

GENDER AND LAND BASED REFORMS IN ZIMBABWE

From the African Community of Practice on Managing for Development Results at the African Capacity Building Foundation (ACBF)



Case Study
N° 46

SYNOPSIS

Land reform programmes have been getting increasing attention on the global development agenda. In 2000, Zimbabwe embarked on a Fast Track Land Reform Programme (FTLRP) that saw the massive transfer of land from white commercial farmers to black Zimbabweans. In the process, women accessed land and were able to set a new development pathway in which they became independent land beneficiaries. The case study is mainly based on a desk review of published research done on resettled farms in South Eastern Zimbabwe. Other complimentary studies in resettled farms in and around Zimbabwe are also used to beef up the case. The aim of the research in the resettled farms was to find out how the women accessed land during the programme, the type of agricultural systems they were involved in, and the marketing strategies they used in selling their produce afterwards.

Key findings: The desk research reveals that the land reform question achieved the resettlement of a great percentage of the targeted population. However, a disparity was unveiled as generally women were secluded from the process, with a very small percentage managing secure land in the commercial resettlement model. Women who did manage to access some land, despite the mode of acquisition and their marital status, had positive attitudes towards the FTLRP programme. They managed to sustain their livelihoods and even substantiate their income through creating agricultural trade routes that transcend borders.

Key lessons: The lack of gender mainstreaming affects the economy as women potential in the economic recovery of the country via agribusiness and entrepreneurship is suppressed. In terms of land access by women, statutory and customary law are parallel to each other which prevent women from accessing and utilizing land for agricultural purposes or as a productive asset.

Key recommendation: There is a need to profoundly empower women through access to land resources and establish a nexus between the statutory and customary laws so that the two do not override each other. This drives towards policy solutions that center on taking women as a starting point in land reform processes, the value chain process in marketing, taking into account the importance of a gendered land reform. The case study also showed the lack of capacities of government stakeholders in gender issues and recommends that appropriate capacity development strategies are put in place to support them in designing and implementing gender sensitive policies and mechanisms.

Introduction

Land has always been (since 1930 - the enactment of the Land Apportioning Act) and continues to be a non-contestable debate and a critical resource for the wellbeing of Zimbabwe and most former colonial states. Latent and manifest conflicts began as black Zimbabweans were dispossessed of their land by the British colonisers. After independence, the Zimbabwean government implemented land and agrarian reforms meant to improve the livelihoods of the majority. This was done in three phases with the last one, the Fast track land reform programme (FTLRP) being the thrust of this case. The FTLRP ran under two models for resettlement: A1 model (decongestion) was aimed to resettle 160,000 communal people, based on subsistence farming. The A2 model aimed at creating a force of 51,000 small, medium and large scale black commercial farmers [(PLRC, 2003; Moyo and Sukume, 2006; Chokova and Madembwe, 2006; Murisa and Mujeyi, 2015), Table 1]. Many scholars have conducted research on the nature of this programme. However, there is little analysis and evidence on gender and land reforms using a Zimbabwean case study. The study analysed the FTLRP at Mwenezi resettlement in Shamva district.

Table 1: Land ownership by Province, Model and Gender: The Zimbabwe Fast Track Land Reform Programme

Province	Model A1				Model A2			
	No. of Males	%	No. of Females	%	No. of Males	%	No. of Females	%

Midlands	14 800	8 2	3 198	1 8	33 8	9 5	17 64	5 8
Masvingo	19 026	8 4	3 644	1 6	70 9	9 2	215 226	1 3
Mash Central	6 1298	8 8	1 770	1 2	1 46	8 7	* 56	1 1
Mash West	9 2178	1 7	270 3	9 2	1 77	9 *	121 97	2 1
Mash East	2 1297	8 7	1 169	1 3	1 21	9 8	796	1 7
Mat South	6 1297	8 4	490 1	6 1	57 4	9 1	8 8	1 2
Mat North	7 754	8 2	2 190	1 8	1 96	1 8	8 8	
Manicaland	7 919	8 2	22 723	1 8	1 6	1 04	3	
TOTAL	9 574							
	10 698 6							

