflict with, cultural norms and customary law.

3.3 BLACK FEMINISM THEORY

This study utilises the perspectives of Black Feminism as a foundational framework for theorising the injustices encountered by rural women in KwaZulu-Natal regarding land rights, access, and

usability. Nwakanma (2022) asserts that Black Feminist scholars approach the concept of justice through the analytical lens of intersectionality. The feminist notion of justice emerges from a nuanced understanding of the intersecting patterns of discrimination concerning race, gender, class, and other significant markers of identity within a wider community. The Black Feminist tradition theorises how social identities intersect with the daily lived experiences of black women.

In this context, a feminist perspective recognizes the diverse circumstances experienced by women and the institutions that influence those situations. Research in this domain could focus on policy issues relevant to achieving social justice for women in specific contexts or explore oppressive situations faced by women (Creswell, 2014). Furthermore, feminist theory extends the analysis beyond race, class, and gender to include sexuality as another form of oppression. It acknowledges that the pursuit of justice transcends any particular group, individual, or social justice movement. According to this theory, the cultural construction of women contributes to their subordinate status and underscores the physical labour women perform without the assistance of men (Collins, 2000).

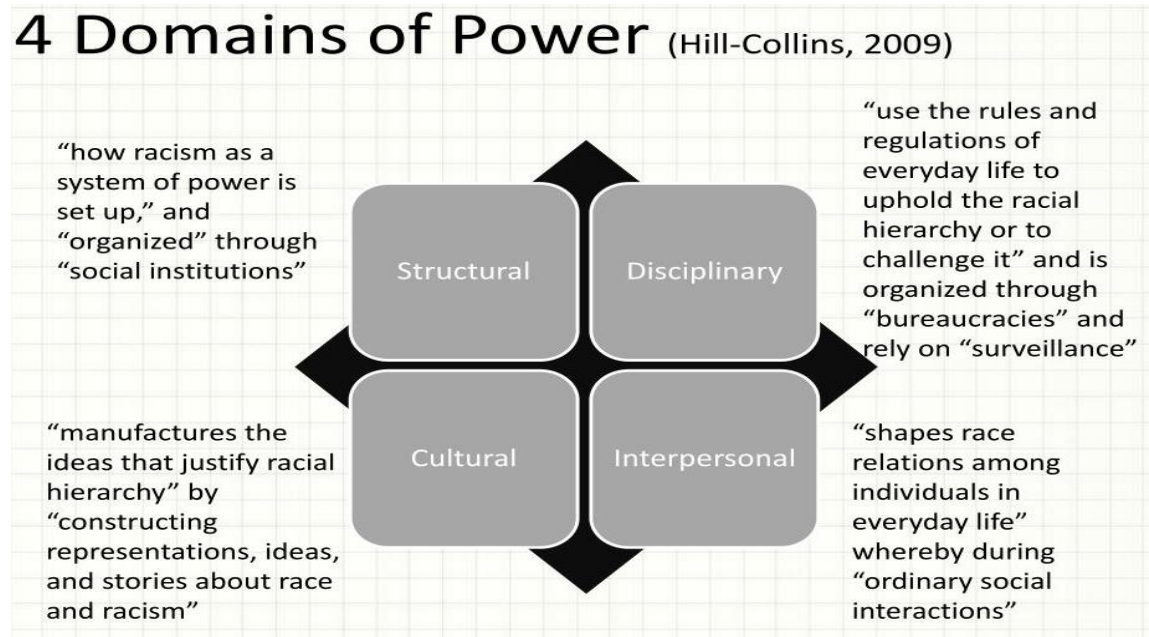


Figure 7: Hill-Collins’ Domains of Power

By scrutinizing the structural elements contributing to women's subjugation and considering the intersections of race, class, gender, and sexuality, we can develop a comprehensive understanding of women's experiences and work toward gender equality and social justice. Black Feminist theory explores fundamental aspects of Black feminist and womanist ideologies, emphasizing the

intersections and interconnections of race, gender, class, and other sociocultural and political identifiers (Hill-Collins, 2000). By studying the systematic and systemic oppression endured by Black communities throughout the African diaspora, this theory provides a comprehensive view of the oppressive forces these communities face.

The theory investigates not only gender inequality but also the broader construction of gender. It employs a critical intersectional lens to examine the world, emphasizing that the focus of feminist theory is not limited to women but encompasses various forms of oppression and their intersectionality (Patricia Hill Collins, 2000). Patricia Hill Collins argues that Black women have a unique perspective on global oppression because they simultaneously confront racial and gender discrimination, among other forms of oppression. This perspective highlights that women's experiences of oppression are influenced by numerous factors, including racism, classism, ageism, heterosexism, and ableism. For instance, in KwaZulu-Natal, South Africa, rural residents are primarily governed by traditional courts enforcing customary laws founded on male power and authority, which predominantly affect women (ibid).

Black Feminist theory explores recurring themes such as oppression, family dynamics, work, and activism, and expands its focus to encompass new areas like cultural imagery and sexual politics. It goes beyond race, class, and gender to include sexuality as an additional form of oppression while maintaining a focus on issues relevant to Black culture. The theory emphasizes that the pursuit of justice goes beyond any individual, group, or social justice movement. It perceives social injustice as a collective problem requiring a collective solution. According to Black Feminist theory, the primary objective of any theory should be to contribute to ending injustice.

Black Feminist theory contends that societal norms culturally prescribe women's roles, frequently relegating women to a secondary status marked by strenuous physical labour without male assistance (Collins, 2000). The perspectives of Black Feminism are also critical of structural practices such as men's allocation of land, which exacerbates women's dependency on their husbands. Despite constitutional protections and policy objectives geared towards gender equality, critics within the Black Feminism sphere argue that the redistribution of power and resources has not sufficiently tackled the structural forces oppressing women. They underscore the necessity for clear policies that cater to the needs of disadvantaged women (Hassim, 2006).

In research, it is essential to understand women's diverse situations and the institutions shaping these conditions from a feminist perspective. Topics may include policy issues aimed at achieving social justice for women in specific contexts or understanding the oppressive circumstances women endure (Creswell, 2014). Lastly, social science studies should primarily focus on social practices. The reproduction of these practices through social activities forms the basis of societal interactions and transformations. Here, "structure" refers to the rules and resources of a social system enabling the transformation of social relations, and "system" refers to the broader context in which these structures exist.

3.4 POLITICAL ECONOMY THEORY

David Easton defines public policy as government actions or inactions, while Anderson sees it as the government's intended measures to achieve specific objectives. These definitions suggest that public policy should go beyond mere intentions or declarations and should entail real resource allocation through projects and programs addressing public demands. Anderson defines public policy as purposeful and relatively consistent actions taken by actors to solve a problem or issue. This perspective emphasizes what is actually done rather than what is proposed or intended, distinguishing policy from mere decision-making. Public policy is developed and implemented by government agencies and officials, although non-state actors and factors may influence the process.

Poverty can be understood from different perspectives, depending on the economic approach. The classical approach focuses on individual responsibility and supports laissez-faire policies, while the neo-classical approach recognises factors beyond individual control. Both approaches overly emphasise monetary aspects, prioritise the individual over the group, and assign a limited role to government. The Keynesian/neoliberal approach highlights macroeconomic forces and underscores the government's role in providing economic stability and public goods. Poverty is seen as largely involuntary and caused by unemployment. The Marxian/radical approach views class and discrimination as central to poverty and assigns a key role to the state in regulating markets to prevent the exploitation of the poor by the rich. Proposals for combating poverty in this view include minimum wage and anti-discrimination laws. Poverty is seen as a moral and technical issue. The social exclusion and social capital approaches recognise the influence of social factors alongside economic factors in understanding poverty and its persistence over time. For

comprehensive insights into poverty reduction, a selective synthesis of approaches is necessary, incorporating social disciplines like political theory and sociology to recognise a broader range of human behaviour motivations beyond material and individualistic aspects. Viewing the poor as the problem is oversimplified. Policy recommendations include focusing on the provision of different forms of capital, implementing anti-discriminatory laws, promoting community development, and addressing adverse incentives and market failures underlying poverty.

In this context, the Black Feminism Theory further investigates how the political economy of developing countries continues to sideline women while creating economic opportunities for men. The theory holds that the economic sidelining of women, particularly in the means of production including land for agricultural purposes, entrenches women in severe poverty, thereby suggesting that poverty predominantly bears the face of women (Zondi and Magwaza, 2023). As articulated by Black Feminism, policies that do not bolster the economic agency of women are deemed ineffectual. Nwakanma (2022) posits that the Black Feminism Theory asserts the foundation of liberation, survival, and a commitment to social justice originates from the political awakening that arises from acknowledging the experiences of black women's lives.

3.5 CONCLUSION

This chapter provides a theoretical perspective relating to the lived experiences of rural Kwa-Zulu Natal regarding poverty, inequality and land. It directly explores two theories, Black Feminist theory and the Structuration theory of poverty, which guide the conceptualisation of rural women and land. The use of the structural theory of poverty and Black Feminist in the study brings light to why the research problem under study exist whilst hold support for the research study. In terms of addressing the behavioural aspect of poverty and landlessness as conceptualised in the structuration theory, the research will also examine this through a Black Feminist Theory lens (*Collins, 2000*) to reflect on patriarchal dominance which deprives rural women of livelihoods.

Through the use of theory, the research study will be enhanced to discuss its findings more clearly, in what existing theory say. The employed theories relate to my study as it gives understanding. All theoretical frameworks will be used to analyse and interpret the generated data set.

CHAPTER FOUR: RESEARCH METHODOLOGY

4.1 INTRODUCTION

As briefly mentioned in the first chapter, the researcher utilised qualitative research methods alongside a case study design. In-depth interviews were considered appropriate, as the theoretical frameworks necessitated an exploration of the naturalistic experiences of rural women concerning land rights, accessibility, and usability. This qualitative approach enabled an examination of rural women's experiences and an assessment of the responsiveness of South Africa's legislated land reform policies and programmes. Importantly, the need to investigate the responsiveness of these policies arises from the recognition that patriarchal customs have excluded rural women from land benefits that have been available to men.

The advent of democracy sought to address and rectify the enduring poverty and inequality faced by rural women in South Africa. Hence, this study focuses on the experiences of rural women in the KwaZulu-Natal Province, aiming to enhance the land reform policy processes, promote sustainable development for rural women as beneficiaries, and combat social injustices that deprive them of their rightful livelihood benefits.

As Denscombe (2003:130) explains, qualitative inquiries facilitate a deeper understanding of the social world and what constitutes a sufficient explanation of social phenomena. Through in-depth qualitative questions, researchers can pose epistemological inquiries that delve into the real-world experiences of the studied population. The qualitative perspective is inherently interpretive. According to Silverman (2005:10), it emphasises the socially constructed nature of reality, the intimate relationship between the researcher and the subject, and the situational constraints that shape the study. This approach eschews a strictly hypothesis-driven method in favour of a more flexible engagement with the subject matter (Willis, 2007: 197).

The interpretive view of qualitative research, aligned with the Black Feminist Theory, rejects the homogenous, positivist assertion of objective, universal, and timeless knowledge (Howarth, 1995:78). Relativists argue that criteria for judging truth are contingent upon time, place, and culture (Stoker, 1995). Qualitative methods aim to capture and understand the individual definitions, descriptions, and meanings of events, recognising that the meanings individuals attach to their actions form the basis of their behaviour. The Black Feminist perspective highlights that

black women's experiences are not homogenous with those of women from other races, pointing out the unique challenges posed by patriarchy, indigenous knowledge, and the political economy encasing rural African women, thus prioritising them in policy-oriented research. Guided by Structural Theory, Giddens Theory, and Black Feminist Theory, this qualitative study seeks to understand poverty, inequality, and land access as distinct aspects of rural women's lived experiences in KwaZulu-Natal.

Discourse analysis, which often adopts a relativist stance, typically favours a qualitative approach. This methodology enables researchers to unravel the meanings that various social actors attribute to events and processes, chosen not arbitrarily but in alignment with a specific epistemological viewpoint. Qualitative methods are particularly suited to exploring people's motives and interpretations, allowing researchers to gain insights into individual worldviews (Silverman, 2001).

Informed by the research problem, the selected qualitative methodology was deemed most appropriate for addressing the issue and contributing to knowledge development through suitable data collection and analysis techniques. As Denzin and Lincoln (2008:3) and Flick (2002:226 – 227) elucidate, qualitative research is a multifaceted interplay of concepts and assumptions, inherently multi-method in nature, aimed at securing an in-depth understanding of the subject. A variety of methods, including semiotics, storytelling, content analysis, dialogue, and archival document analysis, are employed to achieve this end (Denzin & Lincoln, 2008:9).

The use of case studies allowed the researcher to immerse in the social realities of women, illuminating their daily challenges in accessing land, guided by the foundational theories of Structural Theory, Giddens Theory, and Black Feminism Theory. Through these theoretical lenses, the study qualitatively unpacks the structural challenges impeding the effective implementation and realisation of land policies and their accessibility by rural women. Flick (2009: 21) underscores that qualitative research focuses on analysing specific cases within their natural settings, making it an apt method for socio-political issues such as land reform policy. The essence of qualitative research lies in its illustrative approach, emphasising the qualities of entities, processes, and meanings (Flick, 2009: 25; Denzin & Lincoln, 2008: 14). The choice of methodology is influenced by the problem at hand, the available time and resources, and the researcher's skills and experience (Kothari & Garg, 2014: 109). Creswell (2007) posits that qualitative research is an inquiry process

that explores a social or human problem, aiming for understanding and discovery rather than prediction and control, focusing on comprehending behavioural patterns and their underlying meanings (Merriam, 2009: 18). This study employs an interpretive, naturalistic approach to grasp the experiences of women beneficiaries of the Land Reform Policy.

4.2 QUALITATIVE METHODS IN PUBLIC POLICY RESEARCH

Language and its meanings play a crucial role in shaping a policy issue and setting the agenda that guides the formulation of specific public policies. Some policies are influenced by the number of individuals affected by a particular issue. Qualitative research methods assign significance to problems depicted through quantitative data, contributing to the conceptualisation and precise framing of issues within public policy research. Such research raises questions regarding the nature of the problem, who is impacted, the extent of the issue, and the duration of its occurrence, thereby aiding policy streams in developing targeted and effective policies. Clough and Nutbrown (2002: 5) describe qualitative public policy research as an in-depth exploration of a subject, idea, or topic with a particular aim, often within a defined context. Methodology, they explain, underpins the rationale for specific techniques employed in research (Clough & Nutbrown, 2002: 26).

Participants in qualitative public policy research, including ordinary citizens (voters), policymakers, practitioners (also known as policy implementers/networks), and the general public, each bring their own expectations. Engagement in public policy debates allows these groups to exercise autonomy, contribute diverse viewpoints, and offer distinct insights to practitioners and clients (Silverman, 2001: 282). Public policy emerges through a series of governmental actions aimed at resolving issues (LeMay, 2006: 10), inherently connected to the public interest, since all policies impact society to varying degrees. However, not all policies affect individuals equally, and the level of personal investment in an issue can vary. The concept of public interest, which represents the collective needs and desires of the population for whom policies are developed, although challenging to define, serves as a rallying point for all policy advocates.

4.3 CONTEXTUALIZING PUBLIC POLICY

Public policy is created as a response to an issue requiring governmental action. David Easton defines Public Policy as the "authoritative distribution of values for the entire society," emphasizing that the government alone can impose actions on all of society authoritatively. Each

decision or indecision by the government leads to the 'distribution of values'. Thomas Dye, however, defines 'public policy' as "anything a government chooses to do or not to do."

The public policy cycle is often described as a complex and iterative process, characterised by ongoing discussions. This complexity arises because the various actors or streams involved typically do not share common interests. The party identifying the problem faces the task of refining the issue until it is recognised as worthy of policy attention. However, not all issues achieve this recognition; some remain in what is known as the 'garbage can model', where they are effectively in limbo. Bridgman and Davis (2000) describe the policy cycle as a framework for the analysis of policy development, sometimes referred to as a "staged approach". This model is particularly relevant during periods when significant policy windows open, such as during a change in government, indicating opportunities for policy introduction or revision. The stages of the public policy cycle are as follows:



Figure 8: The Policy Cycle

Source: Bridgman and Davis (2000) and Anderson (1975)

The procedures needed for successful implementation of a specific public policy are extensive, meticulous, and delicate. The Mackinac Center defines public policy as a broad spectrum of government laws, regulations, court decisions, and local ordinances. While supporting candidates and political parties can influence public policy, it is not necessarily the most effective method. The positions of politicians and political parties on issues can change with circumstances. The most lasting impact on public policy is a shift in public opinion - when the people's beliefs change, politicians and political parties tend to follow.

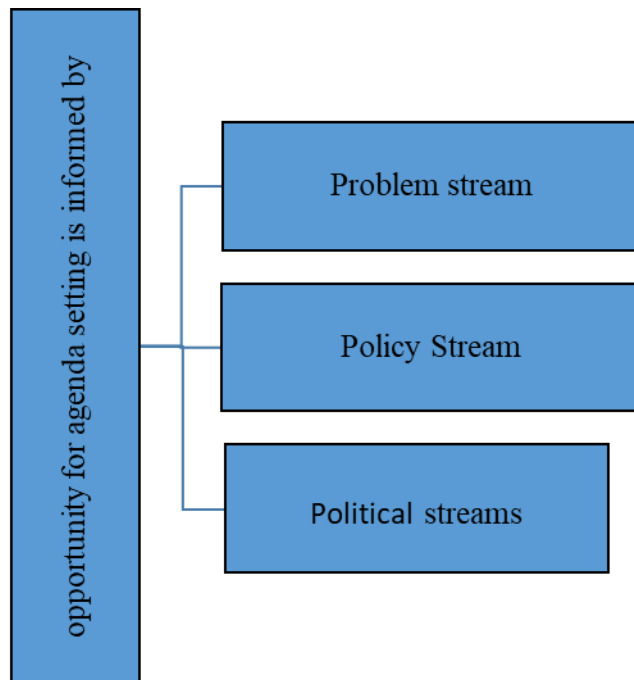


Figure 9: Streams of Agenda-Setting

As Capano and Pritoni (2020) have outlined, the public policy framework emerges from the concept of structuring and managing the intricacies involved in policymaking. It serves as a heuristic device that allows for the various phases of the continuous and perpetual dynamics of policy processes to be categorised and subsequently analysed.

Public policy should involve actual resource allocation, represented by projects and programs designed to tackle public problems and challenges that necessitate government intervention. This involves tangible patterns of resource allocation, shaped by projects and programs intended to address public needs. The extent and substance of public policies will naturally vary from one country to another, depending on the governmental system and prevailing ideology (International Journal of Political Science, 2018, p8-9).

Everyday government administration cannot operate without financial allocation, as it involves collaborative human efforts requiring careful management (Waldo, 1955 in Rosenbloom et al, 1994; 12). Administrative tasks require financial support due to the cost of activities that need to be performed to reach a specific goal, such as policy making, organization, financing, work procedures, control, and personnel provision and use. Like any organization, the execution of these functions needs budgetary allocation. Therefore, the Land Reform Policy receives a budget from the DRDLR. The challenge is determining whether this allocation adequately addresses women's

land needs and promotes their sustainable development. The Land Reform Policy process - particularly regarding the improvement of women's sustainable development as highlighted in the WPSALP (1997) - is a complex process advancing towards development.

Research in Public policy administration for sustainable development requires clear goals and a suitable research design. The difference between basic research, aimed at expanding existing knowledge, and applied research, aimed at finding, interpreting, and developing methods to solve practical problems, is not always clear in public policy administration. Both types of research are relevant, but the distinction between them should not be oversimplified (Kuye et al., 2002: 4).

4.4 PARTICIPANT INCLUSION AND EXCLUSION CRITERIA

The definition of inclusion and exclusion criteria in research plays a crucial role as it enables the researcher to precisely categorise and articulate who was deemed essential for data collection. Clarifying these criteria offers future researchers the opportunity to expand the research scope by concentrating on groups that were not included in earlier studies. As highlighted in the first chapter of this thesis, a limitation of this study is its focus solely on the experiences of Zulu rural women, thereby excluding the experiences of women from other racial backgrounds.

The primary aim of this study is to critically examine the impact of land policies implemented to assist rural women. It raises a broader question: "What are the daily realities/challenges preventing women from accessing land for agricultural purposes?". Additionally, the study deliberately omits other provinces in South Africa where rural women may face similar issues, due to the nature of qualitative research which is better suited to smaller research sites. Other researchers are encouraged to explore the experiences of women in other provinces and from different racial backgrounds, either through quantitative or qualitative research methods.

This study proceeds from the understanding that while aspects such as the type of land use, enterprises, and production levels can be quantified, the decision to employ qualitative research methods in this particular investigation is supported by Kumar (2005:56), who argues that merely quantifying policy issues does not tackle the underlying causes of the problem. Therefore, this study has chosen not to include urban women, focusing instead on rural women. This approach facilitates a deep exploration of the studied phenomenon and the identification of new concepts and themes for future research (Rubin and Rubin, 2005:211; Merriam, 2009: 18).

4.5 RESEARCH DESIGN

Creswell (2013) asserts that research design involves the formation and implementation of plans and procedures for conducting research. These include considerations from overarching assumptions down to the specific methods of data collection and analysis (Bryman, 1992). The research problem dictates the investigation of a particular set of phenomena within a defined context, specifically, women's experiences of land access and ownership in rural Kwa-Zulu Natal. Given the nature of the research problem, the case study method is ideally suited as the research design. This method enables an in-depth exploration of a real-life phenomenon - in this case, women's experiences of land ownership - within its natural setting - rural Kwa-Zulu Natal, employing a range of data sources to form conclusions (Baxter & Jack, 2008).

A qualitative case study methodology is apt to reveal various aspects of the phenomena under study, in the specific context in which they o

ccur, since the context itself is of relevance (Kaarbo & Beasley, 1999). The study aims to investigate how individual participants perceive and experience poverty and inequality. Consequently, a qualitative approach will be employed to examine the lived experiences of land-deprived, poverty-stricken women in KwaZulu Natal.

Data collection generally follows one of two paradigms: quantitative or qualitative methods. Both employ specific techniques for gathering data, such as literature reviews, questionnaires, and direct observation (Brynard & Hannekom, 1997). This study will utilise a qualitative method, which is suitable for the case study method focusing on a specific phenomenon within its real-world context. As Creswell (2013) states, qualitative research "...allows us to understand reality, describe and explain the social world, and develop explanatory models". The study will gather data on informants' subjective experiences and perceptions of poverty, inequality, and deprivation of land access (Neergaard et al., 2009). A qualitative research design will effectively illustrate the extent and manner in which poverty, inequality, and land access challenges affect rural women's lives and the socio-economic obstacles they encounter.

This research utilised an interpretive approach, fitting for qualitative research. The main focus of the study is to understand how land reform has empowered women towards sustainable development and ensured equal land access. Since qualitative research prioritises processes over

outcomes, the process of formulating the Land Reform Policy, aiming at women's empowerment and sustainable development, becomes a crucial area of study.

The study delved into poverty, inequality, and land access to understand how the Land Reform Policy has enhanced women's access and capacity to facilitate sustainable development. Flick (2009:14) highlights the fundamental attributes of qualitative research as appropriate method and theory selection, the diverse perspectives of participants, researchers' reflections on the research as part of the knowledge creation process, and the use of a variety of methods. In qualitative inquiry, the unique and varied perspectives and emotions of women are implicitly expressed by the researchers.

Public policies in developing countries bear unique characteristics due to their influence by volatile socio-political environments and face numerous challenges, including poverty, malnutrition, ill health, illiteracy, low living standards, and unemployment. Given these conditions, policy studies in developing countries urgently need attention. In these nations, where governments have extensive reach into all aspects of citizens' lives, the range of public policies is broad and practically limitless. Hence, public policies are those developed and implemented by government agencies and officials, even though non-state actors and factors may influence the process (ibid).

4.6 SAMPLING

4.6.1 Research Population

Kothari (2004) suggests that the total number of subjects within any area of investigation constitutes a 'universe' or 'population'. In this research, the study population comprises Zulu rural women living in the rural outskirts of the KwaZulu-Natal Province. The study sought participants from among these Zulu rural women to meet the objectives of this qualitative investigation. As Denzin and Lincoln (2011: 3) explain, qualitative research is specific to its context, placing the observer within the world and transforming it into a series of representations. This approach is interpretative and naturalistic, aiming to understand phenomena through the meanings that people attribute to them.

Carol Bailey (2007) posits that field research is the systematic study of daily life, predominantly through long-term interactions and observations. The objective is to understand daily life from the

perspective of the people in a specific setting or social group of interest to the researcher (Bailey, 2007: 2). Thus, the research study aims to delve into the lived experiences of rural Zulu women in KwaZulu Natal to comprehend the factors influencing poverty, inequality, and land access.

The study population comprised of rural black women, irrespective of their marital status, family headship, or breadwinner status. These women were eligible to own and utilise land for shelter or sustainable commercial farming, are expected to share their experiences on poverty, inequality, and land access. It is vital to underscore that rural women are not a homogeneous group; their experiences of discrimination differ.

4.6.2 Sample Size and Selection

Kothari (2004:55) notes that while it's possible to scrutinise every item in a population, often only a fraction of the total population is needed to achieve sufficiently accurate results. In line with this study's qualitative case study approach, the sample size guidelines are informed by Nueman (2000:196). Nueman posits that qualitative researchers prioritize gaining deep insights from a small group of cases rather than focusing on the sample's representativeness. The sample size for qualitative case studies should be substantial enough to aptly depict the phenomenon under study and answer the research queries. Creswell (2013) proposes that qualitative researchers should aim for saturation, where additional participants no longer provide new perspectives or information. Therefore, this qualitative case study will have a small, intentionally selected sample to include individuals with pertinent experience.

This research implemented purposive sampling methods, signifying that the researcher views sampling as a strategic series of decisions concerning whom, where, and how to execute the study. Given the study's objectives, the sampling procedure is critically important (Given, 2008). The study selected its sample from a network of land practitioners and a register of women who have accessed either the women's Presidential farming pilot programme or the Department of Land Affairs' register of women beneficiaries.

The female participants were chosen from rural regions of KwaZulu Natal, including places like Pietermaritzburg, Estcourt, and South Coast among others. Notably, the Women's Presidential farming pilot project operates in Estcourt and surrounding areas while members of the Rural Women's Movement (RWM) engaged in farming for women's empowerment, food security, and

poverty alleviation are located in Pietermaritzburg and surrounding areas. The study targeted women aged 25 to 80 years old, a demographic selected because they are all eligible for marriage or land ownership (Holiday, 2002: 43).

Primary research participants comprised of women from the Rural Women's Movement (RWM) and the Association for Rural Advancement (AFRA), both organizations championing land rights for marginalized black rural individuals (Silverman, 2001: 271). In addition, key informants came from the Department of Land Affairs (DLA), the Department of Agriculture (DOA), the Cooperative Governance and Traditional Affairs (Cogta), and the Commission for Gender Equality (CGE) who provided perspectives on government policy.

The total sample size was twenty-nine (n=29) participants, encompassing ten from the RWM, ten from the AFRA (eight women and two men), and six key informants from DLA, DOA, Cogta, and CGE.

Table 3: Sampled Participants

	No.
Primary Participants	
Rural Women's Movement (RWM)	10
Association for Rural Advancement (AFRA) (F-8+ M-2)	13
Key Informants	
Department of Land Affairs (DLA) /DALRAD	1
Department of Agriculture (DoA)	1
Cooperative Governance and Traditional Affairs (COGTA) 1-official+1traditional leader-F+ 1 traditional leader -M.	3
Commission for Gender Equality (CGE)	1
Total	29

4.7 DATA COLLECTION METHODS

This study, following a case study research design, utilised in-depth interviews as its qualitative data collection method. This method was chosen as it enriched the understanding of the phenomena under scrutiny (Kvale & Brinkman, 2009). The purpose of employing this method was to enable a comprehensive grasp of reality, to describe and interpret the social world, and to develop explanatory models for the case in question (Creswell, 2013). Individual in-depth interviews were carried out, which had the potential to provide authentic experiences of the participants.

Silverman (2001:61) reinforced the importance of limiting data collection to what could be analysed, which he described as the most critical task. The researcher decided which data to utilise by self-questioning which data were most relevant to the research problem, aiming to enhance the effectiveness of the analysis. Silverman underscored the necessity of having a limited data set to work with, whilst also suggesting initial exploration of different kinds of data to determine the most useful dataset.

