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From Traditional Land Tenure to Land Pawning: The Historical Trajectory of Gendered Land Tenure among the Matrilineal Luguru of Tanzania

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Abstract

This study examines the historical transformation of land tenure among the matrilineal Luguru of Tanzania, focusing on the shift from customary landholding practices to land pawning and its implications for women's land rights. Drawing on the Evolutionary and Critical theories of Land Rights, the study explores how commercialisation, population pressure, economic hardship and informal land transactions have weakened women's traditional access to and control over lineage land. Using a historical qualitative case-study approach, the study draws on documentary, archival and qualitative evidence from the Luguru community of Morogoro. The findings indicate that land pawning, particularly when undertaken without women's consent, contributes to tenure insecurity, household conflict, gender inequality and women's economic disempowerment. The study recommends stronger protection of matrilineal land rights, greater participation of women in land governance and clearer regulation of informal land-pawning practices.

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Introduction

This paper examines the historical trajectory of gendered land tenure insecurity among the matrilineal Luguru of Tanzania, focusing on the transition from traditional customary landholding practices to increasingly commercialised and informal forms of land transfer, particularly land pawning. Historically, matrilineal institutions among the Luguru provided women with relatively secure access to lineage land and an important position within systems of inheritance and resource use. However, matrilineality should not necessarily

be equated with complete female control over land, as decision-making authority has also historically involved male relatives within the maternal lineage (Englert, 2003; Ngohengo, 2022). Over time, population growth, immigration, intermarriage, commercialisation and the monetisation of land have contributed to significant changes in these customary arrangements (Kongela, 2020; Ngohengo, 2022). These transformations have increasingly altered intra-household and inter-lineage relations and the ways in which land is accessed, transferred and controlled. As land has

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acquired greater economic value, informal transactions have become increasingly important in responding to household financial pressures. Within this changing environment, land pawning has emerged as one mechanism through which land-use rights may be temporarily transferred in exchange for cash or credit. Such practices can create particular vulnerabilities for women when decisions concerning lineage or household land are made without their effective participation or consent. Although matrilineal arrangements traditionally offered women greater social and material protection than many patrilineal systems, male relatives, including maternal uncles (*wajomba*) and brothers, may continue to exercise considerable authority in decisions concerning lineage property (Englert, 2003).

The changing position of women within Luguru land tenure should therefore be understood as part of a broader historical transformation rather than simply as the disappearance of a static customary system. Previous research among the Luguru has identified a gradual shift in gendered power relations and a weakening of women's ancestral land rights associated with immigration, intermarriage, commercialisation, monetisation and changing patterns of land transfer (Ngohengo, 2022). More recent research from Morogoro similarly indicates that matrilineal inheritance practices are being transformed, with intermarriage and increased land transactions contributing to changes in women's ability to inherit and retain land (Urassa, 2026). These developments demonstrate that customary tenure is dynamic and continually reshaped by demographic, economic, legal and social pressures.

More broadly, land tenure remains central to social organisation, agricultural livelihoods and the distribution of economic and political power across rural Sub-Saharan Africa (Dancer, 2017). Among the Luguru of the Uluguru Mountains in eastern Tanzania, customary land governance developed within a distinctive matrilineal and, in many areas, matrilineal framework. Land rights and lineage identity were closely connected to the maternal line, while customary institutions regulated access to and transmission of lineage property. These arrangements provided an important basis for women's access to agricultural land, although authority over land was shared and negotiated within wider kinship structures rather than exercised exclusively by women (Englert, 2003; Ngohengo, 2022).

Colonial intervention, post-independence land policies, villagisation, market liberalisation and increasing population pressure progressively altered these lineage-based arrangements. The growing individualisation and commercialisation of land transformed land from predominantly lineage-based and socially embedded property into an increasingly valuable economic asset. Consequently, mechanisms such as inheritance, purchase, renting, allocation by village authorities and other informal transfers increasingly coexist with customary practices. These transformations have particular implications for women because weakening lineage-based protections may reduce the security of those whose access to land has historically depended upon customary and kinship institutions.

The Tanzanian legal framework has sought to address some of these inequalities by recognising customary land rights while establishing principles of gender equality in access to,

ownership of and control over land. Nevertheless, a continuing gap between statutory protections and everyday customary practices can leave women vulnerable where local institutions and household decision-making remain influenced by gendered norms. Research on rural Tanzania demonstrates that formal recognition of equal land rights does not automatically translate into equal control over land, particularly in relation to inheritance, transfer and household decision-making.