Adopted from Utete Report, 2003

In pre-colonial Zimbabwe, rights to land were vested in the hands of the headman (Jacobs, 1990:165). Women under this scenario had rights and access to a minimum area of land on which they grew “women crops” like groundnuts. The advent of the colonial regime undermined the rights of women, viewing them as minors in dire need of a male representative (Moyo, 1995). Disparities amongst women themselves emerged as the unmarried women and those in a polygamous marriage were literally outcasts in land access. Their married

counterparts were no exception as their husbands could gain access but they were not even considered. The divorced and widowed gained access only if they had custody of children (Mararike, 1996). The emergence of the FTLRP saw the resettlement of people, emergence of new institutions and a certain gender ideology towards food production. Aspects of the FTLRP appealed most to men who are generally mobile as no customary law entitles them to stay at the homestead but can venture outside in search of a living for their families (Nyawo, 2016). In as much as the single, divorced, widowed women (collectively termed unmarried women hereafter) were disadvantaged in the initial land reform process by the state and traditional leaders, the FTLRP created strategic opportunities which improved their access to large arable fields. The married women however, had a dissimilar situation (Table 2).

Table 2: Land ownership in the A2 resettlement scheme in different women classes

*N=236

Category	Model A2 resettlement scheme (%)
Married women	20
Unmarried	80
Total	100

Adopted from Mpahlo (2003)

With access to land for the married being a given using the household model¹, it was conditional (get a piece of land from husbands plot). However, responses from the women in the Rutenga resettled farms highlighted that it was not a limiting factor as they were satisfied.

¹The family farm or household model means the land is given to the family or household not individuals within these institutions (Bhatasara, 2011).

They reported an improvement in the ability to grow crops and ability to get yield that can sustain the family. The unmarried women managed to capitalise by being involved in political warfare (*jambanja*), use of social networks and gained power which made them recognisable and acquire land in the A1 scheme (Scoones et al., 2010, Mazhawidza and Manjengwa, 2011). The married women tended to be much more disadvantaged by their marital status. They are obliged to stay in the communal areas and tend to the family whilst the unmarried women are more opportunistic and risk diverse. The women that have gained access to land are few and this can be greatly associated with the Zimbabwean customary practices and norms that are patriarchal, viewing women as a submissive and men’s primogeniture defining asset accumulation, for example (Mutopo, 2015). These power dynamics leave the women subdued and prevent them from accessing land.

Zimbabwe, like Egypt, among other African states has the least percentage of women’s share in land access (Table 3), with women being subordinate minority of the population. In Zimbabwe, land is considered to be a male figure asset, who controls production systems, except for the day to day food crops. These are assigned to be under the woman’s control for example groundnuts and vegetables. In very few and scanty situations the unmarried women have access to land gaining title deeds. The married women only gain full possession upon the spouse’s death. In Zimbabwean law however, the issue of legally inheriting land as a widow is not clear, posing vulnerability in these women. Comparing amongst the genders, women have gained much lesser recognition in land tenure rights. Even though this has been a well contested

issue, there exists no defined statutory element to ensure that women acquire security of tenure (Mazhawidza and Manjengwa, 2009; Gaidzanwa, 2011).

Table 3: Women’s share of land ownership in selected African countries

Country	Women’s landholding (%)
Benin	11
Cameroon	10
Ghana	10
Democratic Republic of Congo	25
Egypt	3
Kenya	5
Morocco	14
Tanzania	25
Uganda	7
Zambia	11
Zimbabwe	3
SSCF	*
* LSCF	