Hence, the researcher ensured the use of the most pertinent and effective data, discarding any raw data unsuitable for the study. The researcher decided to use an ideological perspective to highlight people's needs and social actions. For instance, the study adopted a feminist approach for research concerning women with gender issues as a primary concern. The researcher incorporated one or more of these perspectives (or others related to cultural or marginalised groups) into different aspects of the study, such as a conceptual perspective at the study's commencement, the data collection approach, self-disclosing comments throughout the qualitative narrative, or the choice of issues to study (Creswell, 1998:62).

The fundamental idea was that knowledge claims should be contextualised within contemporary global conditions and through multiple perspectives of class, race, gender, and other group affiliations (ibid). The coordinator of the RWM and AFRA was approached to assist the researcher by identifying members of the organisations to be interviewed.

The RWM coordinator, as the movement's leader, and the CGE, given its mandate to empower women, were the researcher's primary contacts throughout the study. Silverman (2001:274) postulated, "Field research can, I believe, provide new opportunities which allow people to make their own choices."

Interviews were conducted face-to-face, and a gatekeeper's letter was requested to facilitate permission and participants' free and comfortable participation in the study. The interviews were recorded using an audio device, supplemented by the researcher's notes taken during the interview. The recorded interviews were subsequently transcribed for data analysis.

Denscombe (2004: 8) highlighted that although face-to-face interviews are costlier due to interviewer time and travel expenses, the resulting data tends to be more detailed and richer. Moreover, face-to-face interaction allowed for immediate data validation, an opportunity not

feasible with questionnaires or phone surveys. The response rate in face-to-face interviews is typically higher than in other survey formats.

The study conducted face-to-face interviews to personally observe and understand the impacts of discrimination on rural women of KwaZulu Natal, and its exacerbation of poverty, inequality, and landlessness.

Data collection was guided by an in-depth interview data collection instrument. This method offered a framework for questions, ensuring the interviewer remained within the designated boundaries (Patton, 2002). Being in-depth, the interview guide provided research questions to direct participants' responses while allowing the researcher to freely probe and explore emerging topics.

4.8 DATA ANALYSIS

The qualitative methodology, specifically employing inductive thematic analysis and adaptable coding systems, was used to analyse the transcribed interviews (Elo & Kyngas, 2008). Manual coding was used by the researcher to identify, classify, and categorise variables to assist with data analysis. Thematic analysis was applied in alignment with the principles of qualitative description, and both manifest and latent thematic analysis were utilised (Graneheim & Lundman, 2004).

Qualitative research, as further explained by May (2002:199), involves a direct encounter with the world; this could be through observing daily life, or through interactions with selected individuals or groups. This research type explicitly or implicitly describes the purpose of the qualitative research, the role of the researchers, the stages of research, and the method of data analysis.

As Flick (2009: 21) noted, qualitative research aims to assess and analyse specific cases within their local context, starting with people's expressions and activities in their natural setting. The study took place in KwaZulu Natal province, South Africa, investigating poverty, inequality, and land access, exploring the lived experiences of rural women and their impact.

Data analysis for qualitative studies is considered a point in the research process where information is dissected and evaluated for meaning (Watkins, 2012). Any hidden meaning in initial observations, through sufficient analysis, was appropriately integrated to form the foundation of new knowledge and understanding (Lewis, 2004). Thematic analysis is a universal form of data analysis consisting of a theoretical set of techniques usable in any qualitative inquiry where the

informational thematic of the data is relevant (Zhang & Wildemuth, 2009). Forman and Damschroder (2008) posited that thematic analysis is an apt method for examining data derived from interview data gathered with the aim of detail and depth.

In this study, a thematic analysis method was used to analyse the interviews conducted during empirical research. Transcribed interviews were subjected to a thematic analysis through an assessment of the text to establish codes, or identifiable topics. These codes, or variables, were further categorised into themes during an additional stage of analysis and cross-referenced with the research questions. The Land Reform organiser assisted the researcher with the register for the Pilot Project women beneficiaries.

Informed by theoretical frameworks, this study utilised two data collection tools. One instrument was tailored for rural women, while another was developed for participants employed in the public sector, tasked with implementing land policies. These qualitative data collection tools were crafted in the language most comprehensible to the participants, offering them the option to respond in either isiZulu or English. The deployment of these instruments adhered to ethical standards in Social Science Research. Prior to the commencement of data collection, all respondents were requested to confirm their voluntary participation in the study.

4.9 RESEARCH RELIABILITY AND VALIDITY

Reliability is a fundamental concept in both qualitative and quantitative research, acting as an indicator of an instrument's precision and the consistency of its interpretation across different contexts (Lee, 1999; Babbie & Mouton, 2009). To maintain reliability in this study, data collection was restricted to Zulu rural women and public sectors within KwaZulu-Natal, where the research was conducted. The researcher upheld trustworthiness by remaining neutral, objective, and emotionally uninvolved throughout the study.

Conversely, validity pertains to the authenticity of the findings as they reflect the genuine perceptions or opinions expressed by the research participants (Lee, 1999). To ensure the research's validity, participants were selected based on their direct experiences with the topic under investigation. The dependability of the findings was reinforced through the use of in-depth interviews, with the consistent phrasing of questions by the researcher ensuring uniformity in responses.

4.10 ETHICAL CONSIDERATIONS

Ethics is defined as a set of principles that assess the morality of human actions (Vasu et al., 1998: 381), often serving as an internal behavioural guide, with one's conscience acting as a moral compass to discern right from wrong. McKinney and Howard (1998:4) describe ethics as the study and philosophy that evaluates the moral conduct of individuals in specific scenarios. Ethical considerations are crucial in preserving the moral integrity of the researcher and the trustworthiness and reliability of the research outcomes. This study complied with rigorous research ethics and guidelines as mandated by the University of KwaZulu-Natal's Ethics Approval. All participants were fully informed about the study's purpose, and their voluntary involvement was secured through signed consent forms. As mentioned in the thesis's introductory chapter, public sector participants also provided gatekeeper consent prior to data collection. The study adhered to ethical standards required of researchers, including the use of real names for a few participants who are already advocates for rural land access, while the identities of others were kept confidential. Each participant signed an informed consent form approved by the University of KwaZulu-Natal ethics committee.

4.11 CONCLUSION

This chapter has established the significance of employing qualitative research methods within the context of public policy research, highlighting how these approaches facilitate a nuanced understanding of complex social issues. It began with an introduction to the research methodology, followed by a discussion on the application of qualitative methods to public policy analysis, setting the stage for a deeper exploration of the topic. The chapter further explored the intricacies of public policy, providing a foundation for the subsequent examination of participant inclusion and exclusion criteria, which ensures a focused and relevant study population.

The research design and sampling strategy were elaborated, detailing the research population, sample size, and selection process, underscoring the meticulous planning involved in gathering representative data. Methods of data collection and analysis were outlined, demonstrating the systematic approach taken to capture and interpret empirical data. Additionally, the chapter addressed the critical aspects of research reliability and validity, ensuring the credibility and accuracy of the study's findings.

Ethical considerations were underscored, highlighting the paramount importance of conducting research that respects the rights and dignity of participants. This ethical framework guided all aspects of data collection and analysis, ensuring the integrity of the research process.

In conclusion, the methodology chapter underlined the pivotal role that research methodology plays in shaping the expected outcomes and findings of the study. It sets the groundwork for the next chapter, which will delve into a case study detailing the experiences of Zulu rural women concerning land accessibility, ownership, and usability. This progression from methodological foundations to empirical exploration underscores the coherent structure of the research endeavor, illustrating a commitment to rigorous academic standards and ethical principles throughout the study.

CHAPTER FIVE: THE CASE STUDY OF RURAL ZULU WOMEN AND LAND

5.1 INTRODUCTION

In the rural domains of KwaZulu-Natal, where patriarchal customary law predominates, a marked depreciation of women's social value in comparison to men is prevalent. Traditional leaders—custodians of customary laws and cultural norms—routinely sustain discriminatory practices targeting widowed women, specifically pertaining to property ownership and inheritance rights. This gender-based supremacy jeopardizes the livelihoods of women following the death of their spouses. The cultural narrative often paints women as inept to manage their affairs once their husbands, or fathers in the case of unmarried women, have passed away. This narrative paved the way for the male kin of the bereaved women to legally inherit their late husbands' or fathers' property, including land (Phyllis, 2019).

Affected women, despite their constitutional rights, are disallowed from objecting to this dispossession of their property in the traditional, male-dominated leadership systems. Considered bad omens, Zulu widows are prohibited from entering the quarters of the traditional leadership. They are susceptible to near non-recognition by their relatives, including their male progeny, until ritualistic cleansing is performed as per local customs (ibid).

Owusu's in-depth interviews with Zulu widows revealed that some, left with little choice, fled to their maternal homes. Here, their late husbands' kin treated them as chattel, subject to use and frequent abuse. Paradoxically, their natal families often instructed these widows to return to their in-laws, referencing the payment of lobola (bride price) as justification (ibid).

Such practices escalate the marginalization of widows, intensifying their status of non-entity and poverty within their communities. Their only remaining avenue for survival often lies in reluctantly agreeing to marriage with a deceased husband's brother. Owusu underscores that traditional practices and cultural norms supersede the South African Constitution, creating a conflict that undermines government efforts toward rural development. Her research additionally uncovers that in certain African countries, statutory laws that prevent women from owning land persist (ibid).

A narrative from the Mail & Guardian elaborates the ordeal of Sizakele Linah Nkosi, a 64-year-old pensioner, residing on a piece of land measuring three hectares in the village of Mapahaya in Jozini. The land was procured years ago through the traditional council by her and her sister. The Ingonyama Trust recently issued a mandate that every household in Maphaya must possess a lease for the land they inhabit. However, when it was Nkosi's turn to sign the lease, her request was declined because of her gender. Her objections to this gender-based discrimination were dismissed, and she was told to bring a male relative to sign on her behalf. It was only when she returned with her partner, Zakhele Khanyile, that she was permitted to co-sign. The Trust was unperturbed by the fact that her partner was uninvolved in the land acquisition process. This incident might provoke future inheritance complications for Nkosi as a consequence of entrenched structural marginalization (Makhaye, 2020:3).

Hart and Vorster's (2006) study was conducted in rural villages located in the Eastern Cape and KwaZulu-Natal provinces of South Africa. Their research highlighted the critical importance of women accessing information pertaining to the management of changing environmental conditions, including issues like drought and water scarcity. Notably, the revival of indigenous knowledge related to drying both indigenous and exotic seeds and vegetables was identified as a crucial aspect. Their findings indicated that the practice of drying traditional vegetables was prevalent across the surveyed areas in these provinces (Hart & Vorster, 2006, p. 25).

Moreover, Hart and Aliber (2010), in conjunction with Hart and Vorster (2006), concur that a significant proportion of rural smallholder women farmers in South Africa face literacy challenges. These challenges significantly restrict their access to essential information and agricultural innovations. Yusuf, Masika, and Ighodaro (2013, p. 108) argue that providing women farmers with reliable and comprehensive sources of agricultural information could address many of their needs, enhance production efficiency, and improve market accessibility. Identifying factors that hinder food security and improved livelihoods among women smallholder farmers, who constitute a substantial portion of rural populations, is crucial to breaking the poverty cycle.

Additionally, Hoq (2015) underscores the importance of information centers offering resources from various agencies related to agriculture, public health, adult education, and more, not just agricultural information. Rural libraries should aspire to serve as comprehensive information and communication hubs that cater to the diverse needs of local communities (Hoq, 2015). Stilwell

(2016) emphasizes the significance of public libraries becoming more visible and engaging in projects that empower women to transform their knowledge into economic resources. Furthermore, monitoring and evaluating the impact of these projects is essential (Stilwell, 2011). In many disadvantaged areas, rural women are utilizing their backyards for crop cultivation and livestock farming to sustain their families and communities. Despite limited land availability, these farmers require agricultural information to optimize land utilization, soil and water management, pest and disease control, and address other farm-related challenges (Yusuf, Masika, and Ighodaro, 2013).

Sipilä (2015) asserts that libraries play a vital role in society by promoting equal opportunities for lifelong learning, education, research, innovation, culture, and recreation for all. To be effective, libraries must have the capacity to meet the information needs of their user communities. Hoq (2015) advocates for the establishment of rural libraries, which are information centers located in villages or suburban areas. These centers should address the information needs of rural populations by offering services such as knowledge-sharing rooms, reading rooms, book circulation, reference sections, photocopying, and newspaper clippings.

In the context of women's empowerment programs, it is imperative to raise awareness about women's land inequalities, land rights, and the detrimental effects of discriminatory practices. Regular education about women's rights and the content of patrimonial law should be integrated into secondary school and adult education programs (FAO). Supporting efforts to promote female literacy, increase girls' enrolment rates, and assist women and girls who were previously excluded from education, especially in rural areas, is essential. Promoting the use of local languages in schools for ethnic minorities and supporting local organizations involved in removing obstacles to women's progress, such as bureaucratic hurdles in acquiring land rights and applying for credit, are also vital (FAO).

Other initiatives should include raising awareness among local Land Administration officials about the benefits of equal access to land for both women and men. Disseminating gender-awareness information on land issues to district judges responsible for settling land disputes and involving communities in addressing issues of vulnerability are essential steps (FAO). Conducting local needs assessments should prioritize involving women in the process and ensuring that proposed interventions build their capacities. Additionally, stimulating internal dialogues among women regarding their societal status and roles during periods of social and economic transformation is

vital. Various settings can facilitate these dialogues (FAO).

The focus on women's land rights should be integrated into livelihood programs, national policy orientations, and programs aimed at providing sustainable livelihoods for women. Recognizing women as land users and strengthening their land rights must be central to this initiative (FAO/OXFAM, 2003). In conclusion, empowering women with information, particularly rural women, is crucial to meeting their specific needs. Knowledge acquisition fosters independence, allowing women to be informed, read, research, and actively participate with acquired information. Overcoming illiteracy barriers is a fundamental step toward women's empowerment (FAO).

5.2 ZULU CULTURAL PRACTICES AND GENDER

The custom of ukuguqulwa kwebhantshi in South KwaZulu Natal, particularly in the Umzumbe region, refers to the ceremonial succession of family leadership upon the death of the family patriarch and other elder members. This cultural practice often compels the new family representative, typically the son, to reimburse the sum initially paid by his father for the utilization of the family land. This transaction is typically verbal, lacking written agreements, and is irrespective of whether the successor was born and raised in the same household. The lack of legal documentation and the perceived repetition of a settled debt raise questions about the constitutional validity of this practice and its impact on the surviving family members (oral narration victim to be interviewed).

Jabulani Smith's commentary on gender roles within Zulu culture reflects its patriarchal structure. Although society is male-centred, women are not necessarily considered inferior. Instead, they are revered as progenitors of the family and, by extension, the nation. The dynamics between a man and his wife in Zulu culture exhibit mutual respect, recognizing the pivotal role each plays within the familial structure. Notably, the wife acknowledges her husband as the household's head, while the husband appreciates the crucial contributions of his wife to the family's stability (Smith, 2015: 30).

South African adages illustrate the societal structure, for instance, "The man eats first, because if the food is poisoned, he will die, leaving the women to carry on the family." These reflect the traditional responsibilities allocated to Zulu women—childcare, housekeeping, and meal preparation. Daughters are taught domestic responsibilities at an early age, instilling them with the

importance of cooking and hospitality. Discipline of children until adolescence also falls under the wives' purview, when a more authoritative figure takes over (ibid).

Loyalty, particularly to one's husband, is a core value instilled in women. Despite the evolution of societal norms, divorce remains uncommon. Women often endure and work through challenging circumstances, prioritizing loyalty to their husbands. Even with modern societal shifts, such as women participating in the workforce, men are still expected to be the primary earners. Despite their increasing responsibilities, both domestic and professional, women in Zulu culture continue to receive equal respect from men (ibid).

The article on the first female Inkosi and uNdlunkulu highlights her journey as a royal female leader. Despite her initial doubts about her competence, she approached her challenging role with resolve and empathy. The chieftainship transitioned to her upon her husband's death, as their son was too young to assume the position. This sparked disputes among the family members and threatened to fragment the clan community. Nonetheless, with governmental aid, she assumed her role until her son came of age, focusing her efforts on rural development and service delivery (Mail & Guardian, Moore, 2002).

Discrimination against Zulu widows, particularly regarding property and land ownership, is further aggravated by government departments' operational silos. For instance, while the former Department of Rural Development and Land Reform initiated poverty alleviation programs, the Department of Justice and Constitutional Development was often absent, leading to inadequate protection of Zulu widows' rights (Phyllis, 2019). The statement "Poverty has a woman's face," attributed to Pakistani human and gender rights activist Tahira Abdullah, has drawn criticism. It suggests that poverty is predominantly a female condition, which contradicts the aim of achieving equal rights for women. This underscores the urgency for the South African government to enforce and monitor constitutional rights, policies, and laws related to women's equal rights, particularly regarding land and property ownership (ibid).

5.3 LAND AND INHERITANCE IN RURAL KWA-ZULU NATAL

One among numerous land disputes between rural communities across the province and the Ingonyama Trust, in collaboration with some traditional authorities, involved a 64-year-old pensioner, Sizakele Linah Nkosi, from Maphaya Village in Jozini, KwaZulu Natal. Nkosi had

obtained land years earlier through the traditional council, leaders, and izinduna. However, the Ingonyama Trust later demanded that each household in the village sign a lease for the land they already occupied. Nkosi was denied this right due to her gender, with the suggestion that a male relative sign on her behalf. Her objections to this discriminatory practice were reportedly dismissed (Mail & Guardian, Makhaye, 2020).

Only when accompanied by a man, her partner Zakhele Khanyile, was Nkosi permitted to sign the lease. Subsequently, she and others facing similar predicaments sought legal assistance from the Legal Resource Centre (LRC) and the Council for the Advancement of the South African Constitution. This led to litigation, highlighting questions regarding individuals' rights, the nullification of their customary rights to communal land, and the exploitation of impoverished residents. Notably, the primary victims of these injustices are impoverished women. The Ingonyama Trust, as a state organ, is expected to uphold the rights enshrined in the Bill of Rights. A minister found neglectful in her duties is indicative of a broader crisis: a leadership that commodifies its people and fails to protect their constitutional rights (Mail & Guardian, 7 Dec 2020, Makhaye, 2020).

The KwaZulu Natal Rural Women's Movement and the Commission on Gender Equality jointly expressed concerns to the Portfolio Committee on Justice and Constitutional Development. They critiqued the Traditional Court Bill's shortcomings, which they argue adversely impact rural women's rights. Specifically, they suggested that the Bill fails to adequately address the discrimination experienced by many rural women in the traditional justice system, both currently and historically. The Bill could legitimise unequal and patriarchal power relations, further hindering women's access to justice in rural areas. Moreover, the Bill overlooks a report submitted to the South African Law Commission (SALC), based on extensive consultations with rural women. They emphasised the human rights violations and discrimination women encounter in tribal courts, particularly the challenges widows face following their husbands' death (Ngubane, 2008:3).

Given these revelations about the barriers to full and equal participation in traditional courts and gender-based discrimination faced by rural women, the Bill does not adequately or specifically address such issues. This aligns the traditional justice system with the constitution and underscores how past policies and practices have significantly limited women's access to land ownership and

control. Post-apartheid policies aimed at rectifying this issue are also under scrutiny due to their inefficiency and ineffectiveness (ibid).

Research shows that while many women participate in and reinforce male mediation, some segments of women seek unmediated property rights and equal status and authority with men. Several studies suggest that the lack of access to land rights among African women reflects a strong patriarchal society (Marcus et al., 1996: 34).

Table 4: KwaZulu-Natal uMgungundlovu land beneficiaries

Projects	Men	Women	Current land use activities, commodities
OT Farm	1	0	Sugarcane production
OG Farm	2	0	Cattle production-Nguni and beef master
AS2 Farm	4	0	Sugarcane production
AS1 Farm	2	2	Sugarcane production
RB Farm	3	2	Cattle production-Bonsmara and Nguni
MU Farm	1	0	Cattle production-Beef Master, Brahman and Nguni cattle
LE Farm	1	0	Cattle production-Bonsmara
UG Farm	26	14	Informal selling of timber (Formal production collapsed)
AM Farm	8	0	Dairy and vegetable production
AB Farm	0	1	Crop and layer production
MN Farm	18	14	No production and dilapidated farm infrastructure
Total	66	33	Overall Number=99

Source: PLAAS, 2021

5.4 COVID 19 PANDEMIC EFFECT ON WOMEN IN KWAZULU NATAL

The extent of the impact of COVID-19 on women in KwaZulu Natal has had a very devastating effect. The spread of this pandemic has left not only so many orphans, child headed families but empty households as well. This pandemic, which emerged in the form of the viral outbreak, conceived as having severely affecting women in various ways, namely socially, economically and in the area of health care, to say the least.

This gendered challenge issue depicting the country's insight on inequalities. Informing this notion, is the view that women are, in general, relatively poverty-stricken, marginalized in various forms including access to land, earning less, holding insecure jobs, susceptible to various forms of diseases and vulnerabilities. Thus, calls for suggestion for a more intense inclusive approach to address the inequalities that compounds the vulnerability of women, especially the rural women.

Pietermaritzburg, KwaZulu Natal is the epicentre of the coronavirus in South Africa. The first case of COVID-19 in South Africa was confirmed by the National Institute for Communicable Diseases on 5 March 2020. The pandemic has unleashed a wave of challenges from its inception, such as job losses, gender-based violence, economic shrinkage, poverty and inequality. Among the many people who lost their lives due to the scourge of the pandemic of Covid 19 was Sizani Ngubane, who is hailed as a towering giant of rural women's rights, after receiving the prestigious Martin Ennals Award recognising her humanitarian work. May her soul rest in peace. Ngubane, who founded the Rural Women's Movement (RWM), was struck down by Covid-19 a few days before Christmas of 2020 and found dead in her home in Hilton Pietermaritzburg. Her death tragedy sent a ripple of shock and sadness through rural and international civil society networks (Pikoli 2021, 4).

At the time of her death, Ngubane had been spearheading the fight against the Ingonyama Trust's unconstitutional leasing out of land and charging of rental amounts to the rural people of KwaZulu Natal. Ngubane and her organisation were also fighting the fact that the lease agreements did not allow for women to own land and instead demanded that male relatives sign for land on their behalf, a destructive function of the patriarchy. Ngubane died after waging a 30-year war against destructive patriarchal practices that exploited rural people and excluded women from owning property. The land rights activist Ngubane believed that the ones who paid the price in this regard were primarily the poorest and the most vulnerable women in rural areas (single women, women without sons or women without land rights), whilst the constitutional values guaranteed access to justice, non-discrimination and equality for all.

5.5 2021 RIOTS

The wave of riots and looting that engulfed South Africa in July 2021 had significant impacts on the country's socio-economic fabric. The civil unrest, characterized by widespread destruction, loss of life, and business closures, exacerbated the country's existing challenges of hunger, unemployment, and inequality. The events were so extensive and damaging that they cast long shadows over the livelihoods of many citizens, particularly those involved in small-scale farming.

Historically, small-scale farmers have played a crucial role in the nation's food value chain, supplying fresh produce to local markets and contributing significantly to food security (Stats SA,

2020). However, the post-looting landscape presented grim prospects for these farmers. With the destruction of several stores and businesses that formed their market base, many small-scale farmers faced financial ruin, impacting the country's overall food production and distribution (Mail & Guardian, 2021).

In addition to the material damage, the unrest led to significant job losses, further deepening the unemployment crisis in South Africa. According to the South African Department of Statistics, the unemployment rate was already at an alarming 34.4% in the first quarter of 2021 (Stats SA, 2021). The looting and associated business closures further strained the job market, pushing many more South Africans into the realm of unemployment.

Moreover, the socio-economic disparities within the South African community were also magnified by the events of July 2021. The burning and looting of businesses resulted in a contraction of the economy, exacerbating pre-existing inequality gaps (World Bank, 2021).

The case of Phoenix, north of Durban, was particularly disconcerting. The brutal killing of thirty-six people not only represented a human tragedy but also symbolized the divisive potential of socio-economic disparities. Such acts of violence and their consequences underscore the urgent need for inclusive growth and social cohesion in South Africa. In this context, the riots of July 2021 were not only a reflection of the country's socio-economic disparities, but also a catalyst that worsened these inequalities. The effects were felt acutely by small-scale farmers and other marginalized sections of the population, further jeopardizing the country's food security and employment situation (Mail & Guardian, 2021).

The July 2021 looting in South Africa serves as a stark reminder of the interconnectedness of economic stability, social equity, and civil peace. It underscores the urgent need for concerted efforts towards social justice, economic growth, and reconciliation.

5.6 CLIMATE CHANGE AND WOMEN

The pressing reality of climate change, underscored by a succession of global catastrophic events, has illuminated a critical and often overlooked aspect: the gendered effects of this environmental crisis. Research indicates that women, particularly those in marginalized and vulnerable positions, bear a disproportionate burden of these ecological disruptions (Alston, 2014). Therefore, the path

to a sustainable future requires the integration of gender equality and women's empowerment into climate crisis solutions. This is particularly pertinent in regions such as KwaZulu Natal, where women's livelihoods and environmental stability are intimately entwined. The Department of Agriculture and Rural Development in KwaZulu Natal has substantiated the gendered impacts of climate change within its rural sectors. Here, natural disasters and evolving environmental conditions disproportionately threaten women's livelihoods and education, a result of the complex interplay between women's societal roles, systemic discrimination, and pervasive poverty (Bua News, 2012).

Climate change has not only compounded the existing gender disparities, it has also accentuated the plight of disadvantaged groups, including women and girls. Indigenous women, whose lives are deeply connected to natural resources, experience severe repercussions due to the erosion of these resources triggered by environmental degradation. The increased frequency and severity of droughts, floods, and other climate-induced calamities have led to the loss of traditional livelihoods. This environmental turmoil forces women and girls to journey farther to fetch firewood and water, exposing them to increased risks of sexual and physical violence and consuming time that could be spent on education, employment, or social participation (Neumayer & Plümper, 2007). Furthermore, climate change increases women's labour burdens. More time must be dedicated to procuring water and food, thus reducing time for income-generating activities or education. Consequently, girls are often the first to be removed from schools to aid in these tasks. Paradoxically, while women's roles increase in response to climate change, their voice in decision-making processes often decreases, despite their profound environmental knowledge and the pivotal contributions they could make.

Drawing from their unique insights and traditional roles, women can play a fundamental role in designing effective climate adaptation and mitigation strategies. As change agents, their indigenous knowledge can be harnessed to enhance food security, prevent environmental degradation, and maintain agricultural biodiversity (FAO, 2011). Consequently, their active participation and consultation should be integral to environmental planning, budgeting, and policy-making processes. Particularly, the involvement of rural women in community-level climate adaptation and mitigation efforts can yield substantial benefits.

The imperative for gender equality in climate action arises from the recognition of gender as a

critical factor in all dimensions of climate change. Like any climate policy intervention assessed for cost-effectiveness and environmental impacts, social justice and gender equality must also form essential evaluative criteria. To achieve this, policies should incorporate binding requirements for gender assessment. The available gender expertise should be leveraged to maximize the effectiveness of climate action. This incorporation of gender perspectives is not just an ethical obligation—it is a pragmatic necessity in our collective endeavour to tackle the multifaceted challenges of the climate crisis and shape a sustainable future (GenderCC, 2020).

5.7 THE IMPACT OF ILLITERACY ON THE LIVELIHOOD OF RURAL WOMEN

Despite nearly three decades of democracy in South Africa, women in the country continue to grapple with issues related to land rights education. Illiteracy rates among rural women stand out as a critical factor inhibiting the development of skills and capabilities, consequently impeding these women from realizing their full potential. This paper explores the impact of illiteracy on the livelihoods of rural women, emphasizing its role in hindering progress in land redistribution programs for women.

The World's Women 2015 study sheds light on the global scale of female illiteracy, revealing that approximately 496 million women face significant hurdles in achieving the overarching goal of gender equality. Alarming, two-thirds of the world's illiterate adults are women, and women constitute the majority of the illiterate population across all regions worldwide (The Guardian, 2015). This underscores the pervasive gender disparities in education, resource access, and opportunities.

Research further elucidates the economic disparities faced by women, especially in comparison to men. Women are more likely to be employed in the informal job sector, characterized by lower wages and limited access to productive assets and financial resources. In the context of education, gender disparities persist, with girls in both primary and lower secondary age groups being more likely to be out of school than boys. This gender gap in school attendance widens in lower secondary education, even among girls in better-off households (FAO, 2020).