Against this background, this study investigates the historical transition from traditional matrilineal land tenure to contemporary land-pawning practices among the Luguru of Tanzania. It examines how historical, economic and socio-cultural transformations have reshaped women's access to, control over and decision-making authority concerning land. Particular attention is given to the implications of land pawning for gendered tenure insecurity, household relations, women's economic empowerment and community stability. By situating land pawning within the broader historical transformation of Luguru land tenure, the study contributes to debates on gender, customary law and changing land relations in contemporary Tanzania.

Methodological Underpinnings

This study employed a historical case study design with a qualitative approach to examine changing land tenure practices among the matrilineal Luguru community of Morogoro, Tanzania. A qualitative case study approach is appropriate for exploring complex social processes, experiences, perceptions and historically situated practices within a specific community context (Burns & Grove, 2003; Yin, 2018). The design enabled an in-depth examination of the historical transition from customary land tenure to contemporary land-pawning practices and its implications for gender relations, women's land rights, tenure insecurity and economic empowerment. Particular attention was given to the evolution of women's property rights, customary land-allocation practices, colonial and post-colonial land policies, intermarriage, changing gender relations, and women's participation in land governance and decision-making.

Methodological triangulation was employed to obtain evidence from multiple sources and enhance the credibility of the findings (Denzin, 1978; Patton, 1999). Data were collected through in-depth interviews, focus group discussions, key-informant interviews and documentary analysis. Participants included women farmers, large-scale farmers, village leaders, ward and district land officials, and other individuals with relevant knowledge and experience of land-tenure practices. Participants were purposively selected because qualitative inquiry requires information-rich cases capable of providing detailed insight into the phenomenon under investigation (Patton, 2015). These methods enabled the study to capture diverse experiences and perspectives across gender, age, educational background and social position.

Primary qualitative evidence was complemented by documentary and archival analysis. Relevant land policies, legislation, historical records and documents relating to colonial and post-colonial land administration, *Ujamaa* villagisation and subsequent land reforms were examined to situate contemporary land-pawning practices within their

historical context. Documentary analysis is particularly useful for tracing institutional and historical change and for corroborating evidence obtained through interviews and other qualitative methods (Bowen, 2009). Evidence from the different sources was compared and triangulated to strengthen the credibility and consistency of the findings. The collected data were organised, coded and grouped into meaningful themes to identify major historical and contemporary patterns in land tenure and gender relations among the Luguru (Braun & Clarke, 2006).

Historical Context, Findings and Discussion

Historically, land in many Tanzanian communities was governed through customary tenure systems in which access and use rights were embedded within kinship, lineage, and community institutions rather than based primarily on individual ownership (Ramadhani, 2025). These arrangements underwent significant transformation during German and British colonial rule as colonial economic policies, commercial agriculture, and changing systems of land administration altered relationships between communities and land. The expansion of cash-crop production, commercial estates, and market-oriented economic activities further increased the economic value of land and contributed to its gradual commodification (Mbilinyi, 1988; Koda, 1998; Mwakalinga, 2018). These wider socio-economic transformations affected customary land-tenure practices across Tanzania, including among the matrilineal Luguru of eastern Tanzania (Dancer, 2017; Ngohengo, 2022).

Historical Context of Land Pawning in Morogoro

Land pawning (*rehani ya ardhi*) is an informal credit arrangement involving the temporary transfer of land-use or cultivation rights from a borrower (pawnor) to a lender (pawnee) as security for a cash loan. Unlike a conventional mortgage, such arrangements may allow the lender to possess and cultivate the land until the agreed amount is repaid. In rural communities where access to formal credit is limited, land pawning may provide households with an immediate means of addressing financial needs, including medical expenses, school fees, agricultural inputs, and other household emergencies (Akinola, 2018).

Among the Luguru, the emergence of land pawning should be understood within the broader historical transformation of matrilineal landholding. Traditionally, access to lineage land was closely connected to maternal descent, providing women with recognised claims to agricultural land and an important position within household and lineage-based resource systems. Nevertheless, matrilineality did not necessarily imply exclusive female authority over land, as maternal uncles and other male members of the lineage also exercised important responsibilities in relation to lineage property. Population growth, immigration, urban expansion, commercialisation, and the increasing monetary value of land have progressively altered these customary relationships (Mwakalinga, 2018; Ngohengo, 2022).