*SSCF- Small scale commercial farmers and LSCF- Large scale commercial farmers

Theoretical Framework

This study is based on a gendered approach at land reform (Moser, 2005; Mutopo, 2011; Berhman et al., 2012; Mutopo et al., 2015). The approach is aimed at examining the gender disparities in a documented era in Zimbabwe; the FTLRP. This approach takes women as the starting point in the process of land acquisition and the role that women play in land utilisation. It takes into account that women operate in male sanctioned environments. Attitudes of patriarchy emanated from the pre-colonial regime where men dominated the household. Due to the racial discrimination that was prominent in the colonial era, the patriarchal issue had to be

addressed. The land reform was no exception. The socially constructed attitudes are usually unequal in terms of power, decision making, and freedom of action and not the biology of the sexes. The study dwells on this line of thought as the case study’s thrust is on lobbying for a change in the structuring of gender and land resources. This is so that patriarchy and masculinity do not supersede femininity, basing on socially constructed views. The ultimate goal will be the emergence of a scenario in which decision-making and benefits of development are distributed on equal basis of gender neutrality. A need is generated for serious action to be taken towards how gender discrepancy is to be addressed in resource allocation, power dynamics and in customary law, rules and norms. This is done within the land reform context.

Methodological Approach

This work utilises a desk review approach in which data is derived from the various land reform documents and published works. Such a methodology employs documents in existence already to highlight issues on the FTLRP and gender. Some of the reports and quotes were based on documented data from case studies on the farms in Rutenga, Mwenenzi district by Mutopo (2014) and substantiated by various other social scientists in the field understudy. Considering the vast information source on FTLRP, documented sources used span from the programme’s inception to date in a bid to track changes in the outcomes.

Gender and Land Reforms in Zimbabwe

The colonial regime had land policies such as the Land Appointment Act of 1930 and the Land Tenure Act of 1969. These alienated the native black Zimbabweans from much of the productive lands into marginal areas of the country, creating a racially differentiated land

tenure system (Gaidzanwa, 1991; Utete, 2003; Ruswa, 2007). The need for land inspired a liberation struggle and land was without a doubt, the single most important reason. After Independence, the people expected a change with women (86%) (Scoones et al., 2010) working on the land expecting a lot especially after being a stronghold of the liberation struggle. In post independent Africa, the land question has been non-debatable, but dominant and constant in the discourses and practices of development. As a way to address these inequities, the Zimbabwean government embarked on a land reform programme and the first set of resettled families were in place in the early 1980s. The Zimbabwean FTLRP presented an appealing source of a sustainable livelihood for most women, an opportunity that had never been presented in the country's history of land invasions (Mutopo, 2011).

Access to Land under the FTLRP

Under the two resettlement models (A1 and A2), differences existed on land acquisition. A1 applicants were resettled by the District Administrator (DA) who got lists of people from village heads. The A2 model applicants had to formally apply to the Ministry of Lands, Land Reform and Resettlement who would approve depending on the resource base of the applicant as this model had minimal to none government support in the agri-business. To date, with the inclusion of the 2004 National Gender Policy and the 2013 Zimbabwean constitution, a sound gender and asset policy has not been structured. The general percentage of women who acquired land under the two models ranged between 18 and 20% nationwide (Chingarande, 2003; Bhatasara, 2011; Mutopo, 2015). However, in certain provinces like Manicaland, female

headed households in A1 resettled schemes ranged between 19.4 to 23% (Ibid). This would seem as if it was higher due to gender parity or empowerment but at a closer glance, it emerges that the percentage was so due to inheritance after a spouse passes on. In Zvimba District, women seemed to fair better as 25% and 22% of women benefited from the A1 and A2 schemes respectively (Murisa, 2007). Patriarchy seems to be a pervasive act when it comes to gender and land in Zimbabwe. Even when allocated land (including through inheritance), women did not always remain in control². In some cases, the son actually takes over the mothers land entitlement and savors control of the land and its production systems (Tsanga, 1999; Jirira and Halimana; 2008; Mutopo, 2014).