The repercussions of illiteracy on rural women are profound, incapacitating them in their personal development and full participation in governmental and developmental initiatives. Illiteracy deprives women of the ability to comprehend laws that pertain to their rights, thereby limiting their

empowerment. In contrast, literate women are better equipped to develop themselves, understand their rights, and analyze complex situations, as education empowers them to do so (FAO, 2020).

Women, in general, face multifaceted obstacles and discrimination in society, with limited access to land rights being a subset of the larger challenges. Often, women's rights to land are derived and secondary to those of others, leaving them reliant on male relatives and social networks. Paradoxically, most national constitutions and legislation guarantee women the same rights as men. However, empirical evidence reveals a stark disconnect between national laws and local practices, further compounded by women's limited knowledge of their citizenship rights. This knowledge gap makes women susceptible to manipulation by men (FAO, 2020).

In rural Kwa-Zulu Natal, the majority of the poor South Africans are concentrated, facing a challenging combination of geographical and socio-economic factors. This includes hilly topography, poor soils, low and erratic rainfall, and inadequate infrastructure. These rural communities often lack the necessary financial and physical assets to sustain their livelihoods, leading to widespread vulnerability and poverty (Mtshali, 2002).

Since the advent of the democratic government in 1994, national agricultural and rural development policies have been introduced to address poverty and vulnerability in these areas. However, the effective implementation of these policies has been hindered by a lack of sufficient assets and resources. Additionally, the historical legacy of apartheid and other socio-economic factors exacerbates the challenges faced by rural populations (ibid).

According to Mtshali, efforts to reduce vulnerability and alleviate poverty through socio-economic policies and extension services have been hampered by the continued use of traditional top-down and gender-biased approaches to technology transfer and rural development knowledge dissemination. As a result, the majority of rural households do not receive the relevant information needed to improve their livelihoods (ibid).

KwaZulu-Natal, one of South Africa's provinces, ranks among the lowest in terms of human development index. Female-headed households in rural KwaZulu-Natal are particularly impoverished, with key issues including illiteracy, unemployment, inadequate infrastructure, and a lack of agricultural resources such as land, capital, credit, technology, inputs, training, extension services, and access to markets. Consequently, food insecurity is a major concern, as households

struggle to produce enough food to sustain themselves until the next harvest and lack sufficient income to purchase food for nutritional security (Hanslanger, 2017).

In rural KwaZulu-Natal, only a small fraction of residents engage in agricultural activities for sale. Typically, women are responsible for subsistence food production and the sale of surplus produce due to limited storage facilities and preservation skills. Households often diversify their income sources by engaging in various non-agricultural activities, including wage employment, informal trading, receiving remittances from rural migrants, and accessing state old-age pensions and welfare grants (ibid).

Women in these communities are pivotal figures, actively participating in reproductive, productive, and community management activities, often with the assistance of children. However, men generally hold more authority, engage in wage employment, and have control over large livestock. Men also play roles in local community politics at the tribal authority level (ibid).

Livelihood strategies in rural KwaZulu-Natal encompass a range of activities, including employment, migration, remittances, food and cash crop production, animal husbandry, small-scale enterprises, claims for old-age pensions and welfare grants, as well as the gathering of natural resources for sustenance and income generation. Rural areas in this region face significant challenges, including poor infrastructure, transportation deficits, underdevelopment, resource scarcity, information gaps, and limited capacity to implement effective policies. There is a notable shortage of women trained in agriculture (ibid).

Studies have revealed that female-headed households in these conditions are more vulnerable compared to male-headed households, even within a context of shared community poverty and vulnerability. Consequently, it is imperative to focus on the household as a fundamental entry point for enhancing rural livelihood security, with a greater emphasis on promoting economic growth, social development, and the eradication of vulnerability and poverty (ibid).

5.8 ILLITERACY'S IMPACT ON FOOD SECURITY

A substantial proportion of the world's impoverished population resides in rural areas, with a majority of their livelihoods intricately linked to agriculture. Agriculture, therefore, emerges as a fundamental tool in the battle against hunger, malnutrition, and the pursuit of sustainable

development and poverty alleviation (Okonjo-Iweala as cited in Magdoff, 2008).

However, the aforementioned perspective, articulated by the Managing Director of the World Bank in 2008, lacks an explicit acknowledgment of the gendered facets of poverty, hunger, malnutrition, and the pivotal roles women play in the agricultural sector. While recognizing the inherent diversities within African countries, it is essential to acknowledge the shared characteristics and challenges faced by rural women across the continent (Doss, 1999).

Rural women in Africa often encounter the most profound manifestations of patriarchal structures, limiting their access to power, decision-making, education, land, and credit without collateral. The realms of private domestic life and the public sphere are intricately interconnected for women, and this link between personal and political identity is a pervasive theme in their financial and political dependence (Millar and Glendinning, 1987).

Recognizing that significant changes in women's positions require the active involvement of men, Glendinning suggests transformative actions to redefine gender relationships. He underscores that mere adherence to women's conventions and charters is insufficient; more radical interventions are required. This discussion on rural women in Africa begins by analyzing the impact of globalization, particularly neoliberal capitalism, which has disproportionately affected the development landscape. While globalization has led to substantial wealth accumulation for a select few, its benefits have largely bypassed marginalized populations, especially rural women and children. This is compounded by the consequences of structural adjustment policies on the lives of women and children (Khan, 2000).

Doss (1999) delves into the gendered dimensions of rural women's lives in Africa, emphasizing the significance of gender disparities. His comprehensive analysis of 25 years of research highlights that gender plays a pivotal role in women's subordinate positions concerning their husbands and in-laws, distinctions between women's subsistence and men's cash crop production, access to land, labor, agricultural inputs, and the devaluation of women's labor and time. Despite rural women often working longer hours than men, their contributions are undervalued.

Furthermore, Doss highlights the triple jeopardy experienced by black rural women, who face discrimination based on race, gender, and working-class status. Centuries of discrimination have rendered black women in rural areas among the world's poorest, with limited access to markets,

credit, land, education, and healthcare. While Africa contends with various challenges, such as civil conflicts, corruption, debt burdens, environmental factors, and health issues, women remain particularly vulnerable to absolute poverty and food insecurity (ibid).

The Geneva Declaration for Rural Women emphasizes the crucial role of rural women in developing countries, where they constitute a significant portion of the rural population and a substantial agricultural labor force. Without their active participation, democracy and development cannot be sustained. Rural women's multifaceted contributions to families, democracy, and development must be recognized and valued. These women also bear the brunt of major domestic responsibilities, including childcare, healthcare, water purification, and firewood collection. Female-headed households are common in rural areas due to male migration to urban centers for employment, often resulting in increased vulnerability and food insecurity among women (Khan, 2000). Approximately 31% of rural households in sub-Saharan Africa are headed by women, compared to 17% in Latin America and the Caribbean, and 14% in Asia (FAO cited in Africa Recovery, 2008).

Despite these challenges, women continue to be the primary food producers in Africa, taking on substantial responsibilities for their families. However, rural black women in Africa often face greater hardships compared to their urban counterparts in various aspects. In particular, access to clean drinking water is a critical impediment to the development of rural women, impacting multiple facets of their lives (Haws, 2006). The absence of adequate water supplies and sanitation facilities is directly linked to abject poverty in the developing world and is a fundamental violation of basic human rights. Until these rights are universally granted, especially to women, poverty eradication remains an elusive goal (ibid).

Given global inequalities and inequalities within nation-states, there is no guarantee that bilateral agreements will ensure the flow of aid from the rich to the poor. In light of this, Milanovic (2006) proposes a bold and radical recommendation. Framing global poverty and inequality as an ethical issue justifies the establishment of a Global Agency that would bypass governments, including corrupt officials, which have often misappropriated foreign aid. Instead, this agency would directly engage with national NGOs and individual citizens in impoverished countries, distributing collected funds in the form of cash grants (Milanovic, 2006:151).

It is, therefore, crucial to ensure that women, particularly rural women, are not excluded from the future of work. To achieve this, civil society should advocate for the effective implementation of government policies and strategies favoring girls and women, ensuring that they are gender-sensitive (ibid).

Dominelli, 2004; Sewpaul (2006) have emphasized the need for an alternative perspective on humanity grounded in redistributive justice and the affirmation of human dignity. Terreblanche (2002:445) argues that beyond enhancing democracy, reducing crime and violence, and promoting peace, redistributing income, power, property, and opportunities for greater social justice is a fundamental value that deserves high priority.

Selvan (2017) identifies various challenges faced by female students in pursuing their career prospects. These challenges encompass family-related issues, educational barriers, societal constraints, economic difficulties, and a gender-biased dropout ratio. To address these challenges, it is essential to provide accessible, high-quality education tailored to local needs and offer training opportunities to retain rural girl students in higher educational institutions (Selvin, 2017:23).

Due to limited financial resources and prevailing gender biases, women face significant obstacles in benefiting from land registration and land acquisition within the marketplace. Critics of the Extended Tenure of Land Reform (ETLR) argue that it neglects the intricate and pluralistic land tenure systems prevalent in most African regions. Communal and individual land tenure distinctions often do not align with the mixed farming practices typical in African contexts, leading to overlapping land rights. This situation exposes vulnerable groups, particularly rural women, to land capture and politicization by ruling elites, resulting in multiple land sales and complex ownership patterns (Zakaria 2019; Perz et al. 2017).

Furthermore, the static perspective of customary tenure overlooks its dynamic nature and adaptability over time (Bassett 2007). This rigidity fails to consider the complexity of local-level communal tenure systems, which may encompass individual or group rights (Stamm 2009). Administrative challenges, such as recording titles and changes in land ownership, hinder effective land registration due to resource constraints in many African countries (UN 1996; Byamugisha 2013). Consequently, only a small fraction of rural land in sub-Saharan Africa is registered (Byamugisha 2013).

In South Africa, the land rights system consists of statutory land law and communal land law. Statutory land law, as outlined in the South African Constitution, grants equal rights to women and men, allowing women to buy, sell, register, inherit, or manage land. However, in communal land law, which predominates in rural areas, women's land ownership is governed by patriarchal, tribal, or community customs enforced by local chiefs or traditional leaders. This customary law is often patrilineal, granting primary rights to men and relegating women to secondary beneficiaries (Cousins & Hornby 2009; Mutangadura 2007). Consequently, women typically face disadvantages in asset inheritance, including land (Tschirhart et al. 2018).

To address the widespread issue of illiteracy, it is essential to support local organizations engaged in the education and training of rural women. These organizations play a critical role in overcoming obstacles related to land rights and credit applications. Given the high illiteracy rates among ethnic minorities, targeted educational and skills training interventions should be implemented. Additionally, gender education, life skills, and women's health should be integrated into training programs specifically designed for women working in the field of education. Local organizations should be empowered to sensitize Land Administration officials about the benefits of gender-equal land access. Women must receive priority and support in reclaiming land and property that was previously owned or inherited (ibid).

5.9 EDUCATION AS A TOOL FOR EMPOWERMENT

In our country, the female literacy rate remains lower than that of males, especially in rural areas. In rural regions, the disparity between boys and girls seeking admission to schools is quite pronounced, and many girls drop out of school prematurely. In urban areas, there is a more equitable distribution of educational opportunities between genders, but rural areas continue to lag behind, with girls being less literate compared to boys. Given that the majority of the world's population still resides in rural areas, it remains exceptionally challenging for both girls and women in these regions to access either school or adult education (Bhandari et al. 1997:12).

The overall literacy ratio for women is significantly lower than that for men in the country, indicating a substantial gender gap in literacy rates. Education is a vital process that encompasses learning, knowledge acquisition, skill development, ethics, values, optimism, and practical experience. While education is often facilitated by teachers, self-directed learning is also possible.

The right to education has been recognized by various governments and international bodies. In many countries, education is compulsory up to a certain age, and efforts to improve education are ongoing (ibid).

Bhandari et al. (1997) described the situation of women and their connection to education in the country, particularly in rural areas. They identified various family-related, sociocultural, personal, and institutional factors that hinder the realization of the importance of female education. Although there has been an increase in the number of literate women over the past 20 years, a significant educational gap still exists between men and women in rural areas despite various reforms (ibid).

I share the perspective that education is a powerful tool. Moreover, empowering rural women through education is not only important but also a matter of their constitutional rights. Education plays a pivotal role in enhancing the quality of life, expanding career opportunities, and offering numerous other advantages. It fosters the development of social and cognitive skills crucial for their future growth and success, facilitating self-discovery and the exploration of individual interests (Singh, 2001:5).

I also align with Singh's viewpoint from 2005, emphasizing that education provides women with the capacity to set and achieve goals while equipping them with essential skills that promote self-reliance and empowerment. Education unlocks access to a vast reservoir of knowledge and information. Educated women assume a more significant role in economic growth and can elevate living standards both within and outside their households. Education enhances women's ability to process and apply new information, increasing their capacity to care for their own and their family's well-being. Furthermore, higher education empowers women to challenge various discriminatory practices prevalent in society (ibid).

Literacy, coupled with the ability to form opinions, fosters self-reliance and confidence among individuals. Education protects individuals from exploitation by others and imparts the skills necessary for sound decision-making, preparing youth for the complexities of adulthood. A solid education equips individuals with the capabilities they need to navigate life successfully. For rural women, education becomes an intrinsic part of their identity, enhancing their self-reliance (Malik & Courtney, 2011).

Education also nurtures critical thinking, logical reasoning, and independent judgment, skills that

are indispensable for finding employment, purchasing property, and supporting one's family. Those who invest in years of learning are better equipped to make informed decisions in various aspects of life. Depending on their aspirations, general education, at a minimum, helps individuals realize their dreams and extends their horizons. Education contributes significantly to personal growth, enabling individuals to gain a better understanding of themselves (ibid).

Rural women can explore their own identities through books, courses, or professional guidance. They can become more self-aware of their strengths and weaknesses, enhancing their ability to rationally analyze and solve problems. Education serves as a vital tool in rural women's personal development and self-discovery (ibid).

Education is not only a powerful tool but also a key driver of societal progress. Educated individuals can make substantial contributions to their families and communities, fostering stable and vibrant societies. Education breaks down cultural barriers and empowers people across the globe. Countries with higher literacy rates tend to experience greater human development and economic growth. High literacy rates contribute to a more prosperous society, and educated individuals are valued members of today's culture. Education promotes inclusivity, reduces crime rates, and fosters global understanding (Cameron & Cameron, 2005:17).

Informed by education, young individuals aspire to pursue careers as teachers, doctors, or government officials, with the aim of making meaningful contributions to their communities. Education holds the potential to bridge socio-economic disparities and advance equality. Its significance transcends both individual and global levels, as it contributes to global security and peace. In an ideal society, discrimination rooted in race, gender, religion, socioeconomic class, or literacy would be eradicated. Education plays a pivotal role in encouraging individuals to develop strong convictions and to value diverse perspectives (ibid).

To contribute effectively to modern society, individuals must acquire knowledge about culture, history, and various other essential subjects. Education equips people with the ability to discern between right and wrong, ultimately leading to a reduction in crime rates. Digital education facilitates global connectivity for individuals and organizations, transcending geographical constraints. Furthermore, education promotes respect, elevates social and professional status, ensures financial security, fosters family stability, and offers a myriad of other benefits. It imparts

a sense of stability and security to children, setting them on a trajectory toward success (ibid).

Addressing these critical issues and resolving the learning crisis is pivotal for the future of societies. Prioritizing education and instilling a culture of learning among citizens are crucial steps toward effecting positive change. The World Bank (2019) underscores that the transformation begins with exceptional teachers, and the effective management of schools and education systems is vital for promoting learning. Additionally, educators should harness the potential of technology to enhance learning opportunities (ibid). Since gaining independence in 1994, South Africa has undergone significant democratic transformation. The policies of the Nationalist Party, which held power prior to this period, resulted in a decline in education for Black South Africans and fostered intolerance (Mncube, 2008; Rakoma & Schulze, 2015).

In an effort to rectify past imbalances, Adult Basic Education and Training (ABET) has emerged as a vehicle for addressing these issues and serving as a foundation for lifelong learning and development. ABET encompasses the knowledge, values, skills, and attitudes necessary for active social, political, and economic participation in society. Additionally, Adult Education and Training (AET) involves transformative learning applicable to diverse societal contexts. AET aims to reshape the minds of adult learners, making them valuable contributors to both their personal growth and society while enhancing their future prospects (ibid).

An adult, non-formal, and continuing education program plays a pivotal role in the social, economic, and political development of any nation. It is widely recognized as a tool to combat adult illiteracy, unemployment, and poverty. Such programs offer basic education, non-formal education, and functional literacy opportunities to adult learners and out-of-school youth who have reached the legal age but have left formal education either during childhood or after dropping out of school (Wanyama, 2014). Wanyama also notes that social development entails behavioral adjustments in individuals concerning their interactions within society, while economic development empowers people for wealth creation. One of the major challenges facing adult literacy and continuing education programs, as reported by Wanyama (2014), includes a lack of coherent strategies and the absence of regulations and policies to guide their operations. Meanwhile, according to Hinzen (2007), most countries have legislation and financial provisions for primary and secondary schools, including higher education, but the same cannot be said for adult literacy programs, as many countries have failed to establish policies or legislation for AET

programs.

Rakoma and Schulze (2015) observed that, despite being designed to uplift and empower individuals, adult literacy programs face several challenges. These include time constraints for adult learners, high absenteeism rates, apathetic attitudes towards the programs, high unemployment among learners, traditional social structures, age-related constraints, dropout barriers, a lack of teaching and support materials from the government, inadequate infrastructure such as buildings and classroom space, insufficient stationery for adult learners, unfulfilled promises, a lack of vocational skills materials, long distances to access literacy centers, difficulty paying tuition fees, and community challenges related to social issues, among others.

Furthermore, they identified that the majority of the newly literate population resides in rural communities, where people may not fully appreciate the importance of education and may struggle to afford educational materials (Rakoma & Schulze, 2015:34). The majority of illiterate adults live in rural areas and may hold the misconception that they cannot acquire new knowledge. Additional challenges for adult education programs include a lack of policy frameworks and structures that hinder program development. Moreover, as noted in Rakoma and Schulze's study (2015), learners may struggle to apply their newfound knowledge effectively for productive purposes.

The challenges are compounded for female adult learners, as their responsibilities to husbands and children often hinder their attendance in class. The lack of childcare facilities poses a significant barrier for female adult learners who must care for their children while attending classes. Additionally, the recruitment of unqualified facilitators for adult learners can negatively impact their learning abilities. The curriculum should be tailored to be more adult-friendly to encourage learning among adult learners. Distribution of vocational skills should be organized according to centers, with each center focusing on specific skills. Government support for the adult literacy program should be increased to match the attention given to primary education (ibid).

Festus and Adekola (2015) noted that, similar to schools, considerable intervention and effort are required to ensure the delivery of quality education, including classroom infrastructure and access to resources. While institutional frameworks for AET programs have been established effectively, their implementation is lacking due to issues related to poor leadership and a lack of understanding of the relevance of AET in the nation's socio-economic development (Festus & Adekola, 2015:36).

Jain:et al. (2017) discussed the status of women and girl children in India, focusing on the cultural and economic factors that have historically hindered their access to equal health, education, and recognition compared to male counterparts. The study emphasized the importance of women's education in rural India and highlighted that despite negative experiences related to education, many rural women are willing to participate in education programs designed for them and their communities. The study called for enhanced cooperation among international agencies, governments, non-governmental organizations, and communities to promote educational programs (ibid).

Kaur, S. (2017) underscored the significance of equal educational opportunities for both genders, particularly in rural areas. The study, conducted in a Punjab village, revealed that rural women had lower literacy rates, with scheduled caste women being the most disadvantaged. Factors such as family status and the absence of schools in rural areas contributed to the denial of education for rural women. The study also suggested that education could empower women and make them self-reliant, emphasizing the need to educate rural women to achieve this goal (ibid).

5.10 RURAL WOMEN'S MOVEMENT

The Rural Women's Movement (RWM) of South Africa, headquartered in KwaZulu Natal, is an independent non-profit organization dedicated to upholding the land and property rights of rural women. Its mission extends to the eradication of poverty and the enhancement of women's engagement in local governance. RWM champions women's independent entitlements to land, housing, inheritance, and property, actively engaging in advocacy for changes in public policy. The organization also provides training to develop strategic responses to the HIV/AIDS pandemic. Established in 1994 and formally launched in 1998, RWM has been advocating for indigenous women's land ownership and equal treatment for over two decades. The organization currently collaborates with more than 2,000 orphaned children in KwaZulu Natal, aiming to ensure their continued access to education. While supporting these children in coping with the loss of their parents, RWM also strives to instill personal responsibility, altruism, respect for others, and kindness, qualities deemed essential for leading compassionate and productive lives.

The RWM consists of 500 indigenous women's organizations involved in various ventures such as small-scale farming, catering, block making, handicrafts, and arts and culture. Its membership

encompasses a diverse spectrum of women, including widows, single mothers, young women, married women, abandoned women, and young people. RWM represents marginalized groups grappling with poverty and oppression, many of whom reside on privately-owned farms, in traditional authority areas, and on freehold land. In 2008, RWM submitted evidence to the Portfolio Committee on Justice and Constitutional Development, expressing concerns about the shortcomings of the Traditional Court Bill, particularly its adverse effects on rural women's rights. The organization argued that the Bill inadequately addressed the daily discrimination faced by many rural women within the traditional justice system, both in contemporary and historical contexts. They voiced apprehensions that the Bill might legitimize unequal and patriarchal power dynamics, further obstructing women's access to justice in rural areas.

RWM also pointed out that the Bill disregarded a report generated through extensive consultations with rural women, submitted to the South African Law Commission. The organization drew attention to the challenges faced by widows who represented themselves in tribal court hearings convened by tribal authorities. For instance, in many areas, widows in mourning attire were prohibited from speaking in the tribal court, having to convey their views while seated through a male intermediary, who would then relay their words to the court. This placed them at a significant disadvantage, particularly in family disputes arising after the death of their husband, which often culminated in widows being evicted from their marital homes without being allowed to present their case personally. The individuals adjudicating tribal disputes were typically older male councillors, often biased against women bringing family disputes to the court, viewing public discussions of family problems by women as inappropriate. Women were often excluded from court proceedings, asked to leave before the proceedings concluded, or instructed to sit in a separate area designated for women. Councillors frequently dismissed women's complaints as trivial or disruptive, despite these disputes having severe implications for women, potentially resulting in their eviction from their homes. RWM emphasized that rural women were often perceived as individuals of lower status and without economic power. Serious issues raised by women, including those involving physical abuse, were frequently dismissed as "private domestic matters," implying that women should have kept such issues private. Consequently, the prospects of women becoming part of traditionally male-dominated councils were bleak, as these councils often exhibited bias against women and resisted sharing authority with them. This was particularly true for single women, including those who were never married, widowed, or divorced, and

especially for women without sons.

5.11 THE INGONYAMA TRUST

Leading up to South Africa's inaugural democratic election in 1994, the KwaZulu Legislature Assembly passed the Ingonyama Trust Act 3 of 1994. This pivotal legislation facilitated the transfer of all land within the former KwaZulu homeland, contributing significantly to the integration of KwaZulu Natal into the forthcoming general election and the recognition of the Zulu King. The Act shifted control of the land from the former KwaZulu homeland to traditional authorities, with the most pronounced effects observed on land managed by local chiefs (William et al., 2017:23).

The Trust, established in 1994 to oversee land that was previously under the control of the KwaZulu Natal Government before the Act's enactment, came into existence following negotiations between the National Party and the Inkatha Freedom Party during the final days of apartheid preceding the 1994 transition. This Trust, enacted by the KwaZulu Natal Legislative Assembly, became effective on April 24, 1994. The Act underwent significant revision in 1997 to establish the KwaZulu Natal Ingonyama Trust Board to administer the land in accordance with the Act (Centre for Law and Society, February 2015).

The Trust is responsible for managing approximately 2.8 million hectares of land in KwaZulu Natal, with the land under the trusteeship of the Ingonyama intended to be administered for designated communities. The Board's responsibility includes granting land tenure rights to an estimated 4.5 million people residing on trust land, distributed across 241 traditional councils. In addition to safeguarding land rights from unlawful occupants, the Board also assists in streamlining spatial planning for integrated development. Despite its extensive power over land management, the Trust is legally obligated to respect individual and community land rights (ibid).

In a live-streamed speech from the Geneva Ennals Award Ceremony, Sizani Ngubane, a late land rights activist and founder of the Rural Women's Organisation with over 50,000 members, emphasized, "In South Africa, women face discrimination, the worst form of which is widespread gender violence. In rural communities, they often lose their land and are denied access to education and justice" (AllAfrica, 2020:2).

5.11.1 The Ingonyama Trust Vs. The Rural Women's Movement

Sizani Ngubane, the director and founder of the Rural Women's Movement, the Legal Resource Centre, the Commission for Gender Equality, and other organizations, initiated a legal challenge against the Ingonyama Trust. South African Customary Law posits that the land belongs to the people, and traditional leaders are merely custodians. Moreover, the Constitution—the nation's highest law—asserts that all citizens are equal before the law and prohibits unfair discrimination. Traditional leaders are not exempt from this, as they are subject to customary law as outlined in the Constitution.

On June 11, 2021, the Court ruled that the Trust had acted unlawfully by leasing land to individuals who were already the 'true beneficial owners of the land' according to Zulu customary law and the Ingonyama Trust Act (Custom contested view, 22 June 2021). The exploitative nature of the Trust and the minister's failure to exercise due diligence reflect a broader issue. The Court ruled that the minister had violated her duty to ensure the Trust's compliance with the constitution, specifically referring to sections 25(1) and 25(6), which stipulate that no one may be deprived of property arbitrarily and that those subjected to racial discrimination should have secure land tenure, respectively.

The Trust has faced considerable controversy for its inability to protect the land rights of individuals living on the lands it administers. Clark and Luwaya (2017) elaborated on this issue, arguing that the Trust has been criticized for perpetuating long-term lease agreements with mining companies, often without consulting the communities residing on and utilizing these lands. Consequently, these communities are deprived of their usage rights and access to the land (ibid).

Tembeka Ngcukaitobi, as reported in Times Live, contended that the draft bill for communal land tenure, aimed at empowering rural communities with land rights, is unconstitutional as it bestows traditional male leaders with full authority over communal land (Mahlangu, 2022). Sizani Ngubane, the late human rights and land rights activist and founder of the Rural Women's Movement (RWM), also opposed lease agreements that denied women land ownership rights. These agreements required a male relative to sign for land on a woman's behalf, a practice that Ngubane saw as a destructive aspect of patriarchy.

According to Ngubane (2008), the Trust contravenes South Africa's customary law, which states

that the land belongs to the people with traditional leaders serving only as custodians. The constitution, South Africa's supreme law, confirms that all people are equal before the law and that the state must not unjustly discriminate against anyone, including traditional leaders.

On June 11, 2021, the Pietermaritzburg High Court ruled that the Ingonyama Trust's practice of leasing land to the rural population of KwaZulu-Natal was illegal. The Trust was deemed to have acted unlawfully and unconstitutionally and was ordered to be disbanded. The Minister of Rural Development and Land Reform, who has the final say over rural land affairs, was found to have neglected her duty to ensure the Trust's compliance with the constitution (Daily Maverick, 2022).

This study and its accompanying literature review do not oppose the establishment of the Ingonyama Trust as a state entity or tradition. Instead, they examine the consequences of poor state public policy formulation, implementation, monitoring, and evaluation, which can negatively affect women by excluding and marginalizing them. The study delves into the conditions that perpetuate poverty, inequality, and restricted access to land for rural women in South Africa, particularly in KwaZulu-Natal. The review also investigates any acts or practices perceived as unjust or resulting in injustice, which deprive citizens, particularly women, of access to land or violate human rights by obstructing access to land, such as the Extension of Security of Tenure Act (ESTA) and the Labour Tenant Act (LTA).

5.11.2 The High-Level Panel Report

The South African Parliament established a High-Level Panel (HLP) which, in its report, expressed concerns about the revenue received by the Ingonyama Trust and its apparent failure to reinvest this revenue in the trust's beneficiaries (HLP, 2017, p. 203).

During public hearings, the High-Level Panel also observed that people had raised complaints about increased vulnerability to dispossession, especially in areas where mining activities were occurring, including former homeland areas and areas administered by the Ingonyama Trust in KwaZulu-Natal. These complaints centered on allegations that traditional leaders and officials were denying people their land rights, including longstanding customary rights. It was alleged that leaders were claiming sole authority to sign agreements with investors regarding communal land (HLP, 2017).