The transformation of Luguru land relations can partly be interpreted through the Evolutionary Theory of Land Rights

(ETLR). Evolutionary approaches suggest that increasing population density, land scarcity, commercialisation, and market integration create pressures for land rights to move from communal and customary arrangements towards more individualised forms of tenure (Demsetz, 1967; Platteau, 1996). This perspective is particularly relevant to the Luguru context, where population growth, immigration, expansion of towns, and commercialisation have contributed to changes in customary land-tenure practices (Koda, 1998; Mwakalinga, 2018; Ngohengo, 2022). From this perspective, land pawning can be situated within a wider process through which land has increasingly acquired monetary and exchange value in addition to its traditional social and lineage functions.

However, an evolutionary explanation alone does not adequately account for the gendered consequences of these transformations. Critical perspectives on land rights emphasise that property relations are inherently political and shaped by historical inequalities, power relations, and competing claims over resources (Peters, 2004; Borras & Franco, 2010). From this perspective, land-tenure insecurity among Luguru women cannot be understood merely as an outcome of institutional adaptation to population growth and market integration. It must also be considered in relation to colonial intervention, patriarchal reinterpretations of customary authority, changing gender relations, and post-colonial land governance (Manji, 2006; Ngohengo, 2022).

Polanyi's (1944) concept of land as a "fictitious commodity" provides an additional perspective for understanding this transition. Polanyi argued that land is deeply embedded within social relationships and cannot be treated simply as an ordinary market commodity without significant social consequences. In the Luguru context, the increasing use of lineage land in monetary transactions such as pawning represents more than an economic transformation; it also affects the social and familial relationships through which land has historically been accessed, controlled, and transferred. Consequently, the commodification and pawning of land may weaken customary mechanisms that previously provided women with access to lineage resources.

The qualitative evidence obtained in this study reflects local perceptions of this historical transformation. One Luguru woman interviewed for the study explained:

"We had a strong traditional system of succession before colonialism, immigration, commercialisation, and the rise of land pawning. These changes disrupted our long-established land-tenure traditions, which have increasingly shifted towards commodification and male-oriented control. Land pawning has further weakened women's security over land."

This account illustrates how changes in land tenure are perceived locally as involving both the increasing commercialisation of land and a transformation in gendered decision-making authority. It also demonstrates the perceived erosion of customary arrangements through which Luguru women historically obtained access to and security over lineage land.

Following independence, Tanzania introduced several reforms aimed at restructuring land governance and improving tenure security. The Land Act and Village Land Act of 1999 sought to harmonise customary and statutory systems and established important principles concerning women's rights to acquire,

hold, use, and deal with land (Kongela, 2020; Ngohengo, 2022). Nevertheless, formal legal recognition does not automatically eliminate inequalities embedded within household and community-level decision-making. Differences in legal awareness, education, access to institutions, and representation within local land-governance structures may continue to disadvantage women.

For the Luguru, this tension is particularly significant because women's land rights have historically been embedded within matrilineal lineage institutions. As customary tenure becomes increasingly influenced by market forces, informal transactions, and individualised claims, women may lose some of the lineage-based protections upon which their access to land traditionally depended. Land pawning therefore represents not merely an informal financial transaction but also a potential mechanism through which changing economic conditions intersect with gendered authority over land.

The combined application of evolutionary and critical perspectives provides a more comprehensive understanding of this transformation. ETLR helps explain how population growth, land scarcity, urbanisation, commercialisation, and market integration may encourage the individualisation and monetisation of land rights. Critical approaches, in contrast, draw attention to the unequal distribution of power and the gendered consequences of these changes (Peters, 2004; Borrás & Franco, 2010). Together, these perspectives demonstrate that land-tenure transformation may increase the economic value of land while simultaneously weakening the security of groups whose rights have historically depended upon customary and lineage-based arrangements.

From a gender perspective, these transformations have important implications for women's empowerment and livelihood security. Secure access to and control over land can strengthen women's economic independence, bargaining position, and participation in household and community decision-making. Conversely, the weakening of land rights may increase economic dependency, tenure insecurity, and vulnerability. The transition from customary matrilineal tenure towards increasingly commercialised and informal land-pawning arrangements therefore raises broader concerns regarding gender equality, women's economic empowerment, household stability, and inclusive rural development.

