

Brown, Sibongile, University of Swaziland (UNISWA), Is the Contemporary Swazi Legal System Ready for a Bill of Rights?, University of Swaziland (UNISWA), 1997

- Implications of marital property regimes and the minority status of women on women's rights to own and control property.
- Patriarchal nature of Swazi society and the resultant negative political climate against women.
- The effect of a Bill of Rights on the law, particularly women's rights to property, as a way of protecting and entrenching those rights.

CANGO, LeaRN AND WLSA, Narrative Report of a Workshop to discuss Swaziland's Draft National Land Policy and Map a Way Forward for NGO Intervention, February, 2001 27pp

- Policy formulation process of the Draft National Land Policy.
- NGO and CBO involvement in land matters with a view to strategising on the role that both can play in land issues in the country.
- Action plan for NGOs on the land issue in Swaziland and agreed strategies for NGO interventions, which include: the establishment of a loose NGO/CBO/CSO Network on land policy; information dissemination; capacity building; research; consultation; advocacy; as well as technical advice to key NGOs/CBOs working on land issues.

Government of the Kingdom of Swaziland, Ministry of Housing and Urban Development, Draft National Land Policy, 2000.

- The draft National Land Policy vision to maximise benefits to the entire society from land on a sustainable basis.
- The history of land tenure and administration in Swaziland.
- Objectives of the draft policy which include: to improve access to land and secure tenure; to improve productivity, income and living conditions; to alleviate poverty; to develop an efficient and effective system of land administration; and to encourage land ownership by Swazi citizens.
- Policy principles taking cognizance of human rights, land tenure, the land market as well as land use, management and administration.
- Acknowledgement that existing gender biases in Swaziland's social and legal context with regards to women's access to and control of land, are both inequitable, and hamper broader national development.

Dlamini, Fikile and Dlamini, Sithembile, Laws that Impact on the Economic Status of Women in Swaziland, (compiled for Umtapo waBomake-Women's Resource Centre), 2001, 33pp

- Laws, practices and procedures in Swaziland that impact on the economic status of women.
- Gaps in the law, particularly with regard to discrimination against women.
- Recommendations for law reform responsive to women's economic development needs.

Funell, D.C., Under the Shadow of Apartheid: Agrarian Transformation in Swaziland, 1991, 267pp

- Swaziland's agricultural performance in the Southern African historical context.
- The post-independence development of small-scale farming and decline in off-farming employment.
- The lands question throughout modern Swazi history the land and its location in forefront of political debate and the legal frameworks according rights to land, both communal and individual.
- The pressure on the land from human and animal population growth.

Government of the Kingdom of Swaziland: Ministry Of Economic Planning and Development, Report On Participatory Poverty Assessment

- Assessment of poverty and its causes from the perspective of the poor.
- Constraints to and opportunities for improving well-being as perceived by the poor.
- Interaction between policy makers, service providers and the poor to ensure relevance of intervention design for poverty alleviation.
- Women as a vulnerable social group due to minority status, lack of support, and excessive workload without concomitant remuneration

Government of the Kingdom of Swaziland: Ministry Of Housing And Urban Development, Impact of the Urban Development Project on Property Rights, 1998. 14pp.

- Legal implications of various scenarios of women accessing land: e.g. including single women, women married in community of property, women heads of households, women married under Swazi law and custom, and women married to foreign spouses
- Consistent inequities in women's experience in accessing land

Government of the Kingdom of Swaziland: Ministry Of Housing And Urban Development, Urban Development Project/United Nations Development Programme : Gender and Land Issues Study and Consultative workshop report, Mountain Inn, Mbabane, 2003

- Key issues raised during the study into the impact of the Urban Development Project on property rights.
- Action plan to operationalise the inclusion gender issues in the project.