The High-Level Panel's report confirmed that the Ingonyama Trust Board had been converting

original Permissions to Occupy (PTOs) into lease agreements with a 40-year term. These lease agreements were noted to contain onerous conditions. The report also highlighted that during the 2015/16 financial year, the Ingonyama Trust Board received rental income of more than 96 million rand. However, the report stated that "there is little evidence" to suggest that this revenue was being used for the benefit of communities or their material well-being (HLP, 2017).

5.12 ASSOCIATION FOR RURAL ADVANCEMENT (AFRA)

AFRA, an advocacy organisation for land rights, has been operational since 1979, striving to assist marginalised black rural dwellers, particularly those residing on farms. Our objective is to cultivate an inclusive, gender-equitable society where rights are valued, protected, and realised; essential services are provided, and land tenure security is guaranteed. Primarily, we focus our intensive community work within and around the uMgungundlovu District Municipality in KwaZulu-Natal, South Africa, whilst also extending our support and advice more broadly (Clark, 2017: 130).

AFRA is instrumental in empowering and mobilising farm dwellers to advocate for themselves by providing education on rights, awareness-raising, and self-organisation. This proactive approach fosters their direct participation in all matters that affect them. In tandem with similar organisations, we create spaces for collective lobbying and advocacy campaigns, which ultimately contribute to the development of effective national policies, strategies, and local initiatives (ibid).

The Association for Rural Advancement (AFRA) has undertaken the "Pathways Out of Poverty" project, aimed at assisting individuals who continue to experience severe tenure insecurity and lack access to adequate housing and basic services. Among the country's poorest are approximately three million black South Africans, representing 6% of the population, who reside on privately owned farms in formerly white commercial farming areas. These individuals face increased vulnerability due to their socio-economic marginalization and geographic isolation (Clark, 2017: 45-78).

In response to this situation, AFRA initiated the Pathways Project, which seeks to identify routes for poverty alleviation for those living on farms they do not own. The project aims to foster consensus among farm owners, farm dwellers, and the state to realize farm dwellers' rights. It highlights the absence of an administrative framework securing the tenure of labor tenants, farm workers, and occupiers, while also providing them with access to essential services such as

adequate housing, water, electricity, and sanitation services as a major contributor to poverty on farms. A key component of this project is the development of a report examining the existing legal and regulatory framework governing farm dwellers' tenure security and access to essential services. The objective is to gain insight into the reasons why farm dwellers remain highly vulnerable (Clark, 2017).

5.13 CONCLUSION

The chapter has investigated how rural women find themselves caught in the intersection of multiple legal systems, including international, regional, national, statutory, religious, customary and local norms. These norms can negatively influence women's access to land. For instance, if statutory law grants women certain land rights, these rights can be undermined by decisions based on traditional, religious or personal law, particularly when decision-makers are predominantly male. Despite the significance of land for women, they frequently lack secure land tenure. This situation can be attributed to gender-biased laws that, at best, protect only married women and, at worst, offer no protection at all. Additionally, legal systems may be inaccessible or may prioritise customary law over statutory law. Land titling systems often require payment that women cannot afford, and discriminatory practices persist. It is evident that education plays a pivotal role in women's empowerment, enabling their greater involvement in political and economic activities and enhancing the benefits derived from their participation. Rural women with primary and secondary school education exhibit significantly higher participation in political and economic affairs, reaping greater benefits compared to their illiterate counterparts.

In light of these findings, it is recommended that governments introduce and expand integrated and functional adult literacy programmes in rural areas to address the needs and challenges faced by rural women. Illiteracy is a global issue that deprives women, particularly those in marginalised communities, of their right to education and self-reliance. To address the challenges faced by rural women comprehensively, various empowerment measures and guidelines should be considered. Recommendations include challenging patriarchy, improving access to education, facilitating access to credit without requiring collateral, and urging international financial institutions to be more responsive to the needs of African rural women.

Historical factors, patriarchal cultural norms, and discriminatory practices have contributed to the

exclusion of women from land rights in South Africa. Despite the introduction of policies and initiatives aimed at overcoming these challenges, the practical application of these measures has been limited, perpetuating gender disparities in land ownership and access. There is a continued need for efforts to enhance gender equality in land reform, focusing on overcoming these obstacles to achieve comprehensive and transformative change. Research has repeatedly indicated that women are often disenfranchised and excluded from accessing land, with a tendency for land redistribution grants to be allocated mainly to male heads of households. Furthermore, the chapter identifies a gap in women's literacy, and existing studies confirm that women frequently face disempowerment and exclusion regarding land access, with a bias towards men in the distribution of land grants. Therefore, there is a pressing requirement for qualitative research to explore the reasons behind the dominance of traditional authorities in rural land management, who often reinforce gender inequality and discriminatory practices against women. These issues cannot be dismissed as well-understood; additional research is essential to devise effective solutions, which is the rationale behind conducting this study.

Traditional authorities, who wield significant control over land resources in rural areas, frequently perpetuate gender inequality and discriminatory practices against women. Understanding the complex interplay of class, race and gender is crucial when analysing the disadvantaged position of women and its impact on their access to social resources and opportunities. Societal expectations and gender roles significantly shape women's experiences in this regard. To address discriminatory practices and empower women through land rights, it is essential to confront both social and cultural dimensions and challenge the status quo. South African policy and strategy documents have acknowledged issues related to poverty, inequality and social exclusion, with varying degrees of attention given to vulnerable groups, gender disparities and spatial inequalities. However, there remains a need for greater mainstreaming of gender considerations throughout public policy to effectively address the multifaceted challenges faced by rural women in accessing their land rights. The subsequent chapter will build upon this case study chapter to further discussion on women experiences and daily realities that they endure.

CHAPTER SIX: DATA ANALYSIS AND FINDINGS

6.1 INTRODUCTION

The chapter delves into the interpersonal domain forces, highlighting issues such as gender inequality, the significance of land, the impact of Zulu cultural norms on women's access to land, and the role of customary land law and dishonest practices that undermine women's land rights. Additionally, it explores the economic and political domain forces, discussing topics like land restitution, public support, public incompetence, and the knowledge of economic policy. A significant part of the analysis focuses on the intersection of political economy and customary law, examining the interplay and tensions between customary and public structures and their impact on women's agency in accessing land.

This chapter presents and analyses the results derived from field research, involving twenty-nine participants across various categories, including representatives from non-governmental organisations such as AFRA (Association for Rural Advancement Land Rights Advocacy) and RWM (Rural Women's Movement), independent women and men farmers, participants involved in the custom of Ukuguqulwa kwebhantshi for the confirmation of new family representatives for land plots, traditional leaders, and key informants from the Department of Agriculture (DLA), Cooperative Governance and Traditional Affairs (COGTA), Department of Land Affairs and Rural Development (DALRRD), and the Commission for Gender Equality (CGE).

Each participant provided responses based on their unique experiences, contributing to a rich dataset for analysis. The findings are meticulously organised around the theoretical frameworks adopted in this study, delineating the intersectionality of the applied theories to shed light on the experiences of women, particularly in the interpersonal and economic domains. The interpersonal domain encompasses cultural norms, gender roles, customary laws, and cultural institutions, while the economic domain covers laws, policies, public institutions, economic opportunities, and gender policies with specific implications for rural women.

The chapter aims to provide a comprehensive understanding of the diverse experiences of rural women in accessing land, structured according to the theoretical framework and organised into themes that reflect the complex interplay of interpersonal, economic, and political forces.

6.2 INTERPERSONAL DOMAIN FORCES

As explained by Structuration Theory, the interpersonal domain is populated with various structures of cultural norms including gender norms, customary law and cultural institutions and the immediate communal context. In this case, these structures incorporate forms of Customary law around land access and other aspects of social or communal life, cultural norms of Zulu society.

6.3 GENDER INEQUALITY

The perspectives offered by Black Feminism and Structural Theory highlight the issue of gender inequality, suggesting that the marginalisation of women is a result of societal constructs, leading to women not being the direct beneficiaries of policies and relevant interventions. This situation is largely attributed to longstanding cultural norms related to gender roles, many of which continue to negatively affect women today, especially in terms of economic opportunities and access to land.

Rural women in the province of KwaZulu-Natal expressed that, South African policies need real attention. If they are to redress gendered inequalities, *South Africa would not be where it is. Our policies are internationally known to be write well “good on paper” but the implementation is dismal and weak. I think it calls for development of responsive programmes. These programmes are to be implemented by experienced and skilled policy custodians and networks. In order to enforce accountability as an element of good governance, decentralized government will have to thoroughly and consistently monitor programmes. Ensuring a consistent monitoring of implemented programmes will allow policy custodians to identify bottle-necks that are hindering the successful realization of policies and programme objectives. Also the sustainability and the consistency of programmes can be ensured by prolonged administration changes. Five time administrative changes really affect the implementation and a through monitoring of policies. I would really wish that they don't change, they should remain unchanged. You cannot realistically have programmes that change every five years, it makes it very difficult to measure the impact of government and implemented programmes. I think that is one of the things that affect the government programmes.*

While political and administrative change is good, one needs to agree that not all political parties have a common goal. What was a policy agenda for the previous political party could be least important when the new political party comes into office. The focus is likely to change in one way or the other, with each administration. If you are talking about equitable access to opportunities, you are redressing the injustices of the past, five years into office is an unrealistically short period. Those injustices were entrenched by programmes and systems which were developed and put in place for centuries going back to colonialism, apartheid and so on. The remnants of that system are still there. If you are going to have programmes changing every five years, it will take many years for the country to redress the injustices of the past.

I have never experienced any discrimination personally after passing of my husband. Maybe it happens to other people but not me because I still cultivate the same land I used to do when my husband was still alive. [RWM/AFRA2]

Programmes related to gender-based violence, I think such things need to be used to educate people because some of them do not even know that they are being abused. In rural areas, it is a shame that some women are abused emotionally by their partners just because they are dependent on them for a living. In some cases, you find that the woman is not physically abused but emotionally she is drained. We need awareness campaigns so that women will know. We also need centres in the areas of amakhosi so that Department of Social Development can access them easily. [Trad. Leader1]

Gender inequality and discrimination exist in my area. There is no public transport in my area, but those people who have cars do not even offer you a lift when they see you at the shelter. They just drive pass you. This tramples upon women's rights. Yes, we have received seeds and implements, fencing from AFRA. [RWM/AFRA9]

History of South Africa kept women believing that they are not capable. We still have that challenge. Remember you are asking about rural women, and we must be mindful of the social nature in rural areas. Women are kept belonging somewhere and they are staying there. So, fighting for women to be in positions of council is not easy, it talks about socialization which is constrained by this patriarchy. The country need do deal with issues of patriarchy to be able

to take up these spaces. It also needs South Africa to really commit to women empowerment.
[CGE]

Inequality is bad because it causes discrimination. I have been at the receiving end of gender discrimination when my parents passed away. My brothers took everything and sold it. I do not even set my foot at my home now. There are young people in the area who produce agricultural produce, but they lack the market. Their produce ends up getting rotten. Government must up its game when it comes to gender discrimination. [RWM/AFRA3]

Inequality has permeated the society so much that people do not even utilize their own documented rights. My brothers are younger than I, but they want to make rules and be superior. The society has inculcated this notion. [RWM/AFRA15]

Discrimination is bad in the society because even in the family, if you had land when your husband was still alive, it gets taken away when he passes away. It is not easy to get implements when you do not have land. Those who have land get lots of support from tractors to seed packs, but they never call you. Gender discrimination is a challenge in society, once your husband dies, the brothers of your husband take away the land and you starve with your children. Men dominate women greatly. [RWM/AFRA40]

I am speaking from experience because when my husband died people from the family took away everything. Even at the tribal court, you do not enter when you got to report something because you have just lost your husband. [RWM/AFRA3]

Gender discrimination is indeed a challenge in our families and in the society in general. As I said, my brother did not want me to use the land because I married to Loskop. But inkosi said to him but she is also a family of this community. My brother's name is the one that is registered but I cultivate because I am a member of the coop. [RWM/AFRA5]

The story I can relate is that as I am a female, I went to school from grade one to grade twelve. I also did LED. But I cannot get a job. Another thing is that I have faced a challenge where someone offered me a job but wanted other private extra ordinary favours first, which is not how I operate. Especially in farms, and if you grew up in the area. As I say, LED requires relationship with municipality. Sometimes you see yourself fitting in a job and you apply but

you do not get shortlisted. Just google in this Local Municipality there are no jobs.
[RWM/AFRA6]

Inequality affects us a great deal because men have the mentality that they are men of the house and they do not want to consider our views as women and fail to give us benefit of doubt.
[RWM/AFRA10]

The study shows the realities of rural women in South Africa, particularly in KwaZulu Natal, who face barriers and prospects in accessing and using land for farming. It cites a 2013 CGE report that urged the government and civil society to inform and involve rural women in land reform and agricultural development (Segooa & Mhlongo, 2013).

We are being educated that a man and a woman are equal nowadays because there is nothing a man does that a woman cannot do because even at work, we do the same work. Although it has not been happening practically. But gradually, we try to impart knowledge that we acquire through training. This issue of gender inequality continues to oppress us in the society as women because we have not been allowed to reach our limits to educate people that we are now equal in society. This thing of being perpetuality of a woman is now a thing of the past.
[RWM/AFRA12]

Women are still oppressed. Women are suffering and are not empowered to carry on with farming. They are just left to their own devices. If a woman loses her husband, she cannot sustain the life they were living when the husband was still around. Yes, they continue to live in the area. But if a powerful person comes and decides about the land, the woman can end up losing that land. Yet the department exists and talks about women empowerment. The government used to issue out vouchers for people to buy cattle feed. [♂Farmer1]

The narratives presented previously demonstrate that the viewpoints of Structuration Theory, as proposed by Anthony Giddens, alongside those of Black Feminist Theory, are not adequately reflected in the formulation of public policy. This omission undermines the effectiveness of the South African Constitution (Act No. 108 of 1996) in addressing and responding to the specific needs and challenges faced by different groups within society.

6.3.1 The Importance of Land

The Black Feminist Theory has effectively shed light on the structural problems created by societal constructs that persistently marginalise women in Africa. Consistent with the insights of this theory, all participants underlined the critical importance of land in their lives, whilst also detailing the obstacles that have impeded their access to it. For the respondents, land represents not only economic security and opportunity but also social stability and status. It stands as the paramount asset and primary goal for this particular group; rural inhabitants of KwaZulu-Natal, thus making the structural barriers to accessing this vital resource both significant and specific to their situation. The participants described their experiences of accessing land as follows:

Land acquisition can assist a great deal. It can reduce poverty. It can also prevent our children from deserting their homes. We have imparted cultivation knowledge to our children. Land is economy because even gold is dug from the land. Farming can help us reduce hunger. We request government to assist us. We need seed packs from government. I have heard about PESI programme. It assisted other people in the area. Some were buying cattle feed. [RWM/AFRA5]

Access to land can develop my life as I have been exposed to knowledge how to plant. We can also facilitate job creation for the community. If I acquire land, I will get my community to establish an NPO so we can start work. Yes, land acquisition can be good. It can also create job opportunities and end hunger. I know that when you want land you approach Land Affairs. You also get to register on how long you have lived in the area. Lack of access to land makes women feel oppressed, marginalized and have their rights violated. [RWM/AFRA11]

Lack of access to land is a painful experience because we cannot engage in agricultural activities, and we cannot bury our loved ones as we wish. Access to land can enable us to plant vegetables to sell and advance my life, whereas lack of access makes it difficult because the farmer has put limitations on what we can do here. With land, I can do farming and have livestock and so on. Farming and building, the farmer does not permit us to build our houses. Planting vegetables can be a solution. Everything comes from the soil. If you want land, you approach Land Affairs. [RWM/AFRA9]

Access to land can boost economy. Young people are trained on agriculture. We can plant and do

farming. Access to land can enable us to plant and supply so that people will not go hungry. [RWM/AFRA14]

I have attended a workshop at Ozwathini where we were taught different ways of planting. The lack of access to land has ripple effects because as job opportunities are so scarce, we are compelled to be self-employed. And the question is, which land will you use? If you do not have land, you do not have anything. Land is the beginning and the end. I that will have a good impact. If I can get land, I can do anything that I believe will advance my life through that land. People can be able to do cooperatives and small-scale farming. [RWM/AFRA6]

As I have said, land acquisition assists a person to make a living. You don't need to look for a job if you have a piece of land. You start as a subsistence farmer and if your work grows then you can start selling your produce and get money. [RWM/AFRA15]

Access to land can develop us and we can be healthy. We can also get money. The more land we access the more money we can get. Access to land can help us reduce the effects of unemployment. At home, I have cabbages, tomatoes, and carrots. I even sell to people. When the land of amaHlubi was restituted, inkosi did not encourage people to build but he wanted us to cultivate. The land was fertile but people from nearby stole our produce. Hopefully, when the land is fenced, we will get harvest. Each cooperative was given large plots to cultivate. We were given seed packs before. There are tractors for the cooperative, but you must buy diesel and pay for the tractor driver. All those are implements from the Department of Agriculture and Rural Development. [RWM/AFRA5]

Land acquisition can help a lot because I have a registered company with CK. I had planned that I would do farming using it. If I can acquire land and plant, people in the neighbourhoods can come and buy from me instead of going to town because going to town is expensive. It could have a good effect in that I can supply the people around my vicinity. Farming has seasons. When the produce is still fresh, I can sell it and once it loses its freshness, I can give it to my neighbours in need. [RWM/AFRA13]

Land acquisition can be a good thing because we can use it to plant and do farming. We can even provide job opportunities to other people. I think there could be better development if we can acquire land, especially youth since there are many young people who are unemployed. It can

have a good impact, like me, I am here and not doing what I have been formally trained for. But if I can get land and the opportunity, I would take it because some of us have done studies in agriculture. So, life can change for better. I think it would be a good thing to have land acquisition to end hunger. [RWM/AFRA12]

I was once trained on how to cultivate land. Land acquisition can assist a lot because it can put an end to poverty. Land acquisition can have an impact in development. People can do farming and end poverty. Even crime will decrease because it is caused by hunger as well. If you get together as a group, you can get land. It becomes easier if you are a group. Inequality is a challenge in our society. (RWM/AFRA2)

Access to land can really advance my work. If I can get fifty hectares of land and have one crop, I can produce a lot. Sometimes it is better to have fenced land with tested soil for crop suitability. Sometimes crop is not suitable for the soil you are ploughing. When the land is together you can be able to save money because even fencing is not in pieces that will drain your pocket.

I can change the livelihood of the community by gaining access to land. *People in rural areas do not have jobs but they take whatever comes, especially when it is formal.* if I can have land, I can be rich/ monied. Access to land is power and everything. It can create a lot of opportunities with possible funders. We can be able to plant and use excess to aide community to get food from those produce that are not meeting the grade. [♂Farmer1]

Access to land can have a positive impact. It can help to develop our lives because we can also plant vegetable produce and sell to the markets so that people will get fresh produce from us. We can be able to also help NPOs housing disabled people and children. Land acquisition can be very helpful because if you have your own land, you can plant here and use those vegetables to eat. You will not worry about where to get money to buy cabbages. You can also help other people. [RWM/AFRA10]

Lack of access to land causes poverty because everything comes from the land. If we had land would not be complaining. Yes, land acquisition can help us to be developed because land is everything. Land acquisition end poverty and makes people to live well because people eat fresh food. It also boosts economy. (RWM/AFRA1)

What I can say is that when we have land, we can have better and bigger projects and we can contribute towards tax. There are many families assisted by people who are in the cities, whereas we also have the potential to assist them. [RWM/AFRA6]

If I can acquire land, I would use it for farming to create job opportunities as well for my neighbours. Access to land can help us not to rely on shops. We can also supply big shops and be self-reliant. I do know who to approach because those who had claimed land to give us reference to check how far the process is. In some cases, the process becomes smooth with availability of documents in files but in other cases you get told that documents were misplaced. That has a huge impact because in *areas where we live there are no job opportunities*. [RWM/AFRA7]

The issue I can relate is the land issue. There is land we requested from the municipality with other woman I was with at RWM NGO. The municipality sympathized with us by fencing it. But the fence was vandalized and taken away by people. I then decided to leave the township to go to rural areas because they give you a bigger land. You can plant bigger plots of vegetables if you can get irrigation water. (RWM/AFRA1)

Lack of access to land puts a strain on us especially as women. As I am this age, I am supposed to have my own house, but I cannot go out and build my own house because izinduna require you to have a male partner to be allocated land. Access to land depends on an individual. Some people do get land, but they do not know how to use it because they are not informed. [RWM/AFRA8]

Land is very important because if you are a woman wanting to access land, Land Affairs does not look at you as a woman whereas in the areas of amakhosi we know a woman must come with a male to be allocated land. The problem for women is that they do not own assets. I think these questions are interrelated. If you are a woman who has access to land, I will say from the perspective of home building besides doing business, it enables you to do what you want irrespective of whether you are married or not. It is where your values are because it gives you dignity. It is even better if you own that land. [♀Farmer1]

If you have access to land you can cultivate to contribute to reduction of hunger. You can plant potatoes for example, but you cannot eat the whole hectare by yourself. You will also sell to

other people in one way or the other. You can also help your neighbours. You can also create job opportunities. [♀Farmer1]

Access to land does a lot, my son asked me for money some days back and my daughter said, “money does not grow on trees”, and I said it does. We argued. Then my son went to ask his mother if money grows on trees. She said yes it does because the plants that we grow, the projects that we supply give us the money. So, for us in agriculture, money does grow on trees. What does that tell you? For people to be able to generate any economic value, land and access to land is critical, whether you are mining or running projects on the ground, whether you are building facilities to offer services. It all stems from the ground. Land is critical. In my experience, coming from kwaMangqakaza eGingindlovu, we have got family land, it is not that huge. But if you want to grow from an agricultural business perspective, it means you must collaborate with people who have access to land that is arable. It depends on what my focus is. For me, *it is agriculture for future sustainability*. We recently learnt of a new product made from avocados. You know about kwagamolas (place). We make it a lot of times at home but when someone can package it with a specific taste. It shows the power of land, produce, and food. So, it all depends on what you do or what your intention is with the land. But it contributes to my empowerment. [♂Farmer1]

Lack of access to land brings poverty because food is produced through land. Yes, indeed land acquisition can assist to end poverty and we can cultivate fresh produce and sell. We can even open markets and sell our produce to shops. We will never be poor because every season we will be planting crops. If you have bigger land, you can produce and help your neighbour. You can even take your produce to the markets. [RWM/AFRA4]

The study shows the realities of rural women in South Africa, particularly in KwaZulu Natal, who face barriers and prospects in accessing and using land for farming. It cites a 2013 CGE report that urged the government and civil society to inform and involve rural women in land reform and agricultural development (Segooa & Mhlongo, 2013).

6.3.2 Zulu Cultural Norms and Women’s Land Access

Discrimination against women’s access to and ownership of land stemming from the prevalent cultural norms and customary practices is very pronounced for most respondents. There is a

significant amount of frustration apparent from respondents' responses about the prevailing customary practices and opinions. This suggests that this issue— land access in rural KwaZulu-Natal— is in a fluctuating phase— traditions are conflicting with modern policies and changing wider societal norms, and customary practices are being seen through this more modern lens and therefore being criticised and deconstructed. Responses on this theme include:

Challenges we faced when we sought to acquire land was that we were told that as women we could not get land. We do not have the right to access land. They said their law is that land is given to men. Growing up, our mothers told us that it was always a requirement that everything be under the ownership of a man. [RWM/AFRA12]

I will focus on gender equality, I have a brother, but we are not treated the same in that I must be home by 17h00, but my brother can just go out by that time. However, in the society, it is a problem because even if you say something very important, but they look at who is saying it before they accept it. When the same thing is said by a male it is easily accepted. The issue of inequality is a problem. Also, the issue of race determines how you are treated. What angers me even more is that they do not have a skill to work in a farm. White people do not work as hard as we do, while we work in out in the heat. If you are sick and you need a doctor's sick note, they take you to their own doctors who will give you lesser days than you really need, because they have a chain of relationship. My father was sickly until he passed away. He was fixing roofs out in the sun because he had to beg to live in the farm. He would not be given leave. We work long hours in the farms. I was trained on seeds, fertilizer, manufacturing. [RWM/AFRA6]

The challenges you face as a woman when you want to acquire land is discrimination. If you happen to get land, you do not get any support. But the underlying challenge is that of being a woman. (RWM/AFRA1)

I think that is what needs to happen in terms of dealing with discrimination against women. The one for patriarchal question, I may not have an answer to it, but it needs to be investigated as number of complaints do exists. In as much as the government may want to have these programmes and so on in terms of the rural set up, the reality is that in most cases if you are in a rural set up men may feel threatened about some of the programmes as if it is stated that they

will not be supported. I think one of the things that can be done is to have awareness, education, or dialogue to make them understand that as much as we are supporting women as government, we are doing this to redress the injustices of the past. Another thing, when you look around, most men will have women in their lives either a wife, a sister, or a mother so you shouldn't be threatened when we assist women. If that programme supports your wife, your sister, or your mother a man is supported as well indirectly. Programmes to support women should not be seen as threat, especially in rural context. If these programmes can be well introduced, I don't think they would be seen as a threat as it happens now. I think because men are mostly in leadership structures in most communities in rural set up they will naturally begin to create barriers so that they exacerbate discrimination against women. [DALRAD]

Inequality in the family is a huge challenge. I ended up homeless because I am a female. My father died when I was still working in Durban. My mother was taken to Msinga by my older brother. My sister and I discovered that we no longer had a home because it had been sold. We approached a tribal court. Inkosi told us that no house for (naming female with insult names). The late Mama Sizani was aware of that. Inkosi asked why we were not getting married. So, I have experienced gender discrimination firsthand. What made me to be here with my children is because I had no home. Gender discrimination is painful. No, I have never received any agricultural support. (RWM/AFRA1)

Booyesen et al. (2011) report that women's development and poverty vary widely among the provinces in South Africa. They rank Eastern Cape and KwaZulu Natal as the lowest, and Western Cape and Free State as the highest. This text argues that more research is needed on the challenges and strategies of women in KwaZulu Natal, the poorest province.

Currently, women are locked in small pieces of land where commercial activities are not promoted. Even those that have a small foot in owning a farm, racial and gender bottlenecks prevent them from accessing the market. You are a woman and black for that matter. [CGE]

This thing of *ukuthwala* (forced marriage), some people call it tradition. A tradition is something practiced by everyone in a particular nation. But *ukuthwala* is something practiced by a certain area. [Trad. Leader2]

The challenges we face when we try to acquire land is that we are discriminated as women and as

widows. We are also undermined. We are not given the opportunity to participate. We do not get training. We are treated as nonentities. There is no policy training that I have received. There is no training I have received on gender issues. We do not invitations to meetings. [RWM/AFRA3]

You go to traditional court and say you marry this woman but then do not register. Once the husband is dead then we must start from way back to get evidence that yes lobola was paid and everything was done, before a woman is given the right to manage estate. Those are all the challenges. And we are talking about rural women who are not working, so they do not own anything. If anything happens, when the man dies the woman must prove that she has a right to estate due to customary marriage. This does not normally apply when a woman dies because everything is owned by a man. The homestead also belongs to the husband. When the husband dies, the woman needs to be protected. [CGE]

I will not talk more about ukuthwala but such things have been encountered. Ukuthwala was originally an agreement between a lady and a male. But nowadays it is misused. It was an agreement between two people who have fallen in love but cannot expose it because parents want the woman to go elsewhere, where is a herd of cattle. We once went to Bergville to chastise wrong instances where gentlemen from Johannesburg would arrive in November and forcefully take school-going children. It never used to happen like that. I am not saying it was right originally, but at least it was an agreement between two people.

The above text discusses how forced marriages in rural South Africa violate the law and the rights of women. It cites the South African Marriage Act (No. 25 of 1961), which defines marriage as a voluntary union of two persons. It also cites Thabiso (2011), who argues that forced marriages deprive women of education, empowerment, and autonomy. A possible way to rewrite this text is:

Forced marriages are illegal and oppressive practices that affect many women in rural South Africa. The law states that marriage should be a voluntary union of two persons (South African Marriage Act, No. 25 of 1961). However, some rural women are coerced into marriages that limit their opportunities for education and development. Thabiso (2011) claims that this leads to women's subjugation and vulnerability in their relationships and society.