Land Pawning and Its Implications for Women, Households and the Luguru Community

How Land Pawning Contributes to Gendered Land Tenure Insecurity

Land pawning has important implications for gendered land tenure security among the Luguru. Although pawning may provide households with short-term access to cash during periods of financial difficulty, it can also alter existing rights of access, use and decision-making over family and lineage land. These effects are particularly significant for women whose livelihoods and household responsibilities depend heavily on continued access to agricultural land. Within changing customary tenure arrangements, the increasing monetary value of land may therefore create new forms of

vulnerability and reinforce existing gender inequalities (Peters, 2013).

Women's Exclusion from Transaction Decisions and Access to Capital

One of the major concerns associated with land pawning is women's limited participation in decisions concerning land transactions. Where male household or lineage members exercise greater authority over land-related decisions, plots may be pawned without adequate consultation with women who depend on the land for agricultural production and household subsistence. In such circumstances, women may receive little direct benefit from the money obtained through the transaction while simultaneously losing temporary access to productive land.

This imbalance can weaken women's bargaining power within households and increase their economic dependence. It may also generate disputes between spouses and other family members concerning consent, use of the borrowed money and the recovery of pawned land. Such outcomes reflect a broader problem identified in African land-tenure scholarship: formal or customary recognition of women's land interests does not necessarily guarantee their effective participation in decisions over the transfer and control of land (Peters, 2013; Manji, 2008).

Short-Term Agricultural Exploitation and Household Food Security

Land pawning may also have implications for the long-term management of agricultural land. Because the pawnee's cultivation rights are temporary, there may be limited incentive to make long-term investments in soil conservation, perennial crops or other land-improvement practices. Instead, temporary users may prioritise agricultural activities capable of generating returns within the period of possession (Dancer, 2017).

Such short-term utilisation may have consequences for households when the land is eventually recovered, particularly where land management during the pawning period has reduced its productive capacity. For women who depend on these plots for household food production, reduced access to productive land can affect livelihood security and increase the burden of meeting household food needs. Land pawning therefore has potential consequences extending beyond the individual transaction to household welfare and longer-term agricultural sustainability (Akinola, 2018).

The Challenges of Legal Pluralism

The consequences of land pawning are further complicated by legal pluralism. Land governance in Tanzania involves the interaction of statutory law, customary tenure arrangements and locally negotiated practices. Informal land-pawning transactions may therefore operate alongside, or outside, formal mechanisms for documenting and regulating interests in land. This becomes particularly problematic when transactions are based primarily on oral agreements or inadequately documented arrangements.

Where disputes arise concerning repayment, possession, consent or the return of pawned land, women may face difficulties in demonstrating their interests in the property, particularly where they were not directly involved in the original transaction. Limited legal awareness, unequal bargaining power and restricted participation in local land-governance institutions may further constrain women's ability to protect their land rights. Thus, the coexistence of statutory, customary and informal systems can create uncertainty regarding which rights and authorities prevail when land-pawning disputes occur (Manji, 2006; Peters, 2004).

Implications for Households and the Luguru Community

The implications of land pawning extend beyond individual women's land rights. Land is simultaneously an economic resource, a source of household subsistence and an important component of lineage identity among the Luguru. Disputes over the pawning, recovery or control of lineage land can therefore affect relationships between spouses, relatives and members of the wider lineage. Where transactions occur without broad family consultation, competing claims over land may contribute to household tensions and intergenerational or intra-lineage disputes.

At the community level, increasing reliance on informal land transactions may further accelerate the transition from lineage-based landholding towards more individualised and commercialised land relations. This transformation has particular significance for the Luguru because matrilineal institutions have historically played an important role in determining access to and transmission of land. Consequently, the expansion of land pawning may affect not only women's economic security but also the customary institutions and social relationships through which land has traditionally been governed (Ngohengo, 2022).

Policy Implications

Addressing the vulnerabilities associated with land pawning requires reducing the gap between statutory protections and everyday customary and informal land practices. Tanzania's land legislation provides a legal foundation for recognising women's land rights; however, effective protection also depends on women's awareness of those rights, meaningful participation in land-related decision-making and access to functioning local dispute-resolution mechanisms.

Greater attention should therefore be given to strengthening legal literacy among rural women, improving documentation of land interests and transactions, increasing women's representation in local land-governance institutions and encouraging meaningful consultation with all individuals holding legitimate interests in household or lineage land. Formal recognition and documentation of customary land rights, including through Certificates of Customary Rights of Occupancy (CCROs) where applicable, may also strengthen tenure security.