In Masvingo Province, a diverse pattern exists in relation to how the women had adopted and been affected by the FTLRP. Benefits from land reform were mainly evident in the communally marginalized women, especially the unmarried who realized independence with the coming of the resettlement scheme. In the male headed households, women also gained a level of economic independence, which tended to shift gender roles and relations. Data analyzed from cases done in Goromonzi and Mazowe show that FTLRP was highly viewed as 'masculine' favoring men over with women being mostly responsible for the small crops used for household consumption, whose market value in the event of a surplus comes second to none to a man's agricultural income. Box 1 aims at illustrating the extent to which women are affected by the ideology of the FTLRP.

Box 1: Quote

"The household setup is not fair as men have full control of cash crops and as women, are responsible for crops that are mainly for family consumption for example groundnuts. The unfair part of it is, even if as women, we sell surplus (women crops), men's hands will be seen when money gets on the table. That is the reason why we also engage ourselves in other non-agricultural income generating activities in a bid to widen our income base."

²A legal court case of Magaya vs Magaya. In which Venia could not access her father's land by virtue of being a woman. The ruling

The A1 permits viewed women as spouses in the FTLRP, unlike the A2 which were an open access exercise dependent on the resources one had.. Gender, in light of the FTLRP had much disparity. It was largely insensitive to the land needs and rights of women; the A1 women landholders have albeit benefited and gained a livelihood. A disheartening response was given by one government official regarding the question of how and why women had been left out of the Land reform and gain rights to land. His response denoted to the existence of tradition and culture (customary law) by saying,

'...because I would have had my head cut off if I gave women land. Men would turn against the government and it is not the government that calls on men to come and apply for land but its set at household level hence outcome is inevitable'.

This inevitably implies that women can only get land in their own right in a world devoid of men, which is an utterly surreal world. With the regional diversities of studies done on land reform and gender, a basis for comparison and trend setting can be established. In Africa, it is realized that women tend to use their negotiation skills in accessing land. The Zimbabwean women employ the 'right' language to speak to their husbands and doing so at the 'right' time, usually in the bedroom (Mutopo, 2011). Access to land especially by the married people conforms to creation of bargaining power. These bargains done by women highly include sexual connotations in the accessing of land. In that regard, it validates the assertion that for women to access land, there has to be some sort of relationship tied to men and even the land women personally possess i.e. water gardens, of which men are reported to control too.

Utilization of Land by Women Entrepreneurs

If women have access to and control over land, household livelihoods and patterns improve and can be sustained. Since they are natural caretakers, they have proved to have better management policies regarding farm produce, its marketing exchange and subsequent use of the income earned (Mutopo, 2015). Most land accessed by women through the FTLRP was being used for production of food crops, mainly for household consumption with few women into the trade on urban food networks or contributing to national food security or even export. This was attributed to the women's failure to access resources especially financial credit facilities. The same was said for some African countries as the credit facilities sometimes need a husbands' signature and collateral of fixed assets, which the women normally do not have (ECA, 2003; WLZ, 2006).

New age research has argued that land reform has indeed opened up opportunities for women as new livelihoods are realized and pursued, gaining a greater economic independence (Mutopo, 2014, Mutopo et al., 2014). The findings in the Rutenga resettled farms include the role of women in the creation of new trading enterprises. Livelihoods were able to be sustained through creation of socio-economic linkages. The same case study, validated by others examine several cases in which women were accumulating land collectively in their own right and using the proceeds to invest in various developmental aspects of their lives e.g. taking children to school. Whilst the women advanced and created market networks, the men were left to do the domestic chores which normally would have been solely a woman's job.

Given the aforementioned gender gist that is associated with the FTLRP, women in this programme managed to develop farmer

induced institutions intended to increase agricultural production and aid its value chains. From similar observations, an earlier study pointed out the creation of active agricultural rural civil society which developed to become local farmer movements (Matondi et al., 2013). This creation of a movement enabled women in the post FTLRP to gain a sense of entitlement through their women-led development initiatives, which gave rise to entrepreneurship. This also concurs with the statistical fact that 80% of Zimbabwe's agricultural production in the fast track farms lay in the capable hands of women, playing a vital role in agribusiness and entrepreneurship (Ibid). The women's involvement in accessing land, cropping activities with some even crossing borders to South Africa for trade purposes has been an epitome in how women have gained and learnt to deal with the entrepreneurship environment.