There is this custom of ukuzila (mourning dress), a woman can mourn with her heart. I say this

because I sit with amakhosi, and we discuss these things. Just imagine a teacher widow who must wear a mourning dress. This practice makes you identifiable and makes a woman to be discriminated. It is not a culture but a practice of a family. [Trad. Leader1]

In most cases we get it's a woman and her boyfriend. Induna knows that it's TheMbi (pseudo name) who buys land but due to the law she came with her boyfriend. After some time, the boyfriend dies, and his relatives come and demand the land. But information is there on paper that the land is bought by both the woman and the boyfriend. So, those are the cases and complaints we get in our office. We assist the woman to go back to induna and the council to make them mindful how the land was bought. Whereas now you find that the family of the boyfriend claim the land to be his, and induna takes their side that a woman does not own a piece of land. Those are the kind of complaints we take through our legal department. [CGE]

A woman lost her husband. She and her husband had agreed that when the husband dies, she must not wear mourning dress. A woman did not wear mourning dress after death of her husband. She was then summoned by induna. May be some of the family members went to induna to complain. Coincidentally, those days' weather was very unfriendly as it was climate change, there had been hail. It was then said that she was bringing misfortune in the community. She attended the case two or three times, but the verdict was that she was charged for not following the mourning custom. They said things that were happening, and the sanction was that she was expelled from the area. She had to leave her land she owned with her husband. They had livestock in the homestead. Her husband was buried just on top of the kraal. She had to leave all of that. Fortunately, the matter reached certain departments. We were also part of the matter and COGTA was brought on board and inkosi was informed since this was done by induna. Inkosi overturned the sanction. The mindset tells them that she had to wear the mourning dress. Those beliefs keep women in a vulnerable position. [CGE]

That is true because of history. When you talk of the land only men are perceived to have exclusive rights to owning land. That is the challenge that we still have even now. If you are a woman you come to do business, land issues must be treated separately. We tried when we went to a certain area and people were saying this is our forefathers' land and we cannot just give it to these women cooperative. We explained that these people were coming to do business, leave the land issue aside. We still have a problem especially when it comes rural communal land.

Sometimes you find woman with potential to produce certain crops, but oppression takes its course. I still think the government needs to up the game to make people understand this. [DoA]

I am from Impendle. I am not married but I do have land that I went to acquire through Inkosi. Amakhosi were up in arms really when they heard this late woman Sizani Ngubane who was an activist saying amakhosi do not allocate land to women, because amakhosi said they were not aware of such. I am not sure; I am sitting on the fence about this one. With interactions I have had with amakhosi, it is disputed vehemently that land is not allocated to women in their areas. If I agree, would it be because of what I hear in the news. Maybe it differs from district to district. The assessment we did was a provincial one and mostly with izinduna who are responsible for allocation of land. There are cases of family disputes where sons and daughters develop family feuds. [COGTA]

There are many challenges about acquiring land. Most people are not aware that the land in my area was bought. Some people nominate themselves as amakhosi. Those are some of the challenges. We are currently fighting to remind the guy who claims to be inkosi that he is in fact not inkosi. He is just forcing matters. The issues of land acquisition make things very difficult for us who are married to people who are from the families which bought land. [RWM/AFRA4]

Shintshamakhaya gave us seeds, and Department of Agriculture gave us wheel barrows, ploughs, and seeds. Solidarity Fund also gave us jojo tanks and fencing. What worries me is that very few women have lodged applications for land claims. *When a meeting is called to discuss land matters, very few women attend compared to men. The claims take too long to get settled sometimes claiming documents or file get lost.* Also, there are women in farms who are trying to plant but lack market for their produce. [RWM/AFRA10]

Especially, as women because if you want to acquire land from izinduna they want you to bring a man. When land matters are discussed, they focus on men. [RWM/AFRA8]

Most of the two hundred and eighty-seven that we assessed said if a woman comes with an intention to acquire land for residential purposes, they ask if that woman is married or has children then they allocate land to that woman. Not even one said they do not allocate land to woman. But my experience when I was still at the district, I would receive complaints and refer

them to Ingonyama Trust because they had to do with private land. It was a case of land allocated to a woman by a certain induna and later allocated to another person and the former woman had to pay another sum of money to acquire it again. [COGTA]

I think things have changed regarding discrimination against women. As you can see, we are a living example as woman amakhosi. There is a stigma which dates back that women are discriminated against. But I can assure you that such has no space in our world now. A woman can access land and build a home for herself, unlike before when a woman had to be married. It varies from tribe to tribe. But we do not discriminate against women wanting to acquire land, never. Maybe it is a stigma. Everyone has a right. [Trad. Leader1]

What I have observed is that on the part of land allocation, men would be able to collude because they owned a lot of assets. Women did not get anything. Men would collude and their collaterals would be enough compared to a woman who only comes with her experience. That used to be a problem in terms of benefiting the land. You would then find then those men dominated the number of beneficiaries. [♀Farmer1]

It is difficult to acquire land. We do not have title deeds as we speak. Since this place is not under the land of amakhosi, I am allowed to own property. We have attended workshops organized by AFRA. We are a structure formed by all municipalities under UMgungundlovu District. [RWM/AFRA15]

Regarding societal inequalities, Where I come from, there are sixty hectares of land. But because I am a female, I was unable to use that land. Firstly, there was a family tree consisting of only men, a female was not considered. That is why I opted for the approach of going to government when there is land at home, because the government programme was independent. At home they would only consider you good at cooking but not utilize the land. That land has become available because my brothers have passed away. However, when my brothers were still alive, I could not get that land. [♀Farmer1]

I took this one (question) because it takes me away from the space I operate in and gives me a chance to generalize. *Agriculture or farming is dominated by older males.* It is what they call aging syndrome. *This means you have less youth and women in terms of access to land and farming, which is a problem that the programmes I referred to earlier on are trying to address.*

When I look at it, the reason relates to patriarchal system in terms of access to resources. The people who have had opportunities in the past are the males, even a black male would have had better access to opportunities and resources compared to a black woman even in the rural set up. Now, because of patriarchal system which has excluded women and youth, in fact that is why women are prioritized because if you were to assess women on access to land on equal footing to men, you will find that woman will struggle to compete because they have never been exposed to opportunities and as such, they do not have access to resources. How do you then turn that situation around in terms of our programmes that we implement? [DALRAD]

Land acquisition process causes tensions among families. When the time comes for a land claim to be settled, females who are married are not considered family members by their maternal families. [RWM/AFRA5]

There is a huge impact of discrimination against women. Women cannot acquire land on their own. They must have a male partner to be able to acquire land. For me to be able to claim land, I must have a husband otherwise I cannot be able to acquire land. The land gets registered under the name of a man. I have received seed packs, implements and irrigation equipment. [RWM/AFRA14]

Men get preferential treatment when it comes to land. You find that my brother at home will get consideration when it comes to land. I once received jojo, net, crops, and Extension Officers do support us. They give us irrigation implements. [RWM/AFRA8]

6.3.3 Customary Land Law

Respondents described customary laws and practices around land access, ownership and inheritance, stating that customs dictate who acquires land and how land is allocated. There is a high degree of knowledge about these customary practices, indicating that most respondents are rooted in the culture, although there is some tension around some traditional practices and their continuation into the present day.

Wieringa (2008) argues that land reform policies in South Africa are still influenced by patriarchy, despite the existence of legislation that aims to provide equal opportunities for land acquisition. The participants in this study also express how land exclusion affects their development and livelihood. This is consistent with the literature that shows how customary land law is a structural

factor that marginalizes women, especially rural and illiterate women, in Africa and South Africa (Wieringa, 2008; Segooa, 2012; Segooa & Mhlongo, 2013).

The lack of access to land is not good because as I say that we are in a struggle to have land returned to the owners fully in my area. There will be no peace until land is completely returned to the ownership of the people. The people who bought land are lamenting for their land. People who came from outside to be incorporated into this community are not aware; they just think people are showing dispute towards this guy who calls himself inkosi. So, lack of access to land will cause this dispute to never end. [RWM/AFRA4]

We are under inkosi, so they check whether you participate in community activities. (RWM/AFRA2)

In rural areas, land is managed under tribal authority. Who are serving in the tribal council committees. [CGE]

I do have knowledge about the custom of ukuguqulwa kwebhantshi. As our forefathers were from the same area, but then as an heir you are reallocated the same land that belonged to your parents. They say you are not known. The household of our grandfather was left open, and we decided instead of looking for a site we started building in the land of our forefathers. Then we had to be reallocated the same land. [♂Farmer3]

There is a law or practice kwaMadundube that says *only men can buy land*. She says but she went to induna who advised her that only a man can buy land. She then came back with her brother and disclosed that it was her brother brought in to facilitate the process of land acquisition. [CGE]

There is nothing documented that prohibits certain people from accessing land. Another thing, we encourage that if you cannot afford to build your own home just stay at your home, until you can afford then you can approach induna to request land allocation. If we can allow anyone to be given land to build their homes, it would mean we increase prevalence of shacks in rural areas. So, we advise them that if they cannot afford to build a home, they must first get a land to do business to get money before they can build. If you have a sound business plan and proposal, there are no intricate guidelines for acquiring land for your business. [Trad. Leader1]

My knowledge about the custom of ukuguqulwa kwebhantshi, since I am the subject of iNkosi he told members of the community that when parents are deceased and you are left as a child, you must be reallocated the same land which was owned by your father before he passed on.
[♂Farmer2]

6.3.4 Dishonesty

Deinenger (2008) is one of the scholars to illuminate that land access is inhibited by corruption. In relation to the common frustration with customary practices around land access, respondents also reported common corrupt practices in land allocation stemming from the power wielded by local Chiefs and lack of oversight or regulation of these powers. It seems that inkosi commonly request large amounts of money for land and can act unpredictably and giving those affected little recourse to address grievances.

The practice of *ukuguqulwa kwebhantshi* means that when your parents pass away, inkosi send out his messengers to relay a message that a child must come and pay the money. The money is not standard. Sometimes it is R3000 and sometimes it is R5000. *Ukuguqula ibhantshi* basically means the land will now belong to you because your parents are no more. *If you do not have money, you are expelled from that area and the land gets allocated to another person.* If you have bought land for R50 000 or R100 000 and you come from elsewhere, you are given six months to start building. *If you do not build after six months, that land is taken and sold to someone with more money. But you also do not get your money back. They ask why you have not been building.*

My view is clear that residents are being exploited here. We have done something to demonstrate our unhappiness. We have staged marches. We have spoken to COGTA from District at no success. They continue to seize people's land and they make them pay.

When you buy land, you must fork out R25 000 for example and you also pay R3000 to inkosi. Additionally, you must buy a crate of beer and a crate of fizzy drinks. They allocate people wrongly, in bad plots like in muddy portions or just next to the road; all because they want this money to take to iNkosi. INkosi of the area supposed to convene a community meeting to discuss with his subjects. Since I was born, I have never attended a meeting convened by iNkosi. The only meetings he calls are those of his political people. You only see things

happening in the area without knowing how it started. When you start asking around you are told to go and ask iNkosi. He doesn't even know how many people in his area. He only receives money from people who have been allocated land, and sometimes that money doesn't even reach him.

The challenge is that if you refuse, they expel you. I know a family which had bought land and had not started building within three months. The mother passed away then children decided to come and bury their mother in the land that had been bought. They were turned back with the coffin; I think you saw that on television. They were told by induna that they could not bury there because their mother had passed away. They were told the land had been seized. In other communities even though amakhosi make people pay but they do not take so much money.

As a leader of the community, I say that if your parents pass on, they must record a new name only not to reallocate the same land. Why do you have to be allocated anew because the land belonged to the parents? In some cases, it happens to very young children who are sent to live with their relatives and the property is taken away. We have staged a march against this practice as leaders of the residents.

We lodged cases. Even to the Minister Thoko Didiza came, and we were told there was going to be election, but it has never happened until now. Even the department is not doing anything. The farm was bought by government from a white farmer, and he asked for a few years lease. He is refusing to go now. *We assist the community by inviting departments to intervene and stop this practice but there is no solution.* [♂Farmer4]

6.4 ECONOMIC AND POLITICAL DOMAIN FORCES

According to the study's theoretical framework one of the two structural domains that compose the social milieu is the economic and political domain, which can be thought of as the larger setting in which interpersonal forces are mediated. The overall political economy supplies enforced laws and policies and supplies authority to any local structures and has the power to reshape existing Customary structures.

6.4.1 Land Restitution

A strong theme from respondents was the importance of land restitution, reinforcing the centrality of land to life in rural KwaZulu-Natal, and conveying the sense that traditional land practices were disrupted by political forces over the prior century, and that there is a pent-up store of strong feelings desiring for redress and restitution. In addition to these feelings, this desire for restitution or change in land access also stems, for women, from a more general sense of frustration of being denied access stemming from longstanding customary practices which discriminate against women. In this sense, rural KwaZulu-Natal women's desire for land restitution, or change in land access practices, stems from a combination of historical political forces and intrinsic customary practices which both restricted access to land. Cousins and Scoones (2010:34) opined that land restitution have excluded women in the process of decision making.

The current process of land allocation is unfair and biased towards men. It contradicts the South African Constitution (No. 108 of 1996), which promotes gender equality as a way of correcting the historical injustices caused by patriarchy and customary law. Rural women have expressed their frustration and dissatisfaction with this process:

All our wishes can be fulfilled by acquisition of land. Our community can be the community and reclaim the lifestyle that we have always dream it to be. There is a huge impact caused by inequality because even in the family if you have nothing you become undermined. We have not received anything from government. some people get to be assisted with a tractor from municipality. But my family has never benefitted. [RWM/AFRA4]

One need to have programmes intentionally so, where you will train women in farming, open access to opportunities and resources to women. I think the government is doing quite a lot in terms of uplifting women. There are many programmes. Maybe at some point we will need to assess if they are working well or not, and if they are not working well what needs to be done. Many departments have programmes aimed at creating opportunities and prioritizing women because government has realized that women have been disadvantaged for decades, if not centuries. Structures that were created in centuries are still creating a burden even to women when it comes to land and resources. I think I am okay with programmes and effort government has made to promote opportunities for women. I think in any intervention, as government we need to take a break at some point and interrogate if this thing is still working or not, and how

can we augment and improve. If you look at my responses earlier, it is well and good to say we are prioritizing women. But it is important to assess how successful are these programmes. And in our case with land redistribution, the challenge that you have is that you have allocated land to women as an example, but because they have never had that exposure and experience then there is going to be that struggle.

Looking at the strategies particularly for Department of Agriculture, Land Reform and Rural Development that is what they will say, even the vision, policy, and strategy (Proactive Land Acquisition Strategy) is all about promoting equitable access obviously with biasness to women and other vulnerable groups.

Land reform has three legs, there is land restitution which settles restitution rights, then there is tenure reform implementation which settles rights of labour tenants and farm dwellers, which is responsible for addressing tenure rights of farm dwellers. The last one is land redistribution, which says let us create opportunities to redistribute land, meaning these are the people who may be interested in farming, or they may be having any other need. It is not based on rights but based on the need. You will see it in farming issues wherein government buys farms and leases it out to farmers. It is not limited to farming because government will have programmes of land for people to build. [DALRAD]

We do wish to own land for agricultural purposes. The land is state land and owned by the very same government who implements land restitution. What we are saying is that the government must transfer state land to women, land which cannot be used as a collateral in banks. [Trad. Leader2]

The ESTA (Extension of Security Tenure Act): here; If labour tenants as I said that they came to provide labour in exchange for something, but others may not necessarily be labour tenants but people who are farm dwellers. But they do not have the security. All these Acts were introduced to address the issue of security. Government would acquire land and would be registered as a normal structure of Community Property Association. The land would be bought and registered in their name, so their tenure is secured. The Act of land reform as such is the one that was amended in order to secure for more rights of the intended beneficiaries. [DALRAD]

The reason we may not have a large footprint in terms of land redistribution, due to that its basis

is around the acquisition of farms from private ownership to the state then redistributed to emerging farmers. Obviously, other programmes come in to give support to people in the rural space. So, in the main in terms of support to promote women in the case of land redistribution, it includes prioritizing them in the access of land and we do have programmes that support for agricultural input and infrastructure development. You will also find that even in farms we have bought and redistributed to farmers, most of whom are women, there is programme of support because they become critical because it is one thing to provide land, but they will still need support in terms of capacity building and inputs and development of infrastructure.

Specifically, what I am talking about stems from PLAS (Proactive Land Acquisition Strategy), meaning that we proactively identify and acquire land. Secondly, within that strategy there is an intention to focus on prioritizing women. People apply once we have acquired the land. They will prepare business plans and be assessed. But the point I am getting at is that when a woman walks into the assessment, they already have scored a point based on their gender. The only effort left is to demonstrate how they will utilize the farm if they would be allocated it. I must say we have tried other programmes, which we are still trying. I wouldn't say they have been successful. About four to five years ago, we had a programme to support women particularly around townships.

The intention was to buy land around townships and allocate them to subsistence farmer because mostly, the farms we buy are commercial in nature. We wanted to support women in townships to do gardening. But unfortunately, in government we tend to start a programme but once it struggles in implementation, we take a decision to discontinue it. But for me, it was one nice programme. Apart from the strategy I talked about, there is a policy of Beneficiary Selection and Allocation, which was approved recently. It was because of a Commission which was looking at matters of land reform headed by the late Dr Matlatsi. That policy is there. I am mentioning that policy because it also prioritizes women, it also speaks to programmes like Common Age, which had a specific focus on women. So, women are our priority in terms of land redistribution. [DALRAD]

There are challenges I faced in accessing land as a farmer. The main challenge is that it is difficult when you buy on your own land because as black people, we do not have money. Then you end up getting access to government scheme. As for me, I accessed the previous scheme called

LRAD (Land Redistribution and Agricultural Development) Policy. It was not easy even then because it took me about three years to access the land. But in the end, we were compelled by the fact that government had a scheme although it was not that much accessible. Some lost their patience, but we learned that patience is the bearer of fruits. But after accessing the farm, there was also a land claim, which was a land community wanted restituted back to its ownership. I then went back to Land Reform which was previously called Land Affairs. I then told them I could not go back to class as I had developed interest and passion for farming. They then gave me another farm leased by government. I would say there are two opportunities created by government for black people to access land. [♀Farmer2]

The programme of land redistribution does not necessarily have rural biasness. It simply says we prioritize in the main women, disabled people and those called military veterans. So, you can see it has gender but no rural biasness. It prioritizes women irrespective of which areas they come from. [DALRAD]

The three programmes DALRAD have all these three programmes. But restitution and tenure rights are not gender based. However, land redistribution does have an element of gendered approach in that women are one of the prioritized groups to be given land. The department in terms of creating land access does prioritize women to gain access. If there are follow up questions, we will deal with them, or other responses might appear in other questions. [DALRAD]

In rural areas the land is under Ingonyama Trust so it is not privately owned and then cannot be sold. However, the Minister of Land Affairs is the custodian of the land under Ingonyama Trust which manages the land. There are other programmes within the department that are focusing on supporting farmers within rural land with agricultural input, establishment of their cooperatives and training, the whole provision of technical support. [DALRAD]

6.4.2 Public Support

There were almost equal accounts of examples of support provided by the State, in the form of programmes, resources, policies, and criticisms of the unsuitability, ineffectiveness at best or meddlesomeness at worst, of State actions. Overall, there is an impression of the State trying to balance existing customary practices and aspects of a developmental, socially progressive state

agenda (women's rights and historical redress), instigating some positive change, but failing progressively over time as its capabilities decline, and often collaborate in installing a dysfunctional, corrupt system in its cooperation with local customary Chiefs and power structures.

A good story is that Land Affairs has fenced our plots with a strong fence. This will save our crops from being destroyed by livestock. [RWM/AFRA5]

Where I am, there is land. But the municipality is discouraging us as women. I looked for land until I gave up. In the end, they told me the land I was referring to would be advertised so I must out for it in the newspaper. I then decided to just give up, but yes, they are so oppressive. (RWM/AFRA1)

As we have Qina Mbokodo there is also Siyanqoba. We are able to gather and discuss issues. Siyanqoba gave birth to Qina Mbokodo then there is Khuluma Ndoda Sikuzwe. *We discuss and share our sentiments with male counterparts about things we are not happy about. Males are also open to discussing with us.* There is a lot that we get from AFRA because they also give us crops. Department of Agriculture assists us as farm dwellers who attend AFRA are linked with Agricultural Extension Officers. You can come across a farm dweller who does not attend AFRA and that one will not know about Extension Officers. [RWM/AFRA8]

Though Labour Tenant Act (LTA) is not my area, but it would direct the programme which I said is the second programme of the land reform which deals with labour tenants. Basically, it allows people who were labour tenants to apply to have tenure rights. They would say here we are we live in this farm, we came as labour tenants, and we want government to secure our tenure rights. Obviously, government will do an investigation to find out if they qualify as labour tenants. The Act will dictate how they qualify. The government will buy a piece of land which will be registered in their name with title deeds a proof of ownership of that land. That was the intention of that Act to ensure that people who live in farms, who went there as labourers receiving stipend or harvest and they do not have any other place that they can go to. So, this LTA was created so that they will have their own land that they own. [DALRAD]

It is that same meeting where they trained us and the next day, they took us to farms for practical experience. Lack of access to land is a huge challenge because we get limited from farming and building houses of our own. I am passionate about farming and livestock. I also have an

interest in poultry farming, but I do not have land. I think that is what can develop my life.
[RWM/AFRA7]

Where we do farming is a farm which we got through the Land Affairs programme called LRAD. It was very late because I remember we were the last people to get the farm in the programme. We are only three females. We got it through following all the processes. We presented our business plan until the level of the province. We got the land from the government, but they cannot give you the land freely, as much as they are not selling it to you, but it is a commitment. We got the loan from Ithala Bank. So, it was not that difficult. The white farmer was selling it for R1,2m and the farm is 16 hectares. [♀Farmer1]

The National Development Plan (NDP) was beginning to do exactly that because I think other countries that have successful programmes will tell you they have a fifty-year plan. So, if we do not have that vision, and for me you would want to say at a national level you need a long-term view and, in each province, you need a long-term view. If you are going to deal with interventions at a kneejerk reaction, you will keep chasing shadows. But if you have a solid plan, for example that says in twenty years' time we want to have so many women farmers, I mean that's what you need. But to run and go to support this woman here and tomorrow you go to another without knowing what is happening to the first one. May be she become worse off than she was before because there hasn't been continuous support.

Finance is a resource, I managed to get it from Ithala Bank to be able to utilize the land. Furthermore, the government has also funded the land through a programme called RECAP for our land to meet standard of being economical. But they knew that we cannot buy things like tractors and everything since we did not inherit money from our forefathers. They then made it possible with this RECAP. We also get managerial courses from the Department of Agriculture. DTI assisted us with exporting. We were also assisted by Department of Agriculture to be able to comply with exporting, to get global accreditation. There are programmes to encourage you to stay at the farm. The important thing is to realize the value of money. Monitoring must be strengthened because some people can buy implements with the money given by the government as a means of support, only to find that they sell those implements in the not-so-distant future. They end up not doing what they were intended for, which is to make the farm sustainable. [♀Farmer1]

I was fortunate because I had my own implements and I also had a mentor, which assisted me a great deal. The government provided us with mentors who assisted us for the whole season from planting up to harvesting. I bought a farm from someone who was aged and tired and then imparted the whole knowledge to me. [♀Farmer2]

I think firstly let us acknowledge in the Department of Agriculture, all programmes are focused on vulnerable or designated groups, which are women, youth, disabled people, farm dwellers and veterans. There are many programmes that we are implementing to advance the interests of women in the agricultural sector. For example, one of the programmes that we call Food and Nutrition Programme. It is a package wherein we provide everything. Women are the predominant in the agricultural activities. We also have many programmes where we ensure that women participate in the value chain. [DoA]

As a department we have vast programmes that we are implementing. Even when we develop plans, they do talk to those projects implemented by women. Most of our programmes aim to uplift them to be commercial farmers. We encourage them through our programmes to participate in the whole value chain. Even our policies are realigned to ensure that we uplift women. [DoA]

There must be a system to support individuals to be emerging farmers. If the government can assist such people with boreholes. Some people specialize in certain commodities. Such policies can assist rural women. [Trad. Leader2]

The government has supported us not only through but financially as well. We also get supported in managing tax administration. Indeed, we do receive support but sometimes it happens that there is lack of confidence in you as a farmer. The stakeholders get to be trusted more than us. For example, we work with millers who process sugarcane, so they get to be entrusted with the funding. Therefore, by the time you receive the money, it cannot cover most of your expenses because it has moved from one hand to another. Sometimes you are not asked what you need but just get to be given the same fertilizer for instance while your soil is not the same. There are specifications of soils therefore sometimes one finds that the fertilizer does not become effective. But in a nutshell, we are not trusted as farmers by our own government. I can say we have caused this ourselves considering that some people get to be given land and it lies fallow,

then we get to be treated alike. Sometimes you have ideas of things that take you forward but you do not get assistance. But all in all, we do get support because even that fertilizer, if you get urea for example, because of knowledge you already have, you know you cannot use it where it is dry, and you wait for rain. [♀Farmer2]

But in terms of giving support, we invite assistance from departments. However, departments do not want to start them from scratch, but they prefer to assist a going business. The only challenge is that their cooperatives do not become sustainable. This is because they do not get support early. But if departments can monitor projects and intervene early enough, that can assist. [Trad. Leader1]

6.4.3 Public Incompetence

Public incompetence is a serious problem that affects the quality of governance and service delivery in South Africa. It undermines the trust and confidence of the citizens and the media in the government and its policies. It also threatens the stability and sustainability of the democracy that was established after the end of apartheid. This is the view of many independent policy analysts and media commentators (Mail & Guardian, Moore, 2002).

There are many challenges when we want to acquire land. Things are not going well in the Department of Land Affairs. Sometimes you are informed that documents are lost. Officials are changed over time. [RWM/AFRA14]

In terms of AFRA, we sit, and they tell us what different political parties say about land issues, but implementation is lacking. Even when Thoko Didiza comes here, we get platforms but there are no results. [RWM/AFRA8]

I have never received any agricultural support from government. (RWM/AFRA2)

In all honesty, policies are good on paper but lack implementation. All consultative meetings on land restitution were held in township halls. There was no thorough consultation as stated in the constitution. These should take place in rural areas where there is vast land, some of which is looked after by women. Those rural women are still oppressed such that they still must receive the message through interpretation by people who attended the meeting. [Trad. Leader2]

The problem with government is that they just roll things out to the public without sitting down with the people to explain what benefits they stand to gain. As I said earlier, a lot of people have lost interest in farming. Farming is expensive. Some people were given seed packs and they sold them. [♂Farmer1]

Plans we have in most cases is that land is not zoned. It could have been better if land was zoned, which would make it easy for departments to intervene. As much as we are willing to partner with departments, but they are not easily accessible. Some of our municipalities do not consult. They just plan using silo mentality. We exist to look after the land for amakhosi. They are not transparent. [Trad. Leader1]

I think as a government we are using the same tool of monitoring and evaluation. As we develop plan at the beginning of a financial year, we also need to monitor if these programmes yield desired results. When we develop annual performance plan, we specify indicators with quarterly targets to measure the success. People that are responsible are made to account. We also account to the Office of the Premier. We also report to working groups. As a department you are measured on the strategic plan and your indicators. It is assisting a lot. [DoA]

6.4.4 Economic Policy Knowledge

A legacy of the apartheid era is the low literacy rate among black South Africans, especially in rural areas. This makes it hard for them to access information and participate in democracy. It also contributes to the socio-economic inequalities that persist in our society (Oosthuizen, 2008).