Government of the Kingdom of Swaziland: Ministry Of Housing And Urban Development, Study on the Extension of the 99-year Leasehold Concept to Areas on Swazi Nation Land: Draft Feasibility Study Report and Implementation Plan, June 2003

- Consultative process to extend the 99-year leasehold concept to areas on Swazi Nation Land.
- Leasehold and related tenure systems in sub-Saharan Africa.
- Legislation and policies and their relevance and potential shortcomings with regard to the introduction of leasehold tenure on Swazi Nation Land.

Moitse, Sindile, Study on the Land Tenure System and Land Use Development Strategies in Swaziland, (Commissioned by The Regional Leadership(LeaRN) Network for SouthernAfrica), 2001, 63pp

- The duality of the land tenure system and resettlement programmes in Swaziland and compilation of selected studies on land related issues.
- Critical analysis and discussion of selected aspects of the draft National Land Policy.
- Historical background of Swaziland's land tenure system, dating back to the 1880s, land concessions and dual development of tenure into communal and individual.
- The Land Purchase Programme, the Rural Development Areas Programme and Resettlement Programme.
- Rights of women under customary and inheritance under Swazi Nation Land.

Mushala, H et al., Comparative and Multidimensional Analysis of Communal and Private resources of Land Tenure in Africa: The Case of Swaziland, (for FAO, Rome), 1994

- Review of the systems of land tenure in Swaziland, comparing and contrasting customary tenure on SNLand individual tenure on TDL and the strengths and weaknesses of both systems.
- Administration of customary land by chiefs and title Deed land by Deeds Registry Office.
- Men's power to control land by occupying a central role in the land acquisition processes as members of chief's councils.
- Discrimination against women in important decision-making responsibilities regarding land allocation and benefit.

Mvududu, Sara and McFadden, Patricia, Reconceptualising THE FAMILY in a changing Southern Africa Environment: WLSA, Harare. 236pp

- The effect of preconceived ideas of family on women's human rights in Southern Africa.
- The duality of laws and the effects of their interpretation on women, particularly women's access to and control over land and cattle.
- Implications of land pressure on women's access to both urban/residential and rural land, land reform and land commissions.

Nkumbule T., Land Policy in Swaziland: The Land Speculation Control Act 1972 Revisited, University of Swaziland, 1993

- Provisions of the Land Speculation Act of 1972 and the criticisms that have been levelled against it
- Recommendations on how farm dwellers can potentially pay for and own the land to curtail the incidence of eviction faced by the squatters and resettlement.

Shiba Khetsiwe, Women in Small-scale Production: An Attempt to Alleviate Poverty - the Lavumisa Case, University of Swaziland, 1997

- Traditional male ownership of land in Swaziland as opposed to women's access to land, particularly in the rural areas as influenced by socio-economic and cultural factors.
- Socialisation of women and men from childhood as the foundation of gender inequalities and as ultimately detrimental to the potential of women to contribute to their own development and that of the nation.

Simelane, Hamilton, The State of Rural Poverty in Swaziland: A paper presented to a UNESCO regional workshop on Causes of Poverty and Holistic Strategies For Reduction in Southern Africa

- Definition of poverty and traces its progression throughout Swaziland's past, in both the colonial and post-colonial periods.
- Factors responsible for poverty in the postcolonial period, such as inequitable resource distribution resulting in the continued lack of access to land by the majority of rural dwellers, especially women.
- The marginalisation of women in the access to and control over land and other resources which affects the establishment and growth of women's income-generation projects and consequently their development.

Thwala, Phumelele, AReport on L'Etwal InternationalWorkshop on the Implementation of Treaty-Based Rights ofWomen and Children

in **Swaziland Workshop**, Royal Swazi Sun Hotel, Ezulwini, Swaziland, 31 August -1st September 1999. 19pp

- Problems relating to the implementation of treaty-based rights of women and children and recommendations for implementation specific to Swaziland.
- International human rights law relating to women; gaps in law and policy for the implementation of treaty-based rights of women in Swaziland; the role of soft law in the enforcement of rights of women and children in Swaziland.
- Women's rights and development strategies, including legal reform, legal aid; legal literacy as well as empowerment and mobilization, and social transformation.