This phenomenon demonstrates how social relations are shaped and understood, devising ways of coping with life, under even the most difficult circumstances. Women, in this regard act as agents in the land reform process, devising strategies and means of attaining and sustaining a livelihood for themselves (Mutopo et al., 2014) in a difficult environment. The work of Jacobs (2010), Makura-Paradza (2010), Mutopo (2011) demonstrates the way in which women have assumed a powerful position in managing farms and its earnings such that they emerge as independent financial accumulators. These studies nationwide can be prone to criticism as they pose a case study conclusion which cannot be generalized for the country as a whole. What can be concluded from the case study based results is that women have due to the FTLRP assumed an upper hand in financial acquisition especially for day to day use, a scenario that was never dreamt of pre FTLRP (Makura-Paradza, 2010, Mazhawidza and Manjengwa, 2011).

Marketing Strategies implemented by women

Women have played a vital role in employment creation. In the event that they acquire land, they are said to employ workers whereas men usually rely and use their spouses as laborers (Chiweshe et al., 2014). The study demonstrates one prominent marketing strategy that seems to be employed by the 'victorious' women under the A1 resettlement scheme in Zimbabwe. The resettled women created trade routes and strong marketing networks reaching as far as Johannesburg, South Africa. They would sell the deemed women crops (vegetables and all sorts of nuts), managing to come back with enough income to uplift the household, even from one trip. This illustrates the risk diverse nature of women as they are able to take a leap of faith and step out of poverty. Since women capacitated themselves due to the access to land, they gained and managed to engage in regional trade, thereby acquiring much independence. Women managed to make use of land reform and have reaped visible results from accessing land for the establishment of agribusinesses. Empirical validation of the viability of the FTLRP on uplifting and redefining rural livelihoods in Zimbabwe can also be verified and confirmed from work done across all the different agro-ecological regions in Zimbabwe by various researchers, including but not restricted to Murisa (2009); Scoones et al. (2010); Moyo (2011); Hanlon et al. (2013); Mutopo (2015); Nyawo (2016).

Outcomes and overall assessment

By 2010, the main prerogative of the land reform to restructure the distribution of land ownership in Zimbabwe had only increased by less than 1 million from the 9.23 million hectares redistributed in 2002 (Moyo, 2011; UNDP, 2012). This reiterates the nature of the process which was cumbersome, tedious and

complex (UNDP, 2012). Considering that the government had its initial target at 50% women at inception, having allocated 18% and 12% of the A1 and A2 resettlement models by 2002 relayed a gender asset gap (Utete, 2003). The main case study informing this document, amongst other supporting studies illustrates a different phenomenon regarding women's participation and role in the FTLRP. Women, especially the unmarried, managed to be part of the land acquisition process, for both the A1 and A2 models with some satisfying the criteria and owning land. Women managed to break new ground with the creation of institutions which allowed them to learn more collectively on agribusiness; some even noted to hire both men and women to work on their land and manage to venture and tap into new markets, even cross border trading. Post FTLRP, the entrepreneurial skills were re-evaluated as women's initiatives (extensive horticulture and cross border trading) created, transformed the economic viability of a household. This highlights a probable misnomer that the rural populace has abandoned agribusiness, resorting to migrating to the urban areas for wage work. Customary law in the land reform program was gendered and therefore there is a need to ensure that women are adequately represented in the customary setup (from headman level to the Rural District Councils). Considering that land as a natural resource is a critical asset in the livelihoods of rural people as it is tied with economic viability, firm legal thrust should be set towards gender in all policy documents and frameworks.