The following narrative gives an expression which says:

So, as there is lack of job opportunities, as a woman you should be trying anything you can do but the problem is when you are discouraged in doing things that are for males. There is none from government. Some training I only got it from AFRA. In the family I have no experience of discrimination based on being a female. [RWM/AFRA7]

We also have what is called RASET, which ensure that women are participating through the entire value chain from production, processing up to the market. As a department we want to focus not only on primary production because there is not much money and job creation at that level, which makes our projects to become unsustainable. Currently, the people who make more

money are those at the agro-processing and value adding. But we do have all the policies in place to take care of women in KwaZulu-Natal. [DoA]

There are challenges we face when we want to acquire land. There is money to pay, and we do not have money. (RWM/AFRA2)

The training I have received is that of land usage. I received training on gender matters from RWM. I received agricultural training from Cedara. (RWM/AFRA1)

As a department we do have different policies that are aimed at empowering women. For instance, we have the Agricultural Development Policy that we are implementing, and we are aligning all our programmes to that policy. That policy covers all programmes. It also investigates issues of participation of women and youth. There is also a strategy that we are developing specifically looking into how we empower women, including budget for women agricultural projects. A resolution was taken sometimes back to establish a directorate for women, but it has not happened. It will serve a centre of coordination for programmes aimed at empowering women. [DoA]

The government then introduced an idea of people receiving their pension at certain shops. The question is, are there any of these shops like Post Office in rural areas? You will not find a Post Office in rural areas. This affects the battering system whereby people exchange their commodities. If the government can develop people in what they understand better. For example, if you go to women and try to develop them in poultry and you want to buy white chickens for them, while they do not have equipment to produce these chickens. But if you come with the idea of indigenous chickens and group them together, it is when people could say government policies are talking to them in rural areas and are focusing on what they are. [Trad. Leader2]

In most cases I am not involved in workshops or trainings organized by government because as I said, where I live, land was bought by government. The late Mama Sizani Ngubane used to train us on handling land matters. We would then understand how to behave when you are a certain kind of community. Apartheid government forcefully took the land of our parents. They wanted to evict us from where we stay, but committees were very strong. When Mandela was released from prison, land of our forefathers was then restituted to communities. Our title deeds

were returned to us. [RWM/AFRA4]

I ask that question to establish which Act protects you between ESTA and LTA. If you fall under ESTA, I tell you which rights you have and check if they have been trampled. If your rights have been trampled, we go to the farm owner to discuss with him. [RWM/AFRA6]

In terms of poverty, I do not think there are the poorest. There are government grants they use to pay for funeral policies. They really need to be educated to help themselves using their rights. [Trad. Leader1]

We talk about your rights that must not be trampled and the dweller's rights that must not be trampled. If you are under LTA, I ask you which farm you moved from and to? Because it might happen that you were moving around the same farm. You then choose which land is fertile for you. I also need evidence regarding LTA, especially the graves and proof that it is your loved ones' graves. Sometimes we assist people by linking them with lawyers but when there is no evidence coming forth that there were graves in that farm, it becomes a problem. Sometimes it is difficult to find the truthful evidence. [RWM/AFRA6]

This excludes that person who is focused. If the focus can be changed and be placed on women who have passion for farming. They understand the local economic development. If our government can revive the idea of pension pay points, this will advance the idea of local economic development. [Trad. Leader2]

There are uneducated people who can slaughter a pig and chop it for the purpose of selling it at pension pay points. They do this because want to inculcate the idea of entrepreneurship in their kids. They sell variety of commodities. There are people known for specializing in certain commodities in the area. [Trad. Leader2]

The second scheme called PLAS (Proactive Land Acquisition Strategy), government would buy a farm, own it, and lease it out to you. I am currently in the thirty-year lease. The government had promised us an option to buy but that is still held in abeyance. I attended an LRAD imbizo to be able to hear about government support to people for access to land even when they have no money. There were several workshops for the PLAS programme. It was through attending workshops that one was able to learn about availability of opportunities. One would then have

to follow what needs to be followed. We also attended a lot of empowerment workshops. One was involved in an organization called Women in Agriculture and Rural Development. Gender empowerment is a game of the day in that organization. There were many workshops such that we were given opportunities to go overseas. We get even farming training from agricultural industry, especially sugar industry, which is the commodity I am involved in, and the Department Agriculture and Land Affairs also plans empowerment of farmers through training, workshop, and exchange programmes wherein you get an opportunity to stay in another country and they also come and stay here. [♀Farmer2]

In Cape Town I have a seat there. I also went to Polokwane and Bloemfontein to receive training about rights. I was also part of the case of AFRA. I also went to Kimberly to represent farm dwellers. On the 13th I went to Johannesburg. Lastly, I went to Cape Town to attend TA Indaba. We usually attend Qinambokodo sessions on Gender Based Violence. I am also the Chairperson of GBV under Mpofana Municipality. I also attended a meeting empowering us about types of marriages. I have been part of the one organized by the Department of Agriculture, and the one by Mpofana Local Municipality on Sukuma Sakhe. It also deals with gender issues and farming. [RWM/AFRA13]

I have attended workshops organized by AFRA and Special Master, which works with the office of Hon Thoko Didiza. I have attended land and agriculture workshops organized by AFRA and Qinambokodo. Some people do not utilize land and I think that will cripple the economy. [RWM/AFRA14]

So, we come from a commerce background. We come from a family that has been involved in farming both on semi-commercial level through collaboration with others, and subsistence farming for our own family structures. But having gone the business route, we had to re-educate ourselves in the space so that we could be commercial. But we did that once we were in the field. So, we were lucky to have ADA coming on board through invitation to trainings, not just for us but for the entire team. We also did certifications in agriculture through other organizations. Those are the routes that have allowed us to grow in agriculture. [♂Farmer1]

Since I am in the macadamia, I have attended workshops for macadamia production. I also attended a workshop on exporting because I do export. We were trained in the requirements for

exporting. I also did one focusing on productivity. I have represented women to ensure that they do get empowered. [♀Farmer1]

6.5 INTERSECTION OF POLITICAL ECONOMY AND CUSTOMARY LAW

The intersection of custom and political economy is fraught in this case, the structural nature of the society with both Customary and Political institutional structures (policies, practices, rules, laws, customs) pervading the space in which agents mediate their access to land– the physical object upon which so much of this structure is focused.

Respondents commonly referenced the overlapping actions of State institutions and local, Customary structures, and the integrated effects or consequences of their policies, rules and laws. A decent proportion describe this integrated structural reality in a positive light, indicating that the intersection of the interpersonal and political domains in its realised, structural form is beneficial and harmonious or mutually reinforcing. Equally, there is expression of schisms between the two domains and detrimental consequences as a result of their intersection.

6.5.1 Intersection of Customary and Political Structures

I have been workshopped about ESTA and LTA. LTA protects rights of people who live in the land that they want to claim back. ESTA protects the rights of those who do not have ownership but do have rights which are not documented. There is nothing tangible between the farmer and the parent. There is an agreement that parents will do farming but limited to a certain number. Also, burying is part of agreement. It happens when no one is employed they will be left to hold the right to live in the farm. I have been to a meeting where we were trained about GBV and patriarchy. [RWM/AFRA6]

There are several programmes. Let me make an example, there is an organization called Imbumba Yamakhosikazi. One of their purposes is to ensure that women's voice is heard. What I like about them is that they visit women in rural areas working mainly with the Department of Social Development to say it is not important to dish out grants which sometimes do not even reach them. But there must be something that brings them closer in their rural communities so that they say what support they require. If such structure can be strengthened in village by village, this will assist greatly. [Trad. Leader2]

Our mandate and power as the CGE is to promote and protect the advancement of gender equality.

That is our mandate. Our vision is a society free of gender oppression, discrimination, and inequalities. Our mandate and our vision say it all. If you go to our Act, it gives us the power to monitor, investigate any practices of any structure. Our investigative powers is one of the tools we use to ensure rural woman land access and inclusion. If you look at our investigative powers, we did an investigation into the maidens' bursaries in uThukela municipality. Already this scheme of theirs was not inclusive of all women. Because it was targeting maidens only. Giving bursaries is a good thing because children will go and study and come back to do bigger things in their communities. But because already it is discriminating against some who will not be able to go and benefit because of certain reasons. [CGE]

If an Inkosi says he has women co-op, we then approach Department of Agriculture to provide training. We as Traditional Resource Administration provide the strategic support in terms of the functionality of traditional councils as they are key structures. They must be able to be involved in government programme so that rural development will be enhanced. If Inkosi identifies whatever project, we then link them with the relevant department.

For instance, if there is a cooperative in the community interested in doing such and such, we look at it and approach EDTEA (Department of Economic Development, Tourism and Environmental Affairs) to assist, if it has to do with farming, we approach the Department of Agriculture and Rural Development because we have officials called Development Facilitation Officers. Whatever development and capacitation needed by amakhosi; they are the ones who are responsible for that function.

We even go to the extent of going to a municipality to say we do not have the budget to support this traditional council, can you assist. For instance, when I was still at the district there was a structure of oNdlunkulu (wives of Amakhosi) who organized themselves and had a lot of activities to do, I would approach the municipality to fund their activities like dialogues where they would engage with different stakeholders.

We do not have a policy like that as COGTA because we know that the issue of land is problematic. When we were doing assessment, we wanted to ascertain that if a woman approaches a traditional council with a view to use a portion of land, what is their constitution. Most of them

would say if it's business we do not have a problem to allocate land if they will go via the Ingonyama Trust Board because they are the institution which will provide them with the lease. Then the traditional council will only sign consent form to say they have agreed to allocate land to women. [COGTA]

The women's introduction to scarce farming, fishery, mushroom, and part of the work that we do as I talked about stakeholder engagements, we have had sessions with woman farmers where they have also shared with us that they find themselves contracts at Food Lovers after producing but what they have noted is that when you get to Food Lovers there are different types of mushrooms; Danny Mushroom, ZZ Mushrooms, Otty's Mushroom, you buy one which feels and looks the freshest. So, what we have learned from these stakeholder engagements is that you get this contract to deliver mushrooms maybe hundred per week, they discover that ZZ Mushrooms for example are not placed in shelves on time. By the time they are put in shelves, their freshness has been compromised. Gradually, they will lose the contract because consumers do not buy their mushrooms because they are not as marketed as Danny Mushrooms. So, all those are the things that need to be investigated. [CGE]

There was an organization called National Movement of Rural Women which called a meeting in a hall to educate people about land matters. They educated us how women think when it comes to land matters. They hosted the meeting once in Bergville and we were invited. No, we have never been trained on the issue of Bill of Rights. We do have agricultural organizations. Ours is called Langalibalele because we are in the land of Langalibalele. We have about thirty-four cooperatives. We cultivate the land. Inkosi in our area gave plots to people and said we must form coops. We were also given support by Land Affairs. Our land has been fenced. We specialize in beans in our area because of soil type, sugar beans or kidney beans. [RWM/AFRA5]

For example, in ward committees and in traditional councils, there is legislation which stipulates that forty percent must be women to look after the needs of women. If such structures can be empowered and strengthened. There was a women focused programme run by Department of Labour, to skill women on planting beetroot. However, universities were left outside. But the tragedy is that this programme was run through consultants. Probably twelve million rands was used but nothing was left for them. If the policies can be aligned to suit communities, this can

assist us a lot. [Trad. Leader2]

6.5.2 Tension Between Customary and Public Structures

According to Mntunyendwa (2013), rural women in South Africa face the worst forms of inequality, as they and their traditional leaders are often ignorant of the progress made on gender issues. He argues that many traditional leaders still regard gender issues as “un-African” and resist any change in the status quo. On the other hand, many rural women are unaware of their rights and privileges, as they have been socialised to accept subordinate roles in society (Thabiso, 2011). Moreover, some women who have attained leadership positions have internalised the patriarchal views of women and thus perpetuate the oppression of other women (Mntunyendwa, 2013). This prevents them from questioning or challenging the traditions that are not in their best interest (Chiba, 2012).

Our Constitution will tell you that policies, guidelines must adopt the adoption of special measures for the advancement of women in the establishment of this gender commission. But when you go to these communities, structures, amakhosi and you ask about gender policies they will say “awu nanso-ke le not yabafazi” “(here comes this thing of women)”. [CGE]

If you go to amakhosi areas, you negotiate for the land acquisition if you are a woman, you hardly get that land because of history still attached to land acquisition. As a department we are trying very hard to change that mindset. Agriculture is just a business, and you cannot mix business with the land. That is why our projects are not successful. You find that beneficiaries fail separate these two, the land and the business. [DoA]

There are several programmes. Let us start by saying that we desire for people to understand that the situation we come from is the one that caused people to believe that there are things they cannot be able to do, especially when it comes to women focused programmes. Let me give you an example, when you talk about farming support, an idea of grouping people into cooperatives always dominates. That system does not assist us. There are women who survived through farming when their husbands were away working in Johannesburg. Those women were able to feed their children until their husbands came back. But when government support comes it requires people to be grouped into cooperatives. [Trad. Leader2]

Formation of tribal council is governed by COGTA, which has specific guidelines. There is that

thing that says you must have a certain percentage of women in the tribal council. When the time comes to elect tribal councils, some of them do not comply with those guidelines which tell them they need so certain number of women. So, that being the case starting from there it is not balanced. Then we come to whether after being elected, I always say it is malicious appointment because the positions that they occupy within the council, are not positions of power. You will find that in most cases they just do secretarial duties, and decisions are taken by the Chairperson and Deputy Chairperson. They do not occupy positions that will empower them. [CGE]

We use our investigative powers where necessary which is empowered by the CGE Act. We have investigative powers. We can direct policy to be made. But on the other hand, I spoke about various departments within CGE. What is important is the issue of education. We have a programme wherein we train amakhosi on issues of gender equality. We work with the houses of traditional leaders. Our national office has an MOU with the National House of Traditional Leaders. We now have a working relationship even with amakhotikazi, the king of Khoi San. But we have an MOU with the National House of Traditional Leaders, that is the strategy we use to ensure that we monitor where were able to monitor. Because of the MOU, we can go to the Provincial House of Traditional Leadership. But doing all that, we also work very close to monitor implementation of work at COGTA. [CGE]

The activities that used to take place during our parents' time are no longer happening because there is now a new law made by the self-proclaimed inkosi. We used to cultivate the land at the right season. Livestock would be released to graze out. Grazelands were always revived. If the land in our area can be return to its erstwhile being, people can be happy because they can do farming and sell as it used to happen. If the land can be fully restituted, all the bottlenecks can be minimized, and things will go back to normal. Access to land is key. No matter what skills you have but such will be in vain if you do not have access to land. Land is the beginning and land is the end. When people have access to land, they can share their farming skills. [RWM/AFRA4]

The biggest issue here is that of patriarchy and customs and beliefs, which inform socialization because equality if we may call it that way in terms of democracy, is now 29 years in South Africa. We should be talking about rural development having taken place on issues of rural

equality, women equality, but the constitution and policy are developing slowly. Change in people's minds and attitudes is very slow. One of the reasons we have found is issue of socialization. People still believe in the old way of life. They are still not aligned to laws. [CGE]

There are policies but honestly, they do not look to be functional because they are not aligned to the rural circumstances. We never used to have the killing of women and burying them because the focus was on communal property. A child would be a child to any adult person at the age of that child's parent. Then laws were introduced. For example, School Governing Body Act states that no one can be elected to a school governing body when they do not have a child attending that school. This law then excludes certain members of the community to have a say about something happening in the school. Those are some of the things that must be investigated. The truth is that there are policies about women development, but they are not well aligned for rural areas. Those who are powerful use policies to benefit themselves. We grew up knowing that no one at the university can kill another person and bury them. A university student is respected and used as an example. [Trad. Leader2]

There are challenges we face when trying to acquire land. Landlords oppress us, they do not want us to acquire land. Also, some of the laws are very oppressive to us as children who have been left by parents who were labour tenants who have passed on. ESTA is one of the laws that oppress us. There was a meeting called by the Special Master wherein we were trained on the Labour Tenant Act. AFRA assist us to know the legislation and our land rights, also what we can do to acquire land, and which legislation we can use if there is a farm worker who is not well treated or whose rights are trampled upon. [RWM/AFRA10]

On paper yes but practically it does not happen. For them to participate meaningfully, these reports must be in their language they use in rural areas. If the land restitution offices can be decentralized to tribal courts, this can assist people in rural areas. There are not even constituency offices in rural areas. If possible, the offices in the tribal courts must be equipped with woman officer for women to have a meaningful participation.

There is still a lot work to be done to develop women in rural areas. If there was a clear programme of assisting women in rural areas, even their husbands would respect these women because

they elevate their husbands' status. I think clear policies are needed, which could be practically talking to their circumstances in rural areas. [Trad. Leader2]

We have got Promotion of Equality through the Prevention of Unfair Discrimination Act of 2000 which promotes and advance equality. But still when women are going to buy land and they are told that it is not offered to a woman. We are already in contradiction of this Act. Even land policies will say that everyone has a right to buy land, but implementation of that is lacking. If we can take land policies, majority of them are good but lacking implementation. For example, you find that most people in rural areas are married under customary marriage which also has its own things. What are the rights of a woman under customary marriage? Do people understand these things? Let us start with a simple thing, as they are married under customary marriage, but it says they must go and register the marriage. [CGE]

COGTA are the custodians of laws guiding how iNkosi should operate. We asked him to show us a law that allows this practice of ukuguqulwa kwebhantshi and he has never shown it to us. I will say this without any fear, there is a Boxer Store that has just been built in our area, the only people who work there are those who have allegiance to his political party. CVs are sent to his Tribal Court. You get appointed based on being political party affiliation. Young people are unemployed here and as a result they are dying of whoonga. The matter has been brought into the attention of the Premier and some Mec's but until now all in vain. [♂Farmer2]

When it comes to our Public Education and Information Department, which is responsible for raising awareness amongst amakhosi in this instance because we deal with issues to do with land in the areas of amakhosi. [CGE]

In rural areas there is no title deed because there is a system of communal land. This is done to avoid people using their land as collateral. It could be a good idea to have a system of communal land right which will protect the woman even after her husband has died. It must protect even children when both parents have passed on. The ownership of land must be family based to protect families. There were mills (izigayo) previously and those were run by women. White came and changed the whole set up to benefit themselves. If government policies can be repurposed to suit the conditions of rural people and their way of living.

One of the things we would like to see is the visible role of women in rural areas. Women head

their families and work the land in rural areas, and they produce professions with their crops.
[Trad. Leader2]

The programmes we currently have when it comes to land restitution are too Eurocentric. Even though there are programmes, but they are not African based. There was a programme to assist people to access land to farm. You could see it was designed by white farmers with an aim of reviving their farms. One of the criteria was that you should have from 200 hectors of land, irrigation system, well fenced, then an ordinary woman in rural areas cannot have such because the background does not allow her to have such. In rural areas you find a woman working vast land, but the challenge is water is far and the fields are not fenced. [Trad. Leader2]

There are many programmes we are encouraging to do, for example I know someone who started a project with the wife of inkosi but after building the land was taken away from them. The structure is now vandalized. We were allocated again last week. We were told the previous land belonged to inkosi, but we know that is not true. It belonged to our clan name. Inkosi is very oppressive. [♂Farmer3]

Although not all of them were given back to us because of the guy who masquerade himself as inkosi. He blocked the process saying title deeds must not be returned without his involvement. He knows nothing. He is too young. It's his forefather who was accompanying the community of 120 people from our area. [RWM/AFRA4]

Sometimes they seize that land. There is no proof which backs you that you have been allocated land. What was of assistance to me was that I had a friend who worked at the tribal court, although that friend is late now. Where I work, they wanted to give me subsidy because I am an educator and they wanted to know where I live. Even that proof of residence you must pay for it. knowing that we have a land of our forefathers, only to find that you must be allocated anew because they say they do not know you.

My plea is that we need government to intervene in what is happening in our community because we have no money. Inkosi lives a lavish life, with luxurious fleet because of this money taken from us. If he wants to build something he just takes his money but taking our money is not good. Sometimes you witness poorest people being made to pay for allocation. [♂Farmer3]

We had to pay money so that you can build. Izinduna are called and you must buy a crate of beer, and a bottle of whiskey and they drink and enjoy. You are made to pay for the land of your forefathers. You have only limited resources and then you must pay for allocation, buy crate of beer and whiskey. [♂Farmer3]

6.6 AGENCY

Many scholars in gender, sociology and anthropology have extensively written about the agency of women in Africa being inhibited by patriarchy. This is the activist position of feminists that have emerged in contemporary times. The agents in this case study occupy a social milieu that is populated with structures of a cultural and political economic nature, and must navigate this network of policies, rules, laws, practices in making decisions and taking actions towards the goal of land access. Furthermore, as the most socially and economically important object in these agents lives, land is the focus more so than anything else for these social structures, meaning that agents have a dense network of structures to navigate; historical, cultural, political, social and economic. For women, these structures present both opportunities and barriers. They face numerous barriers from Customary laws and cultural practices, and barriers from the corruption or ineffectiveness of political and economic programmes and policies.

Within this network of structures, opportunities and barriers, many respondents report success in accessing land. Many women are able to successfully navigate these structures, while for others the barriers prove too much to overcome. Ultimately, every agent must make decisions and take actions weighing up the opportunities and risks. One of the important influencing factors for agents actions to bear fruit seems to be knowledge of these structures; knowledge on what resources are available and how to access them. However, it must also be noted that often, despite the agent's actions, external barriers can prove too much and interferes with the achievement of an objective.

I have never experienced any challenges with accessing the land. I am not sure whether this is about the land where I stay or the land where I am practicing. Where I stay, I never had a problem because the land belongs to inkosi. I just paid R400, which is a khonza fee (certain amount affiliation fee). Then I got the plot. [♀Farmer1]

I do have land which I use to cultivate. I have no challenges. I have worked in the environment of handling children at an ECD. I have never received any training on gender matters. On

agriculture, someone can in our area and trained us but it was a once off thing. Land acquisition can have a good impact because people can work with their hands and sell their produce. Yes, land acquisition can bring about development. Access to land can help people to produce food for their families and food to sell and gain money. It can assist with food security and boost economy. I am not aware of any approach to acquire land. I have never been exposed. I have received seed pack for my garden. [RWM/AFRA3]

I want us not to forget this that there is a lot of work regarding access to water, because we can give them land of one household one hectare but utilizing that land gets constrained by issues of water and access to funding. Let us talk about women wanting to buy a farm. How is the support when it comes to funding for them to buy that farm? For them to acquire that farm for commercial purposes. We see that Department of Agriculture when it comes to issues of farming, they issue out crops, implements, but the question is how is the country supporting women in issues accessing commercial farming even for export purposes? [CGE]

Nowadays, there is no such thing as being unable to access land because of being a woman. It looks like first preference is given to vulnerable groups, women, youth, and disabled people when it comes to opportunities. I have never experienced being sidelined. I only experienced it when I started working in the farm because it is very difficult to work with male counterparts. When you experience a difficulty and you got to seek assistance, they tell you the industry is not for sissies. It hurts because you normally do not ask for money, but you need information thinking you are communicating with a neighbour who will understand and be sympathetic. But there are men who are willing to assist you if you come knocking. I, myself, do have people that always bail me out whenever I encounter a challenge. Then there are those whom I know I would be wasting my time asking for their assistance. This has nothing to do with race discrimination. [♀Farmer2]

I would say mine is a success story because I was supported by the industry. I was among the first back people who accessed land. Sugar industry was there to support us. The good thing with sugar industry is that the market was available, and being a woman, I was supported. Even when the land was being taken by its owners, the government stated categorically that it could not take back the restitution. The sought after land was the one in the hands of white people. Land in the hands of black people had to remain like that. I do not have experiences of

discrimination. I have only heard about it when people relate their bad stories. The only bad experience I got was when I went to the farm through PLAS programme. My mentor blatantly lied as I was diversifying from sugarcane to citrus. He said the Japan market belonged to him. [♀Farmer2]

We are working with farmers in Umkhanyakude to assist them with access to market initiatives. Most of the farmers that we work with are females. But I don't think it inspires any younger ladies to venture into agriculture and see these real struggles. We desire to see them produce and sell in the market where they are based. That would encourage other people to go there as they see them succeed. It's not smooth all. In fact, we are ducks in water. When you see a duck, it's always gliding through the water but underneath the water are fiddles like nobody's business. [♂Farmer1]

You know, it is one thing to get access land but lack land management. In rural areas there are people who have abundance of land, the question is, how we use it? Irrespective of the fact that we were dispossessed of the greater part of our land. So, to have land is an empowerment. To have land and not know how to use it is a disempowerment. And of course, the lack thereof is a disempowerment altogether. Knowledge is key. Whether you use your own knowledge or find new knowledge to use land will determine whether you are empowered by it or not.

I think we just touched the point, unintentionally. You know, there's an area called Umkhanyakude up north. It has beautiful soil and land, but they lack markets. So, every time they farm, they do it with a sense of discouragement, and hopelessness yet they must farm. If farmers from Umkhanyakude had easy access to markets, they would be able to grow food and feed the whole of KZN without even too much effort. It gives them an understanding of possible impact on food security if the right channels were put in place. So, it becomes important for us to share knowledge, and channels of distribution so that we can share the impact of food security. [♂Farmer1]

Let me speak specifically in my tribe, women are assisted to ensure that their gardens are sustainable. They form cooperatives. Support given to women is not only limited to land but anything that they want to do. Mostly women engage in one home one garden. Some engage in eggs production. Others sell chickens. [Trad. Leader1]

If you go to the National House of Traditional Leaders, for the first time it has a woman Chairperson, iNkosi from Eastern Cape. There are many programmes she worked with Deputy Minister of Social Development. [Trad. Leader2]

I will be open and state that women do access land when they have certain projects that they do. It depends on what it is that they intend doing if it will sustain their lives. Most people focus on gardens, especially in rural areas. Even when they want to start businesses like BnB. Women can access land unlike in the past when women were discriminated on land issues. Everyone has a right to land. There is no one who is blocked from accessing land. [Trad. Leader1]

6.7 CONCLUSION

Drawing upon Structuration Theory and Black Feminism Theory, this chapter delves into how cultural norms, customary laws, and local contexts intricately shape the interpersonal domains within rural KwaZulu-Natal, significantly impacting gender equality and land access, with cultural norms playing a pivotal role. Land emerges as a vital asset for rural inhabitants, underpinning economic security, social stability, and status.

Through the lens of Black Feminism Theory, it becomes evident that traditional structures embed gender inequality, fostering stark discrimination against women in terms of land access and ownership. This dilemma is deeply entrenched in the clash between longstanding traditions and contemporary policy developments, further complicated by corruption in land allocation practices by local authorities, thus fuelling a growing demand for land restitution and revised access methodologies.

The chapter reveals that despite State-led support programs and policies, criticisms abound over their ineffectiveness or inappropriateness, with existing land policies and programmes inadvertently fostering divisions among women. This highlights the necessity for policies that unify rather than segregate. The intricate interplay between customary practices and the political economy creates a labyrinthine network of structures, with rural women often facing formidable barriers from both traditional and political systems.

Persistent poverty and inequality pose substantial hurdles in democratic South Africa, notably affecting the black populace and rural women. Despite governmental strides towards poverty

alleviation, discrimination, marginalisation, and underdevelopment remain rampant. Black African women in rural locales, deprived of land, education, health, and basic services, represent one of the most vulnerable segments of society, as corroborated by numerous studies. Hence, ensuring land access for rural women is not merely a matter of rights but is essential for empowerment and development.

Despite these adversities, some women have navigated these structures successfully to secure land access, largely due to their awareness of and ability to leverage available resources. However, external barriers continue to impede many, underscoring the dual role of societal structures as both facilitators and obstacles in the quest for land access. This chapter, through a detailed analysis of interpersonal and economic-political domain forces, as well as the dynamic between customary and political structures, seeks to unpack the complexities surrounding land access for rural women, underlining both the challenges faced and the pathways to empowerment.

CHAPTER SEVEN: RESEARCH CONCLUSIONS & RECOMMENDATIONS

7.1 INTRODUCTION

This study delved into the effects of land reform on the livelihoods, poverty levels, inequality, and land accessibility for rural women in KwaZulu-Natal. It aimed to uncover the barriers stemming from poverty, inequality, and restricted access to land that epitomise the socio-political challenges and obstacles hindering rural development in South Africa. To gain a comprehensive understanding of these issues, the research combined primary data collection with a review of existing literature, focusing on rural women's rights, the feminisation of poverty, inequality, and the specifics of land reform within the KwaZulu-Natal region.

The findings indicate that despite the post-apartheid government's pronounced commitment to addressing historical injustices, persisting policy gaps significantly hamper these endeavours. Fieldwork conducted as part of this study points out that discrimination against women, marginalisation from land ownership, inconsistencies in policy implementation, prevalent poverty among women, infringement of land rights, and pervasive gender inequality remain widespread challenges. These problems are particularly acute among Black women in rural areas of South Africa, with a pronounced impact in the communities of KwaZulu-Natal.

Additionally, the research outcomes highlighted the critical issue of literacy gaps and limited educational opportunities, which significantly disempower rural women. This lack of education not only deepens various forms of inequality but also limits women's ability to participate in empowerment initiatives, hindering their ability to effectively read, write, and understand essential information.