Thwala Phumelele, and Dlamini, Phumzile, Ministry of Housing and Urban Development Programme: Urban Development Project (UDP) Gender and Land Issues Study: Final Report 2003, 68pp

- Identification and review of current policies and legislation pertaining to land and their effect on the envisaged women UDP beneficiaries.
- Opportunities, constraints as well as lessons learnt to improve the implementation of the project.
- Proposed policy and legislation change to complement and promote UDP policies to improve equity in access to land between men and women.
- The socio-legal status of women and the dynamics having a bearing on current gender relations, the discriminatory assignment of gender of roles, responsibilities and entitlements both in the private and public sphere.

United Nations Development Programme (UNDP), Swaziland Human Development Report 2000: Economic growth with equity, 2000, 121pp

- The concept of human development as central to development objectives, strategies and priorities.
- Swaziland's economic growth not being translated into expanded job opportunities and equitable distribution of benefits.
- Inequality in access to measured income, land and other productive assets as a cause of high levels of poverty and deprivation.
- The implications of access to land, to credit, unemployment and social mobility on development.
- The need to enhance gender equity and promote social transformation to ensure sustained development.

Women in Law and Development in Africa (WiLDAF) Compiled for CANGO), The Laws of Swaziland and their Impact on Women, 2001

- The legal status of women in Swaziland in the various aspects of the laws on marriage, maintenance, inheritance, custody and guardianship, and adoption.

Women and Law in Southern Africa Research and Educational Trust (WLSA), A Critical Analysis of Women's Land in the WLSA Countries, 2001 48pp

- Access to and control over and ownership of land by women in Southern Africa, covering land tenure regimes; access to urban residential land; legislative and policy formulation; constitutions, gender policies and the ratification of international instruments.

Women and Law in Southern Africa Research and Educational Trust (WLSA)/ Southern African Research and Documentation (SARDC), Beyond Inequalities: Women in Swaziland, 1998, 64pp.

- The status of women in Southern Africa and their roles and responsibilities, access to and control over resources, decision making powers, needs and constraints of women in respect of men in several countries
- Obstacles faced by Swazi women in accessing essential resources such as land in their own right, in both the traditional system of tenure and on private ownership Title Deed Land.

Women and Law in Southern Africa Research and Educational Trust (WLSA), Family Forms in Swaziland, 170pp.

- Inequalities in resource access and control in different families.
- Lack of access and control over resources by women, even as heads of households as a cause of food insecurity and malnutrition in most of the countries in Africa.

Women and Law in Southern Africa Research and Educational Trust (WLSA), Family in Transition: The Experience of Swaziland, WLSA Swaziland, 1998, 240pp.

- The concept of family and the multiple family forms in Swaziland as opposed to the single family form recognized by the law and society.
- Women's position within families and the extent to which women within various family forms are able to take independent decisions, particularly with regard to family resources.

- Factors influencing women's ability to access and control resources such as land, e.g., marital status, social hierarchy, economic status.
- Women's rights to land under customary/communal tenure and in the context of the Urban Development project.
- Recommendations for improving women's access to land and other resources.

Women and Law in Southern Africa Research and Educational Trust, Swazi Women and the Constitution, WLSA Swaziland, 2002

- The implications of Swaziland's Draft National Constitution on several issues affecting women such as the duality of the Swazi legal framework; women's minority status; land; citizenship; decision-making; customs and traditions; and human rights.
- Recommendations for equality in allocation and ownership of land and property and that women should have equal rights as men with respect to access, administration, transfer of land, and benefit from property.
- Recommendations for the constitution to be embrative of gender equality and non-discrimination in all its provisions.

Zigira, Christopher, Religion, Culture and Gender Equality in Swaziland, 2000

- The lack of recognition of women's equal rights with men in law, custom, access to resources, and in decision-making.
- Societal norms as the roots of social and gender inequality and as responsible for creating women's dependency on men.
- Recommendations on the inclusion of women's perspectives on critical national issues.

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