Conclusions and policy implications

Policy Lessons

The National Gender Policy of 2004, without a doubt eludes that the constitution has failed to realize the primary issues of women, essentially rural women, in accessing land and

their role in agricultural production. The Zimbabwe Constitution of 2013, although stating that land distribution should have gender balance, has no clear gender specific policy regarding land access to women but basic women rights. This is a great move in the right path and should be commended. The lack of gender mainstreaming, paying particular focus to women, affects the economy as women potential in the economic recovery of the country via agribusiness and entrepreneurship is suppressed. The policy does not take a stand in addressing entrepreneurship issues, hence women ventures in the agricultural sector are hampered. Zimbabwe needs a Gender policy that is all encompassing of women issues (practical gender mainstreaming). This will potentially enable women to be visible and recognized and even benefit from government policy. Statutory and customary law are parallel to each other when issues of gender and asset inheritance come up. For this parity to be addressed, there is need for a nexus to be established between the statutory and customary laws so that the two do not override each other. It will not make sense to give women rights to land that can be invalidated by customary laws.

The FTLR programme did not conclusively cater for women's needs, undermined their capacities to fend for their families due to the discriminative and unclear land tenure systems. This is approved as well by Li Ping (2003) from studies in Asia and Saito et al. (1994) in Burkina Faso, Kenya, Nigeria and Zambia where women can attain land (even more than men) through clear-cut land tenure systems, and are able to secure their lives. The way in which the FTLRP was conducted, alienated women and essentially marginalised them and left them exposed. A constitution that recognises and validates the customary law, which in turn acts against women, can be

attributed to the failure of the FTLRP regarding gender, women and land acquisition. It then poses imperative steps towards the understanding of the gender gaps created by the process of the FTLRP. For Zimbabwe to grow, its constitution needs to be reformed, informed by the lessons learnt from the adoption of the land reform.

Conclusion

In spite of Zimbabwe being part of a regional and international network thriving towards alleviating poverty and gender equality (SADC Declaration on Gender and Development, African Charter on Women's rights); women still have undefined and unsecured land rights. Their control on land and its produce is compromised. While the government, has undertaken collaborative efforts of training women in new farming methods (Agricultural extension office), involving NGO's like Oxfam who bring on the climate change dimension, a more deliberate effort that takes women as key players in building the national productivity base is important. It is against this background that the case study recommends that priority be given to women too especially when allocating resources like land and credit facilities. This gives them opportunities to raise their status in asset ownership.

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Acknowledgement

This knowledge series intends to summarize good practices and key policy findings on managing for development results (MfDR). African Community of Practice (AfCoP) knowledge products are widely disseminated and are available on the website of the Africa for Results initiative, at: www.afrik4r.org/page/resources.

This AfCoP-MfDR knowledge product is a joint work by the African Capacity Building Foundation (ACBF) and the African Development Bank (AfDB). This is one of the knowledge products produced by the ACBF under the leadership of its Executive Secretary, Professor Emmanuel Nnadozie.

The product was prepared by a team led by the ACBF's Knowledge, Monitoring, and Evaluation Department (KME), under the overall supervision of its Director, Dr. Thomas Munthali. In the KME Department, Ms. Aimtonga Makawia coordinated and managed production of the product while Dr. Barassou Diawara, Mr. Kwabena Boakye, Ms. Anne Francois and Mr. Frejus Thoto and other colleagues provided support with initial reviews of the manuscripts. Special thanks to colleagues from other departments of the Foundation who also supported and contributed to the production of this paper. The ACBF is grateful to the AfDB for helping produce this case study under grant number 2100150023544.

ACBF is also immensely grateful to Dr. Chipso Plaxedes Mubaya, the main contributor, for sharing the research work contributing to this publication. We also thank our independent reviewers whose insightful external reviews enriched this knowledge product. The Foundation also wishes to express its appreciation to AfCoP members, ACBF partner institutions, and all individuals who provided inputs critical to completing this product. The views and opinions expressed in this publication do not necessarily reflect the official position of the ACBF, its Board of Governors, its Executive Board, or that of the AfDB management and board.