Women in these rural areas are often excluded from significant roles within traditional leadership structures. They face considerable challenges in accessing land, an essential factor for those aspiring to venture into commercial farming, exacerbated by market access and supply chain barriers. Other significant concerns identified include inadequate enforcement of land reform policies, enduring patriarchal norms, insufficient safeguarding of women's land rights, ongoing gender inequality, discrimination, cultural obstacles, and entrenched gender stereotypes. Consequently, women bear a disproportionate share of poverty and exclusion, compounded by a

lack of effective monitoring and evaluation of government initiatives and policies aimed at redressing these issues. The study underscores the need for a more integrated and gender-sensitive approach to land reform and rural development strategies to ensure equitable progress and empowerment for rural women in KwaZulu-Natal.

7.2 OVERALL RESEARCH CONCLUSIONS

Drawing upon the theoretical perspectives of Black Feminism and Structuration Theory, this study has delved into the interpersonal domain, revealing the presence of complex structures shaped by cultural norms, including gender norms, customary laws, and cultural institutions, as well as the immediate community context. Specifically, these structures manifest in forms of customary law that govern land access and various aspects of social or communal life, alongside the cultural norms prevalent within Zulu society.

A significant and recurring theme across the interpersonal social context of the agents involved in this study is the manifestation of gender inequality. This is evidenced by the differential treatment and expectations placed upon women in multiple facets of life. Such disparities are largely rooted in traditional cultural patterns related to gender roles, many of which persist today, casting a shadow particularly over women's economic opportunities and their access to land.

The centrality of land to the participants cannot be overstated. For the respondents, land is not merely a resource; it represents economic security, opportunity for advancement, social stability, and a marker of social status. It emerges as the paramount asset and primary goal for this segment of the population; namely, the rural inhabitants of KwaZulu-Natal. Consequently, the structural forces impinging upon the accessibility of this crucial resource are both significant and distinct to the context of this study.

The findings highlight that these deep-seated norms and practices not only continue to exert a profound influence on the lives of women in the rural areas of KwaZulu-Natal but also underscore the challenges they face in accessing land. These challenges are multifaceted, stemming from entrenched gender inequalities that are further exacerbated by the current economic and social paradigms. The importance of land in the lives of the respondents underscores a broader narrative of struggle for economic independence, social autonomy, and recognition within their communities.

Moreover, the emphasis on land as a central aspect of life for rural dwellers in KwaZulu-Natal points to a broader discourse on the rights to property, equality, and empowerment. The structural barriers to accessing land, shaped by both customary law and cultural norms, present a formidable obstacle to achieving gender equality and economic stability. This study's findings call for a nuanced understanding of the intersection between cultural traditions and the aspirations for social and economic advancement among rural women in KwaZulu-Natal, advocating for policies and interventions that are both sensitive to cultural contexts and committed to promoting gender equity and social justice.

7.2.1 Gender Inequality Encoded in Customary Structures

Discrimination against women's access to and ownership of land stemming from the prevalent cultural norms and customary practices is very pronounced for most respondents. There is a significant amount of frustration apparent from respondents' responses about the prevailing customary practices and opinions. This suggests that this issue—land access in rural KwaZulu-Natal—is in a fluctuating phase—traditions are conflicting with modern policies and changing wider societal norms, and customary practices are being seen through this more modern lens and therefore being criticised and deconstructed.

Respondents described customary laws and practices around land access, ownership and inheritance, stating that customs dictate who acquires land and how land is allocated. There is a high degree of knowledge about these customary practices, indicating that most respondents are rooted in the culture, although there is some tension around some traditional practices and their continuation into the present day.

Related to the common frustration with customary practices around land access, respondents also reported common corrupt practices in land allocation stemming from the power wielded by local Chiefs and lack of oversight or regulation of these powers. It seems that inkosi commonly request large amounts of money for land and can act unpredictably and giving those affected little recourse to address grievances.

A strong theme from respondents was the importance of land restitution, reinforcing the centrality of land to life in rural KwaZulu-Natal, and conveying the sense that traditional land practices were disrupted by political forces over the prior century, and that there is a pent-up store of strong

feelings desiring for redress and restitution. In addition to these feelings, this desire for restitution or change in land access also stems, for women, from a more general sense of frustration of being denied access stemming from longstanding customary practices which discriminate against women. In this sense, rural KwaZulu-Natal women's desire for land restitution, or change in land access practices, stems from a combination of historical political forces and intrinsic customary practices which both restricted access to land.

There were almost equal accounts of examples of support provided by the State, in the form of programmes, resources, policies, and criticisms of the unsuitability, ineffectiveness at best or meddlesomeness at worst, of State actions. Overall, there is an impression of the State trying to balance existing customary practices and aspects of a developmental, socially progressive state agenda (women's rights and historical redress), instigating some positive change, but failing progressively over time as its capabilities decline, and often collaborate in installing a dysfunctional, corrupt system in its cooperation with local customary Chiefs and power structures.

7.2.2 Problematic Intersection of Interpersonal and Political Domains

The confluence of customary practices and the political economy presents a complex scenario, highlighting the structural dynamics of society where both customary and political institutional frameworks (encompassing policies, practices, rules, laws, and customs) permeate the environment within which individuals navigate their access to land. This land, a critical focal point of such structures, embodies the central issue around which much of the societal framework and individual interactions are oriented.

Participants frequently mentioned the interplay between state institutions and local, customary structures, noting the combined impact of their policies, rules, and laws on individuals' ability to access land. The research findings elucidate a structural reality that obstructs the effective implementation of land policies designed to empower and facilitate access for Zulu rural women. Furthermore, the study reveals tensions between these two domains, highlighting adverse outcomes stemming from their intersection. A prime illustration of this intersection, and its complex implications, is embodied in the Ingonyama Trust.

This entity serves as a pivotal case study, encapsulating the challenges and contradictions at the heart of efforts to reconcile customary traditions with modern political and economic aspirations.

The Trust's role in land governance underscores the intricate balance required to respect cultural heritages while striving towards equitable and progressive land policies. The research indicates that the interplay between customary and political domains not only shapes the landscape of land access but also raises critical questions about autonomy, authority, and the pursuit of gender equality within rural Zulu communities.

7.2.3 Agency Within Societal Structure

The agents in this case study occupy a social milieu that is populated with structures of a cultural and political economic nature, and must navigate this network of policies, rules, laws, and practices in making decisions and taking actions towards the goal of land access. Furthermore, as the most socially and economically important object in these agents lives, land is the focus more so than anything else for these social structures, meaning that agents have a dense network of structures to navigate; historical, cultural, political, social and economic. For women, these structures present both opportunities and barriers. They face numerous barriers from Customary laws and cultural practices, and barriers from the corruption or ineffectiveness of political and economic programmes and policies.

Within this network of structures, opportunities and barriers, many respondents report success in accessing land. Many women are able to successfully navigate these structures, while for others the barriers prove too much to overcome. Ultimately, every agent must make decisions and take actions weighing up the opportunities and risks. One of the important influencing factors for agents' actions to bear fruit seems to be knowledge of these structures; knowledge on what resources are available and how to access them. However, it must also be noted that often, despite the agent's actions, external barriers can prove too much and interferes with the achievement of an objective.

7.3 DETAILED FINDINGS

The principal aim of this research was to explore the everyday realities and challenges faced by rural women seeking access to land for agricultural endeavours. The ensuing findings shed light on a range of challenges identified through the analysis and interpretation of the data gathered in this qualitative study.

- Landlessness and rural poverty in South Africa are linked to historical colonial and apartheid

policies, manifesting as a lack of resources, underdevelopment, and inadequate infrastructure in rural areas.

- Despite constitutional provisions to prohibit gender-based discrimination and all forms of injustice, such discrimination persists, highlighting a gap between policy and practice in South Africa.
- The study identifies the marginalization of women as a result of colonial and democratic policies, further perpetuated by a high illiteracy rate among rural women, labour tenants, and farm dwellers.
- Widespread human rights violations, gender discrimination, and inequality are evident, despite efforts of the Commission for Gender Equality (CGE) to promote and protect gender equality, emphasizing the need for better enforcement of guidelines and regulations.
- Challenges persist in rural equality, women's equality, patriarchy, customs, and beliefs, even 29 years into democracy. Slow constitutional and policy development contributes to the socialization of inequality.
- Representation of women in key strategic positions within traditional structures is inadequate, despite legislation mandating a certain percentage of women in tribal councils and ward committees.
- Laws aimed at providing land security, such as the Extension of Security Tenure Act (ESTA) and the Labor Tenant Act (LTA), suffer from poor enforcement and landlord non-compliance.
- Slow land claim processes, poor administration, and a lack of state accountability delay the resolution of land issues.
- Conflicts arise between customary practices and business interests regarding land usage, which can impede development and hinder poverty eradication, food security, and agricultural initiatives.
- Rural women often face challenges in acquiring land due to communal land systems and persistent historical gender biases. Decentralizing land restitution offices and issuing title deeds to rural women could address this.
- Current land restitution programs lack proper consultation with rural communities and are seen as Eurocentric. The study suggests repurposing government policies to better suit rural conditions.
- Rural women's aspirations for land emancipation are impacted by poor state oversight and

evaluation of land and natural resources, as shown in the June 2021 Ingonyama Trust judgment.

- The study highlights allegations of price inflation and manipulation by retailers trusted by the government to provide services to farmers.
- Political unrest, looting, and institutional destruction pose a threat not only to emerging farmers but also to the overall economy, exacerbating hunger and poverty.
- Lastly, the study identifies the potential for women to succeed in both subsistence and commercial farming if given land access and opportunities, along with the crucial role of NGOs and civil society organizations in community outreach and development. This contrast with limited government training initiatives is a highlight of the study.

7.4 RECOMMENDATIONS

- To address the slow pace of land reform, the state should create a tri-departmental structure: the Department of Land and Rural Development, the Department of Agriculture, and the Department of Cooperative Governance and Traditional Affairs. Reporting directly to the premier's office, these departments should work together in a newly-formed Restorative Land Human Dignity Commission to expedite land redistribution.
- To combat gender oppression, the Commission for Gender Equality (CGE) should be included in this new structure. The CGE's role will be to promote, monitor, and evaluate gender equality through various initiatives, ensuring policies and practices adhere to gender equality standards.
- The government should jointly oversee entities such as the Ingonyama Trust with traditional leaders to guarantee fairness, transparency, equity, and accountability in land practices. The new commission should conduct community outreach to gather public input and educate citizens. They are currently not doing enough as provided in Ingonyama Trust Act.
- The CGE should be involved in all levels of the land commission structure, promoting gender equality objectives, and protecting women against discrimination. They will focus on safeguarding the interests of rural women.
- Rural women should be involved in formulating and implementing policies and legislation such as the Extension of Security Tenure Act (ESTA) and the Labor Tenant Act (LTA). The Restorative Land Human Dignity Commission should define clear objectives and timeframes to address policy gaps and improve public consultation.

- Inefficient administration and negligence, such as inadequate record-keeping and consultation on land reform, must be addressed. The government should ensure the allocation of sufficient resources and competent staff to improve these aspects.
- The CGE should intervene in patriarchal activities that marginalize women due to colonial and democratic policies. The commission should challenge cultural norms around gender roles encoded into customary law.
- To enforce gender equality laws more effectively, the new commission and the CGE must focus on monitoring and enforcement.
- To uplift society, the state should thoroughly research and consult on programs like PESI, as allegations exist of inflated goods prices by retailers supplying goods to these programs.
- The state should find solutions for beneficiaries who exchange resources for cash due to transport or distance constraints.
- In cases of human rights violations or unfair treatment, the new commission should collaborate with the CGE to enforce laws and legislation aimed at protecting farm dwellers.
- To address illiteracy, adult literacy education should be provided, and documents should be written in respective mother tongues.
- A robust monitoring and evaluation system should be implemented to measure the benefit of land policies and programs on gender inequality in KwaZulu-Natal province.
- The Restorative Land Human Dignity Commission should be a multi-stakeholder entity, including rural women, to address exclusion and marginalization.
- To address unequal access to land due to inheritance laws shaped by the patriarchal system, the new commission should enforce laws to correct these imbalances.
- To address poor administration and misplaced land claim files, trained data and record keeping personnel should be employed.
- Community engagement and public education are essential to address looting and other forms of business and institutional destruction. Economic education should be provided from early childhood to understand economic growth, loss, and the importance of monumental buildings.
- The land commission and CGE should intervene in cases of land marginalization to transform social structures and land tenure systems.
- To bridge the information gap, land rights education should be included in school curricula and NGOs should help disseminate information to those lacking schooling opportunities.

- In order to bridge the illiteracy gap, it is imperative to incorporate Women's desks into discussions concerning land issues. Additionally, land policies should be crafted in languages that are accessible to rural women, ensuring inclusivity. Furthermore, offering training opportunities to empower rural women is essential. This can be achieved through collaborative efforts between the government, NGOs, and adult basic education and training programs, which should be adequately funded and intensified.

7.5 RECOMMENDATION OF ESTABLISHMENT OF A COMMISSION OF RESTORATIVE HUMAN DIGNITY THROUGH LAND

The study introduces the proposal to establish the Restorative Land Human Dignity Commission, envisioned as a transformative vehicle for addressing pressing land issues. This institution is to be established in alignment with the Constitution of the Republic of South Africa Act, 1996 (Act No.108 of 1996), which mandates the state to employ reasonable legislative measures, as per its resources, to promote conditions facilitating equitable land access for citizens.

The Restorative Land Human Dignity Commission is charged with a multitude of objectives: firstly, it seeks to redress discrepancies in land distribution caused by the historical apartheid policies; secondly, it aims to uphold and perpetuate indigenous cultural practices. Moreover, it has been designed to exercise an oversight role on land redistribution, policy development, and their implementation. Ultimately, the commission's goal is to restore the dignity of marginalized citizens by enhancing their access to land as a crucial natural resource commodity.

The roles and responsibilities of the Restorative Land Human Dignity Commission are diverse and expansive. They include monitoring and overseeing the process of land reform in KwaZulu-Natal and providing a platform for the community to voice their land-related concerns. The commission will ensure the diligent implementation of land reforms and evaluate the impact of land and gender policies. Additionally, it will undertake community outreach initiatives, workshops, and roadshows to raise awareness about land reform.

Other significant tasks include gathering data, compiling reports, and submitting findings to the premier. The commission will actively engage with the community, government departments, and other stakeholders to address spatial and gender inequality in land distribution, as well as other irregularities. It will also serve as an advisory link between the state and society, ensuring fairness,

accountability, and transparency. The commission will evaluate and recommend fair land compensation and, if necessary, initiate inquiries into any unjust land dispossession or property matters.

The Restorative Land Human Dignity Commission is also endowed with the power to commission studies on historical and cultural practices related to land issues within different communities. This could involve examining instances of community land claims, evictions, relocations, and any other matters or irregularities related to land claims.

The structure of the proposed Commission is as follows:

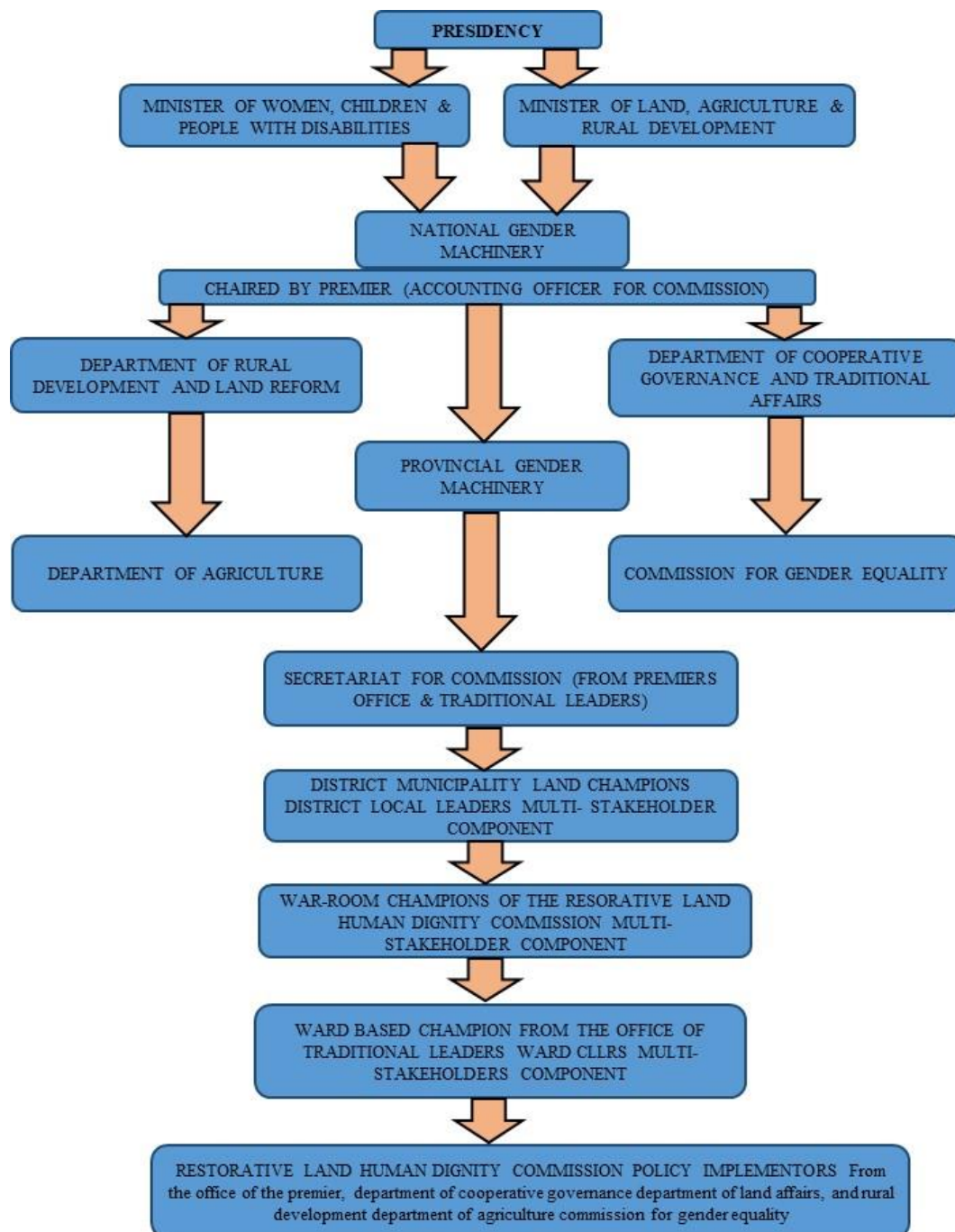


Figure 10: Structure of proposed Commission of Restorative Human Dignity Through Land

7.6 SUGGESTIONS FOR FUTURE RESEARCH

The study provided an in-depth understanding of various elements that lead to persistent issues such as chronic poverty, inequality, and ineffective land policies, with a specific focus on the land redistribution programme. Moreover, it shed light on how land reform could act as a powerful agent for poverty alleviation in rural areas and enhance land tenure security. The geographical

scope of this study was confined to the province of KwaZulu-Natal in South Africa.

In terms of future research, it would be beneficial to delve into the issues of poverty, inequality, and land access across all provinces previously categorized as homelands during the apartheid era in South Africa. The exploration should also consider the unfolding impact of the June 2021 land judgement about the Ingonyama Trust, with a keen focus on its latest developments, its final resolution, and its potential benefits for rural women.

Another point of study could be how the Land Tenure Act (LTA) and the Extension of Security of Tenure Act (ESTA) could potentially provide tangible benefits for women who are labour tenants and farm dwellers. Further research could also probe into the resolution of section 25 of the Constitution, investigating its implications on women's access to land, particularly for those living in rural areas.

By conducting such a study, a comparative analysis could be drawn across provinces that have experienced the ramifications of colonialism or were once recognized as homelands. This analysis would be instrumental in understanding and advancing women's land rights, particularly for rural women. It would also offer insights into unresolved land-related questions and the effectiveness of the state's land judgement determinations.

Furthermore, this study could assist in identifying gaps in current laws and policies and propose potential solutions to improve their effectiveness. By doing so, it would offer a valuable contribution to existing knowledge on the subject matter and help draw lessons from past mistakes or successes. The ultimate goal is to leverage these insights to pave the way for more effective policies in the future.

7.7 CONCLUSION

The imperative for land reform in South Africa has its roots deeply embedded in the historical injustices faced by Black South Africans, transcending gender distinctions. The enduring legacy of colonialism and apartheid significantly influences the socio-economic landscape of rural areas, where women have been perennially present, bearing the brunt of these historical oppressions. Since the dawn of democracy in 1994, South Africa has embarked on a journey towards healing and rectification, attempting to address and redress the scars left by these past injustices.

KwaZulu-Natal, a region steeped in history as a former apartheid homeland, continues to be governed under the stewardship of traditional authorities. The South African Constitution, through section 211 of its 12th chapter, acknowledges and protects the role of these traditional leaders and the customary laws they uphold. As one of South Africa's most predominantly rural provinces, KwaZulu-Natal, alongside the Eastern Cape and Limpopo, harbours over half of the nation's population living in conditions of poverty. Recent insights from the Household Affordability Index of April 2023 highlight a distressing increase in food prices, further aggravating the situations of poverty and hunger prevalent in the region.

Echoing Patricia Hill Collins's argument from 1990, the study posits that social theories proposed by various groups of women are not mere speculative thoughts but are grounded in their attempts to comprehend and manoeuvre through their experiences amid overlapping systems of oppression, including race, class, gender, sexuality, ethnicity, nationality, and religion. This research subscribes to Collins's perspective by exploring the lived experiences and challenges faced by rural women in KwaZulu-Natal. It uncovers how the shadows of colonialism, coupled with the current democratic policies, continue to sideline women, failing to integrate them as primary beneficiaries of development projects. Such policy executions further entrench gender disparities, overlooking women's entitlements as legitimate landowners.

This study, therefore, serves as a crucial examination of the multifaceted dimensions of women's marginalisation, highlighting the need for policy reforms that genuinely incorporate and address the realities and aspirations of rural women in KwaZulu-Natal. By bringing to the forefront the voices and narratives of these women, the research advocates for a more inclusive and equitable approach to land reform and development initiatives, ensuring that the rights and contributions of women are recognised and valued in the ongoing quest for social justice and equality in post-apartheid South Africa.⁴

This research does not seek to contest the establishment of the Ingonyama Trust or the traditions and cultures it embodies. Rather, it undertakes a critical examination of how rural women could gain from their rightful share of land and how the shortcomings in state policies—specifically in the development, implementation, monitoring, and evaluation of public policies—adversely impact rural women by leading to their exclusion and marginalisation. Through the objectives and inquiries posed, the study has successfully identified several injustices infringing upon the human

rights of rural women in KwaZulu-Natal. Among the various recommendations made, one calls for state intervention to tackle the issues fostering poverty, inequality, and restricted access to land for rural women, with a particular focus on KwaZulu-Natal. The advent of democracy should extend to encompass rural women's rights to land, akin to those enjoyed by men.

This study brings to light practices such as Ukuguqulwa kwebhantshi, which are deemed unfair as they deprive, particularly women, of their land rights or impede their access to it. Legislation such as the Extension of Security of Tenure Act (ESTA) and the Labour Tenant Act (LTA) are highlighted for their role in perpetuating these injustices.

The riots of July 2021 have further deepened South Africa's socio-economic divides, emphasising the urgency for inclusive growth and social unity. These economic challenges compound the existing difficulties faced by rural women, who are denied access to land in KwaZulu-Natal for agricultural activities that could enable their economic independence. Furthermore, climate change has a disproportionate effect on women, particularly indigenous women, as their small agricultural plots are at risk of erosion during severe weather conditions. Land policies, therefore, should empower women to utilise land effectively, introduce them to technological advancements, and facilitate their participation in the agricultural market.

The study concludes that a sustainable future hinges on gender equality and the incorporation of women's empowerment into climate solutions. It advocates for the active participation of indigenous women in decision-making processes, especially concerning land rights, arguing that overlooking these rights constitutes a violation of their human dignity and rights.

The research underscores that land is a vital resource for rural communities, crucial for their agricultural activities and livelihoods. However, it distressingly unveils that land use rights severely disadvantage rural women. In practice, men remain in control of land and land tenure rights, often held by male-dominated family groups, thus providing women only conditional access to land through a male relative, usually a father or husband.

Despite South Africa's dedicated efforts to advance equal rights for women in terms of land ownership as a key component of its developmental strategy, a multitude of institutional, social, cultural, and customary barriers continue to exist. These obstacles significantly impede rural families, particularly women, from gaining proper access to land and securing its utilisation. This

research further underscores the critical dependency of the majority of rural women on land for the sustenance of their families. Drawing on the theoretical frameworks of Structuration Theory and Black Feminism, combined with a qualitative research methodology, the study concludes that patriarchal prejudices in land allocation and the exclusion of rural women from decision-making processes significantly limit their potential to contribute effectively to the nation's economic wellbeing and food security.

This investigation has successfully detailed the everyday experiences of Zulu rural women, concluding with an emphasis on how poverty and inequality persistently exclude and marginalise these women from exercising their land rights. This thesis has posited that such adverse experiences challenge the objectives of the South African Constitution (Act No. 108 of 1996), which champions the eradication of gender inequality and the prevailing poverty experienced by Zulu rural women in KwaZulu-Natal. The research has put forward pivotal recommendations for both the public and private sectors to implement in response to the land-related experiences of Zulu rural women. It opens avenues for future research to build upon these findings, indicating a pressing need for more comprehensive qualitative investigations into the experiences of rural women regarding land rights, access, and the potential for agricultural development.

The study's findings highlight the necessity for a concerted effort to dismantle the entrenched socio-cultural and institutional structures that perpetuate gender disparities in land ownership. It advocates for policy reforms that are inclusive of rural women's voices and realities, ensuring their active participation in shaping the policies that affect their lives directly. By acknowledging the crucial role rural women play in agriculture and rural development, the study calls for a more equitable distribution of land and resources that recognises their rights and contributions. Moving forward, it is imperative for future research to further explore these dynamics, aiming to facilitate a deeper understanding and more effective solutions to the challenges faced by rural women in accessing land and securing their livelihoods.

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APPENDICES

APPENDIX A: FARMERS & CIVIL SOCIETY QUESTIONNAIRE

Interview Schedule/ English & Zulu Version

1. How many people are you living with at home? (Can you please name them) optional.
2. How many people are working at home?
3. How long have you been staying in this area?
4. What is your marital status?
5. What challenges do you face in accessing land?
6. What Public Policy/ Land Policy / land Community Imbizo/ workshop have you ever attended?
7. What Public Gender empowerment workshop/ Constitutional Imbizo or workshop have you ever attended?
8. What farming empowerment workshop or training have you ever attended?
9. How does access to land or lack of access to land contribute to your socio-economic status?
10. How does access to land or lack of access to land empower or disempower you?
11. Why do you think access to land can contribute towards your empowerment?
12. Why do you think land access can contribute to your food security and socio- economic status?
13. What mechanism have been availed to you to access land?
14. How has the existing family/ societal inequalities affected your access to land?
15. What resources have been availed to you to access land/ utilize land?
16. Is there any land/ food security/ gender land related discrimination experience story (good/bad) you will like to share? (Optional).

Probing will be used to further engage participants.

Imibuzo ngolimi lwebele: (Zulu version).

1. Ingabe bangakhi abantu ohlala nabo ekhaya/ Nibangakhi ekhaya? (ungabagagula)
2. Ingabe bangakhi abasebenzayo ekhaya?
3. Ingabe usunesikhathi esingakanani uhlala kulendawo?
4. Ingabe ugcagcile/ ugcagcelwe?
5. Ingabe zikhona/ iziphi izingqinamba enibhekana nazo uma nifuna umhlaba?
6. Ingabe imuphi umhlangano kumbe uqeqesho osuke waba ingxenye yalo mayelana nokufundiswa ngenqubo mgomo okungaba eyokufundisa ngokuphathelene ngenqubomgomo yezomhlaba, ezomhlaba kumbe inqubomgomo jikelele? /

(in Public Policy)

7. Ingabe imuphi umhlangano kumbe uqeqesho osuke waba ingxenye yalo mayelana nokufundiswa ngenqubo mgomo yokufundisa ngokuphathelene nenqubomgomo namalulungelo ezobubili kumbe ephathelene nomthethosisekelo wezwe?
8. Ingabe imuphi umhlangano wokuhlumelelisa ngolwazi lwezolimo osuke wawuthamela?
9. Ingabe ucabanga ukuthi ukutholakala komhlaba/ kumbe ukungatholakali kalula komhlaba kungaba nomthelela muni empilweni- mnotho nasekushintsheni impilo/ izimpilo zabantu?
10. Ingabe ucabanga ukuthi ukutholakala komhlaba kungaba nomthelela omuhle ekutheni uthuthuke?
11. Ingabe yini eyenza ucabange ukuthi ukutholakalacomhlaba kungaba nomthelela omuhle wokukuthi uthuthukise impilo?
12. Ingabe yini eyenza ucabange ukuthi ukutholakala komhlaba kungaba nezithelo ezinhle kwimpilo-mnotho kanye nomthelela omuhle ekuqedeni ububha, nokuqinisekisa nokudla okwanele?
13. Ingabe ikhona indlela kumbe izindlela yokuhlinzeka ekutheni kutholakale umhlaba?
14. Ingabe ukuntuleka okukhona kokungalingani emndenini kumbe emphakathini kunamuphi umthelela?
15. Ingabe iziphi izinsiza osuke wahlinzeka ngazo ekutheni uthole kumbe ukwazi ukusebenzisa umhlaba?
16. Ingabe kukhona inkinga (udaba oluhle) ongafisa ukuluxoxa oluphathelene nomhlaba/inkinga ephathelene nokukhiqizwakokudla/ ukucwaseka ngokobulili mayelana nomhlaba ofisa ukusazisangakho?