At the same time, policies addressing land pawning should recognise the economic circumstances that encourage households to use land to obtain emergency finance. Improving access to affordable and appropriate rural credit

and other financial-support mechanisms could reduce dependence on informal arrangements that place productive land at risk. Such interventions should combine legal protection with economic empowerment to strengthen women's land security while supporting household livelihoods and community stability.

Contribution to the Literature

This study contributes to the growing literature on gender and land tenure in Tanzania by examining the relatively underexplored practice of land pawning within the matrilineal Luguru community. Recent scholarship demonstrates that, despite progressive statutory protections, women's effective land rights in Tanzania remain constrained by customary norms, household power relations, limited participation in land-governance institutions, and difficulties in translating formal rights into secure control over land (Genicot & Hernandez-de-Benito, 2022; Huggins et al., 2025).

The study extends this literature by focusing specifically on how informal land-pawning practices intersect with the historical transformation of matrilineal tenure. This is particularly important in the Uluguru context, where recent research identifies a continuing transition from clan-based towards more individualised landholding and demonstrates the complex interaction between customary tenure and formal land institutions (Ngohengo, 2022; Englert, 2023).

By combining evolutionary and critical perspectives on land rights, the study contributes a historically grounded explanation of both the drivers and gendered consequences of tenure transformation. It demonstrates that population pressure, commercialisation, land commodification and institutional change do not affect all members of a community equally. Rather, these processes interact with existing gender and lineage relations and may weaken the customary mechanisms through which women have historically secured access to land. In doing so, the study contributes to contemporary debates on women's tenure security, legal pluralism, inclusive land governance and sustainable rural development in Tanzania.

Conclusion

This study traced the historical transformation of land tenure among the matrilineal Luguru of Tanzania, highlighting the transition from customary lineage-based landholding to increasingly commercialised and informal land-pawning practices. Historically, the matrilineal system provided women with recognised access to agricultural land through maternal lineage structures. However, population growth, immigration, commercialisation, changing socio-economic conditions and the increasing monetary value of land have progressively transformed these customary arrangements.

The findings demonstrate that land pawning has emerged within this broader transformation of the Luguru agrarian system. Although it may provide households with short-term access to cash during periods of financial difficulty, informal and poorly documented pawning arrangements can create significant tenure insecurity, particularly when women and other legitimate holders of family or lineage land rights are

excluded from decision-making. Such practices may weaken women's access to productive land, reduce their influence over land-related decisions and increase the potential for household and lineage disputes.

The transition from traditional matrilineal tenure to land pawning therefore represents more than an economic change. It reflects a broader transformation in the social and gender relations through which land is accessed, controlled and transferred. As land increasingly acquires monetary and exchange value, customary mechanisms that historically supported women's access to lineage land may become weakened.

The study concludes that protecting women's land rights among the Luguru requires balancing customary matrilineal interests with contemporary statutory land governance and changing economic realities. Greater transparency in land transactions, meaningful participation of women in land-related decisions, improved legal awareness, stronger local land-governance mechanisms and access to appropriate financial alternatives are essential for reducing gendered tenure insecurity. Protecting women's land rights is therefore important not only for gender equality and economic empowerment but also for household livelihood security, community stability and sustainable rural development.

Recommendations

Based on the findings of this study, land-pawning practices among the Luguru require greater transparency, documentation and participation of all legitimate land-right holders. Land-pawning agreements should clearly identify the parties involved, the land concerned, the amount advanced, the conditions of the arrangement and the agreed redemption period. Where household or lineage land is involved, transactions should not be undertaken unilaterally. Women, spouses and relevant lineage members should be meaningfully consulted to protect existing land rights and minimise household and lineage disputes. Women's representation in village and ward-level land-governance and dispute-resolution institutions should also be strengthened to ensure that gender-specific concerns are adequately considered.

Greater attention should also be given to improving legal literacy and strengthening women's tenure security. Community-based awareness programmes should provide practical information on land rights, documentation, consent and available dispute-resolution mechanisms. Appropriate mechanisms for documenting land rights should recognise both statutory protections and legitimate customary matrilineal interests. At the same time, the economic pressures that encourage households to pawn productive land need to be addressed. Improved access to affordable credit, savings schemes and other appropriate financial services, particularly for women and economically vulnerable households, could reduce dependence on informal land-pawning arrangements during periods of financial hardship.

Finally, further research should examine the prevalence and long-term consequences of land pawning among the Luguru and other matrilineal communities. Particular attention should be given to its effects on women's economic empowerment,

household livelihoods, intergenerational land transfer and the sustainability of matrilineal land-tenure systems.

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