APPENDIX B: UKUGUQULWA KWEBHANTSHI QUESTIONNAIRE

Interview schedule on Ukuguqulwa kwebhantshi/ custom for confirmation of a new family representative/ Accounting head family.

Imibuzo engayona impoqo./ voluntary question.

Igama/ your name:

Isibongo/Surname:

Isilinganiso seminyaka/ Age:

Uneminyaka emingaki uhlala kulendawo ohlala kuyona?
How many years you have been living in your current area?

.....
.....

Ngabe wazalelwa kulendawo?
Were you born here in this area?

.....
.....

Ngabe abazali basaphila?
Are your parents still alive?

.....
.....

Ngabe ubenolwazi noma luthini ulwazi lwakho ngokugulwa kwebhantshi? Sicela unabe.
Do you have knowledge about custom for confirmation of a new family representative/
ukuguqulwa kwebhantshi? Elaborate if yes.

.....
.....

Ngabe kukhona ofisa ukusixoxela/ ukusitshela ngakho mayelana nokugulwa kwebhantshi?
Is there any information you would like to share with us regarding ukuguqulwa kwebhantshi?

.....
.....

Ngabe luthini uvo lwakho kumbe umbono wakho ngohlelo kumbe ngalesisimo esibizwa
sokuguqulwa kwebhantshi?

.....
.....

Ngiyabonga/ Thank you.

APPENDIX C: GOVERNMENT QUESTIONNAIRE

Key Informants:

- Commission for Gender Equality (CGE)
- Department of Agriculture (DoA)
- Department of Land Affairs (DLA)/ Dalrrd
- Cooperative governance & traditional Affairs (Cogta)

Each participant will be asked to answer any question/s, not less than five questions.

1. What programs do you have in place in your department to promote and to advance women land access and control?
2. How has your department contributed to land Reform programmes to advance and to promote rural women agricultural projects?
3. Rural women projects are strategic centre to reducing hunger, malnutrition and poverty what empowerment programs do your department have to assist rural women and their organizations?
4. What strategy do your department have to accelerate a meaningful implementation of Land Reform programs?
5. What is your departmental plan / programmes to curb land access challenges faced by rural women?
6. Why and how do you think rural women are still discriminated and landless and what can be a solution?
7. Do your department have any Public Policy/ Land Reform Policy education programmes in place to empower rural women?
8. Land Policy documents indicates that gender equity is essential so that women can achieve fair equitable benefits, what is your view?
9. Black rural women are the poorest and most marginalized group in SA society if yes/No, in line with your organizational policies / programmes how can we remedy this situation?
10. What programs do your organization have to eradicate rural women discrimination?
11. What monitoring and evaluation tool/ plan your organization have to achieve rural women land access inclusion?
12. What programs do your organisation have in place to advance, to promote and to protect gender equality, rural women in particular?
13. What programs do your organisation have to end gender inequalities and imbalance power relations between men and men in rural areas?
14. How negative practices such as customs, beliefs, traditions and practices rooted in patriarchy and gender inequality are being combated by your organisation.
15. Do you own or wish to own land for agricultural/ food security purpose?

Umbambiqhaza uyacelwa ukuthi ungaphenduli imibuzo engaphansi kweyisihlanu:

1. Yiziphi izinhlelo eninazo emnyangweni wenu ezenzelwe ukunika abantu besifazane amalungelo okuba nomhlaba wokulima nokwakha?
2. Yikuphi esenikwenzile emnyangweni wenu ukulekelela uhlelo lokwabiwa kabusha komhlaba nokuthuthukisa nokukhuthaza izinhlelo ezenzelwe abasifazane basemakhaya zokuba bakwazi ukuziphilisa ngokulima?
3. Abesifazane basemakhaya bathembele emhlabathini ukulima bondle izingane abazishiyelwa ngoyise zingondliwe. Yiziphi izinhlelo eninazo esezisize abesifazane nezinhlango zabo ukuba babe nomhlaba wokulima nokwenza imisebenzi yokuxosha indlala?
4. Yimaphi amasu umnyango wenu onawo okuphuthumisa ukwenza abesifazane bakwazi ukuthola izindawo zokuzithuthukisa ngomhlaba?
5. Yiluphi uhlelo lo mnyango wenu onalo lokusombulula izinselelo abasifazane abahlala ezindaweni zasemakhaya ababhekene nazo zokungabelwa umhlaba wokulima nokwakha?
6. Kungani ucabanga ukuthi abesifazane basezindaweni zasemakhaya basabandlululwa emalungeleweni okuthola umhlaba nokuwuphatha futhi yiziphi izisombululo ezingasiza kulesi simo?
7. Ngabe ikhona yini inqubomgomo noma uhlelo umnyango wakho onalo lokufundisa nokufukula abesifazane ngezindlela zomnyango wenu zokubasiza bathole umhlaba ezindaweni zasemakhaya?
8. Inqubomgomo yezokwabiwa komhlaba iyakuveza ukuthi ukulingana ngokubulili kusemqoka ukwenza abesifazane bakwazi ukuhlomula ngokulinganayo nabesilisa. Uthini umbono wakho ngalokho?
9. Abesifazane abamnyama basemakhaya ngokwezibalo yibona abaningi kubantu ababhekene kakhulu nobubha futhi yibona abancishwa kakhulu amathuba eNingizimu Afrika uma beqhathaniswa nabesilisa. Uyavumelana nalokhu? Yebo noma Cha? Ngokwezinhlelo zomnyango wakho singalungiswa kanjani lesi simo?
10. Yiziphi izinhlelo umnyango wakho onazo zokulwa nokubandlululwa kwabesifazane abasezindaweni zasemakhaya ekwabelweni umhlaba wokuzithuthukisa ngokulima nokwakha?
11. Yimaphi amathuluzi okulandelela nokubuyekeza inqubekela phambili inhlango yakho enawo ukulekelela abesifazane ekubahlomuliseni ekubeni nomhlaba wokuzithuthukisa ezindaweni zasemakhaya?
12. Yiziphi izinhlelo inhlango yenu enazo zokuphuthumisa nokuvikela ukulingana kwabesifazane ezindaweni zasemakhaya?
13. Yiziphi izinhlelo inhlango yenu enazo zokulwa nokungalingani ngokwezobulili nangokwamandla phakathi kwabesilisa nabesifazane ezindaweni zasemakhaya ngokwamalungelo omhlaba?
14. Yikuphi okwenziwa yinhlangano yakho ukulwa nokungalingile okwenziwa egameni lamasiko, izinkolelo nemikhuba ethile okubeka abesilisa ngaphezulu kwabesifazane nokukhuthaze ukungalingani kwezobulili?
15. Kungabe unaso yini isifiso sokuba nomhlaba wakho ongakwazi ukulima nokuziphilisa nezingane zakho ngawo?

APPENDIX D: INFORMED CONSENT FORM

Informed Consent Document

Dear Participant,
My name is Sibongile JM Nhlapho (*student no. 220081401*). I am a PhD- Public Policy candidate studying at the University of KwaZulu-Natal, Howard College Campus. The title of my research is: **Poverty; Inequality and access to land: the lived realities of women in Rural KwaZulu Natal, South Africa**. The aim of the study is to examine poverty, inequality and land access difficulties experienced by women in rural KwaZulu-Natal. The issue of land access in South African dominates current nation debates and some political parties have called for land expropriation without compensation. Poverty and inequality in South Africa have racial, gender, spatial and age dimensions. Therefore, the concentration of poverty lies predominantly with black Africans, women, rural areas and black youth. Black women and children being the poorest and the most marginalized in South Africa find themselves ostracized and alienated from their land. I am interested in interviewing you so as to share your experiences and observations on the subject matter.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate or stop participating in the research. You will not be penalized for taking such an action.
- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.
- The interview will take about (20 min).
- The record as well as other items associated with the interview will be held in a password-protected file accessible only to myself and my supervisors. After a period of 5 years, in line with the rules of the university, it will be disposed by shredding and burning.
- If you agree to participate kindly sign the declaration attached to this statement (a separate sheet will be provided for signatures)

I can be contacted at: School of Social Sciences, University of KwaZulu-Natal, Howard College Campus, Durban. Email: 220081401@stu.ukzn.ac.za/ sbon70@webmail.co.za

Cell: 0721885778.

My supervisor is Dr Fikile Vilakazi who is located at the School of Social Sciences, Pietermaritzburg Campus / **Howard College Campus, Durban** of the University of KwaZulu-Natal. Contact details: email Vilakazif@ukzn.ac.za Phone number: 0835816161

The Humanities and Social Sciences Research Ethics Committee contact details are as follows: HSSREC@ukzn.ac.za & 0312603587/4557/8350, University of KwaZulu-Natal. Thank you for your contribution to this research.

Umbhalo wenzelwe yemvume yokubamba iqhaza ocwaningweni
Siyakubingelela mbambi weqhaza,
NginguSibongile JM Nhlapho (*inombolo engibhaliswe ngayo njengomfundi: 220081401*). Ngenza iziqu zobudokotela, i-PhD- Public Policy eNyuvesi yaKwaZulu-Natali, Howard College Campus. Isihloko socwaningo engilwenzayo sithi: **Poverty; Inequality and access to land: the lived realities of women in Rural KwaZulu Natal, South Africa** (Ubuphofu; Ukungalingani nokutholakala komhlaba: izimo abaphila ngaphansi kwazo abesifazane abahlala ezindaweni zasemakhaya KwaZulu-Natali, eNingizimu Afrika). Inhloso yalolu cwaningo ukuhlaziya ububha, ukungalingani nobunzima ekutholeni umhlaba abantu besifazane abahlala ezindaweni zasemakhaya KwaZulu-Natali abahlangabezana nabo. Udaba lokutholakala komhlaba lungundaba-mlonyeni ezweni lonke kulezinsuku kanti amanye amaqembu ombusazwe athi uhulumeni kufanele awudle umhlaba ngaphandle kokuwukhokhela. Ububha nokungalingani eNingizimu Afrika kuhlobene nobuhlanga, ubulili, indawo ohlala kuyona kanye neminyaka yomuntu yobudala. Ngakho-ke iningi labantu abampofu ngabantu abamnyama bomdabu, abesifazane, abahlala ezindaweni zasemakhaya kanye nentsha yomdabu. Abantu besifazane abamnyama kanye nezingane yibona abampofu kakhulu futhi abanganakiwe ukubedlula bonke abanye abantu eNingizimu Afrika futhi bazithola behlukaniswa nomhlaba wabo. Ngifisa ukuba ngikubuze imibuzo ethile njengengxenywe yocwaningo engilwenzayo ukuze ngizwe ngalokho wena osuke wahlangabezana nakho kanye nangalokho okubonayo ngalesi sihloko.

Ngicela uqaphele ukuthi:

- Konke ozongitshela kona kuzosetshenziselwa lolu cwaningo kuphela.
- Awuphoqiwe ukubamba iqhaza kulolu cwaningo. Ungakhetha ukubamba iqhaza, ungakhetha ukungalibambi iqhaza futhi ungayeka noma nini ukubamba iqhaza kulolu cwaningo. Ngeke ujeziswe ngokuthatha noma yisiphi kulezi zinqumo.
- Imibono yakho onginike yona kulolu cwaningo ngeke kudalulwe ukuthi ngeyakho.

Igama lakho ngeke lidalulwe noma ngandlelani kulolu cwaningo.

- Ingxoxo yethu izothatha (*imizuzu elinganiselwa emashumini amabili (20)*).
- Irekhodi lengxoxo yethu nokunye okuhambisana nalo kuzogcinwa efayeleni elivalwa futhi livulwe ngenombolo eyimfihlo elizokwazi ukuvulwa kuphela yimina kanye nabafundisi bami abangisizayo kulolu cwaningo engilwenzayo. Emva kweminyaka emihlanu, njengokulawula kwemithetho yenyuvesi, leli rekhodi nokuhambisana nalo kuzodatshulwa futhi kushiswe.
- Uma uvuma ukubamba iqhaza kulu cwaningo, ngicela usayine ifomu yokuvuma ukubamba iqhaza ehambisana nalesi sitatimende (uzonikwa ipheshana okusayinwa kulona).

Nansi imininingwane yalapho ngitholakala khona: School of Social Sciences, University of KwaZulu-Natal, Howard College Campus, Durban. Email: 220081401@stu.ukzn.ac.za/
sbon70@webmail.co.za

Inombolo yeselula: 0721885778.

Usuphavayiza walolu cwaningo uDokotela Fikile Vilakazi amahhovisi akhe ase-School of Social Sciences, Pietermaritzburg Campus / **Howard College Campus, Durban** of the University of KwaZulu-Natal. Ikheli lakhe le-email Vilakazif@ukzn.ac.za Inombolo yakhe yocingo: 0835816161

Imininingwane yokuxhumana ne-Humanities and Social Sciences Research Ethics Committee imi kanje: HSSREC@ukzn.ac.za & 0312603587/4557/8350, University of KwaZulu-Natal. Ngiyabonga kakhulu ngeqhaza lakho kulolu cwaningo.

APPENDIX E: THESIS AMENDMENT APPROVAL



02 May 2023

Sibongile Jeanetty Marcia Nhlapho (220081401)
School Of Social Sciences
Howard College

Dear SJM Nhlapho,

Protocol reference number: HSSREC/00005121/2022

Project title: Poverty, inequality and access to land: The lived realities of women in rural KwaZulu-Natal, South Africa.

Degree: PhD

Approval Notification – Amendment Application

This letter serves to notify you that your application and request for an amendment received on 14 April 2023 has now been approved as follows:

- Additional participants
- Addition of co-supervisor: Dr Balungile Zondi

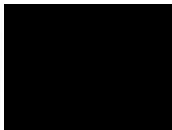
Any alterations to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form; Title of the Project, Location of the Study must be reviewed and approved through an amendment /modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

HSSREC is registered with the South African National Health Research Ethics Council (REC-040414-040).

Best wishes for the successful completion of your research protocol.

Yours faithfully



.....
Professor Dipane Hlalele (Chair)

APPENDIX F: RURAL WOMEN'S MOVEMENT APPROVAL LETTER

Rural Women's Movement (RWM)
Greener Pastures Farm

District Road #354
PO Box 49
Umlaas Road
KwaZulu-Natal
South Africa
3730
Department of Social Development Registration #031-695-NPO
Mobile: +27 (0) 73 840 5151
E-Mail: ruralwomensmovement@gmail.com
Skype: sizani.ngubane2
Website: www.rwmrsa.org
Facebook: www.facebook.com/ruralwomensmovement
Instagram: @ruralwomensmovement
Twitter: @RWMKZNSA

17 August 2020

The Humanities and of Social Sciences Ethics Office

The University of KwaZulu Natal Research office

Howard College

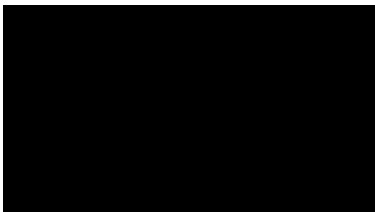
Durban

DECLARATION

Dear Research Officer

This serves to grant permission and to confirm that, Sibongile JM Nhlapho, a UKZN Ph.D student in Public Policy (student nr-220081401) will be conducting an interview for research study purpose, with the members of Rural Women Movement in Blackridge, KwaZulu Natal and I will also assist her in identifying other interviewees within the province to be interviewed on the subject matter where necessary for the fulfilment of the study.

The research will be on, Poverty; Inequality and access to land: the realities of Women in Rural Kwa-Zulu Natal, South Africa.



Sizani Ngubane

Founder & Executive director

Rural Women's Movement

ruralwomensmovements@gmail.com

Department of Social Development Registration #031-695-NPO

Mobile: +27 (0) 73 840 5151

E-Mail: ruralwomensmovement@gmail.com

Skype: sizani.ngubane2

Website: www.rwmrsa.org

Facebook: www.facebook.com/ruralwomensmovement

Instagram: @ruralwomensmovement

Twitter: @RWMKZNSAlunteer Contact: Richard Raber Phone: +27 (0) 72 110 0621 Email: richardraber93@gmail.com

APPENDIX G: COMMISSION FOR GENDER EQUALITY APPROVAL LETTER



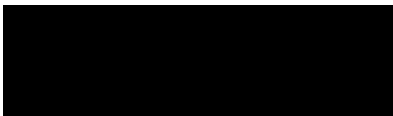
The Humanities and of Social Sciences Ethics Office
The University of KwaZulu Natal Research office
Howard College
Durban

DECLARATION

Dear Research Officer

This serves to grant permission and to confirm that KZN Commission for Gender Equality will be available to be interviewed by, Sibongile JM Nhlapho, a UKZN PhD student in Public Policy (student nr-220081401) who will be conducting an interview for research study purpose on the study with the members of Rural Women Movement in Blackridge and Estcourt, KwaZulu Natal. **The research topic is, Poverty Inequality and access to land: the realities of Women in Rural Kwa-Zulu Natal, South Africa. Amongst the proposed participants to be interviewed is an official of the KZN Commission for Gender Equality.**

Yours Sincerely



Zanele Ncwane
Provincial Manager

Physical Address: 40 Dr. A.B Xuma Road, 1219 Commercial City Building, Durban 4001 **Postal Address:** P.O. Box 208, Durban 4000

Tel: (031)3052105 **Cell:**0661669114 **E-mail:** zanele@cge.org.za **Website:** www.cge.org.za

APPENDIX H: DALRRD APPROVAL LETTER



agriculture, land reform
& rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

KZN Provincial Shared Service Centre (KZN PSSC) Private Bag x 9000, KwaZulu natal, – Tel. No. 0333554354

The Humanities and of Social Sciences Ethics Office

The University of Kwa-Zulu Natal Research office

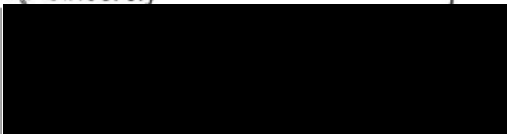
Howard College

Durban

Dear Research Officer

This serves to grant permission and to confirm that an official from **Department of Agriculture, Land reform and Rural Development (Dalrrd)** will be available to be interviewed by, Sibongile JM Nhlapho, a UKZN PhD student in Public Policy (student nr-220081401) who will be conducting an interview for research study purpose on the study with the members of Rural Women Movement in Blackridge and Estcourt, Kwa-Zulu Natal. **The research topic is, Poverty Inequality and access to land: the realities of Women in Rural Kwa-Zulu Natal, South Africa.** Amongst the **proposed participants to be interviewed is an official from Dalrrd.**

Yours Sincerely



Mr Nhlanhla Mndaweni

Chief Director: DALRRD KZN PSSC

Department of Agriculture, Land Reform and Rural Development

Date: 22 November 2021



UNIVERSITY OF
KWAZULU-NATAL
INYUVESI
YAKWAZULU-NATALI

03 November 2021

Office no: 27 Mezzanine Floor
EThekweni Municipality | Councillor's Support
1st Floor; Shell House | 221 Anton Lembede/Smith Street
DURBAN
4001

Attention: Chief Director, Land Reform and Rural development

REQUEST FOR PERMISSION TO CONDUCT A RESEARCH TOWARDS PHD IN PUBLIC POLICY.

Dear Mr N Mndaweni.

My name is Sibongile JM Nhlapho, (Student Number 220081401), currently studying towards a PhD Degree in Public Policy at the University of Kwa-Zulu Natal (Howard College). My supervisor is Dr Fikile Vilakazi, who is contactable on 0835816161 and on email at vilakazif@ukzn.ac.za, also at the University of KwaZulu-Natal at 031 260-2433.

The title of my dissertation is: **POVERTY; INEQUALITY AND ACCESS TO LAND: THE REALITIES OF WOMEN IN RURAL KWA-ZULU NATAL, SOUTH AFRICA.**

The study seeks:

- To examine poverty, inequality and land access difficulties experienced women that are living in Rural Kwa-Zulu Natal, among other areas will be (Estcourt and Blackridge area) Pietermaritzburg.
- To navigate the injustice of poverty, inequality and land access among women of South Africa emanated from apartheid policies and culture.
- The study will lastly look at the reasons that impact on poverty, inequality and lack of land access on women that result deficiency in economic empowerment, social welfare and job opportunities.

Proposed Sample are as Follows:

Organization	Key informant/s
1) Rural Women's Movement (RWM) 10 participants	a) Commission for Gender Equality (CGE) 1. participant
2) Association for Rural Advancement (AFRA) 10 participants	b) Department of Land Affairs (DLA)/dlrrd 1. participant
	c) Department of Agriculture (Agri-dept.) 1. participant
	d) Co-operative government and traditional affairs (Cogta) 1. Participant/ official. 2. 2participants Amakhosi/ traditional leaders (1 female/1male)
	e) Department of Agriculture 1. Participant (Women empowerment programmes)

Part of my thesis requires a field research to explain my theory. I intend conducting this field research in KZN Rural areas once the study reach its University final stage of approval. I intend to interview various women from organisation, Rural Women Movement, AFRA and key informants, CGE, Dalrrd, Cogta, Agri-dept. RWM and AFRA has been selected because of its Vision and policy statement in dealing with Poverty alleviation, inequality stance and land empowerment issues.

Thanking you in advance for your positive feedback.

Yours sincerely



Sibongile JM Nhlapho

Cell: +27 721885778; E-mail: sbon70@webmail.co.za

APPENDIX I: KZN DRDLR APPROVAL LETTER



KWAZULU-NATAL PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

DIRECTORATE

01 Cedara Road, Pietermaritzburg, 3200

Human Resource Development

KZN Department of Agriculture & Rural Development,
Private Bag X9059, Pietermaritzburg, 3200
Enquiries: Dr. CB Sibiyi
Tel: 033 3559 249 Fax: 033 3559 121

Ms Sibongile JM Nhlapho (Student no. 220 081 401)

EThekweni Municipality Councilor's Support

1st Floor, Shell House; Office n. 27 Mezzanine Floor

221 Anton Lembethe /Smith Street

Durban

4001

Dear Madam

1. I have pleasure in informing you that permission is granted to conduct a research project within the KwaZulu/Natal Department of Agriculture and Rural Development for the Doctorate (PhD) Degree in Public Policy at University of KwaZulu/Natal, Howard College. Research title: ***"POVERTY; INEQUALITY AND ACCESS TO LAND: THE REALITIES OF WOMEN IN RURAL KWAZULU-NATAL, SOUTH AFRICA"***.
2. You are hereby requested to comply with the following terms and condition:
 - a) Ensure that the Director: Human Resource Development is informed before you commence with your research project;
 - b) The Department will not provide any resources for your project such as transport, research assistant, etc. and
 - c) The Department must be informed for any publication or paper that will be presented or published containing organisational information.
3. Please ensure that you adhere to all government prescripts including departmental policies and procedures.

I take this opportunity to wish you well on your study endeavor.

[Redacted Signature]

Mr SD Sibande
Head of Department

15/11/2021
Date

GROWING KWAZULU-NATAL TOGETHER
#PHEZ'KOMKHONO



03 November 2021

Office no: 27 Mezzanine Floor
EThekweni Municipality | Councillor's Support
1st Floor; Shell House | 221 Anton Lembede/Smith Street
DURBAN
4001

Attention: To the Director- HOD Office

REQUEST FOR PERMISSION TO CONDUCT A RESEARCH TOWARDS PHD IN PUBLIC POLICY.

Dear Mpumi.

My name is Sibongile JM Nhlapho, (Student Number 220081401), currently studying towards a PhD Degree in Public Policy at the University of Kwa-Zulu Natal (Howard College). My supervisor is Dr Fikile Vilakazi, who is contactable on 0835816161 and on email at vilakazif@ukzn.ac.za, also at the University of KwaZulu-Natal at 031 260-2433.

The title of my dissertation is: **POVERTY; INEQUALITY AND ACCESS TO LAND: THE REALITIES OF WOMEN IN RURAL KWA-ZULU NATAL, SOUTH AFRICA.**

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	c) Department of Agriculture (Agri-dept.) 1. participant
	d) Co-operative government and traditional affairs (Cogta) 1. Participant/ official. 2. 2participants Amakhosi/ traditional leaders (1 female/1male)
	e) Department of Agriculture 1. Participant- official

Part of my thesis requires a field research to explain my theory. I intend conducting this field research in KZN Rural areas once the study reach its University final stage of approval. I intend to interview various women from organisation, Rural Women Movement, AFRA and key informants regarding their societal role, policy vision and empowerment programmes, CGE, Dalrrd, Cogta & Agri-dept. RWM and AFRA has been selected because of its Vision and policy statement in dealing with Poverty alleviation, inequality stance and land empowerment issues.

Thanking you in advance for your positive feedback.

Yours sincerely



Sibongile JM Nniapho

Cell: +27 721885778; E-mail: sbon70@webmail.co.za

APPENDIX J: COGTA APPROVAL LETTER



KWAZULU-NATAL PROVINCE
COOPERATIVE GOVERNANCE AND
TRADITIONAL AFFAIRS
REPUBLIC OF SOUTH AFRICA

DIRECTORATE:

Private Bag X454, PIETERMARITZBURG, 3200

Policy and Research

Moses Mabhida Building, 330 Langalibalele Street, Pietermaritzburg, 3200

Tel: 033 341 4830 Fax: 033 341 0986

LETTER OF RECOMMENDATION

**To: THE HEAD OF SCHOOL
HUMANITIES AND SOCIAL SCIENCES
UNIVERSITY OF KWAZULU-NATAL**

**FROM: MR T TUBANE
HEAD OF DEPARTMENT**

DATE: 24 FEBRUARY 2022

SUBJECT: REQUEST TO CONDUCT A STUDY TITLED "POVERTY, INEQUALITY AND ACCESS TO LAND: THE REALITIES OF WOMEN IN RURAL KWAZULU-NATAL, SOUTH AFRICA".

This is to confirm that the KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs acknowledges receipt of a request by Sibongile JM Nhlapho, Student number: 220081401, for approval to conduct a study titled "Inequality and Access to Land: The Realities of Women in Rural KwaZulu-Natal, South Africa".


In response to the request, the Department has no objection and the study is recommended. Submission and presentation of the final research report with recommendations to the KwaZulu-Natal Department of Cooperative Governance and Traditional Affairs is required as feedback.

Yours Sincerely



**MR T TUBANE
HEAD OF DEPARTMENT**

APPENDIX K: AFRA APPROVAL LETTER

P.O. Box 2517 Pietermaritzburg 3200	 AFRA Association For Rural Advancement <i>Securing land tenure for an inclusive society</i>	Tel: (033) 3457607 (033) 3458318 Fax: (033) 3455106
123 Jabu Ndlovu Street Pietermaritzburg 3201	006-092 NPO	Email: afra@afra.co.za Website: www.afra.co.za

20 April 2021

The Humanities and of Social Sciences Ethics Office

The University of Kwa-Zulu Natal Research office

Howard College

Durban

DECLARATION

Dear UKZN Research Office

This serves to grant permission and to confirm that, Sibongile JM Nhlapho, a UKZN PHD student in Public Policy (student nr-220081401) will be conducting an interview for research study purpose, with the staff and community partners of the Association for Rural Advancement (AFRA) in Blackridge, Pietermaritzburg and KZN province, and we will also assist her in identifying interviewees to be interviewed on the subject matter where necessary for the fulfilment of the study.

The research will be on, **Poverty; Inequality and Access to Land: the realities of Women in Rural Kwa-Zulu Natal, South Africa.**

Kind Regards,

Siyi

.....

Siyi Programmes Manager

siyi@afra.co.za / 064 957 7767

