

# **A Critical Analysis of the Land Reform Programme in Zimbabwe**

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**Key words:** Land Reform, Implementation, Land Information System, Cadastre, Sustainable Development.

## **SUMMARY**

The Land Reform programme in Zimbabwe has been a major area of international discussion for almost five years now; mainly due to the hitherto unprecedented approach taken by the government of Zimbabwe to address this very emotive issue. From the world's marginalized communities there has been a lot of admiration for such a bold move, while there has been condemnation from other sections of the international community who sympathise with those perceived to be at the losing end of this exercise.

This paper takes a critical look at the issues surrounding the land reform programme. It investigates the historical background to land ownership in Zimbabwe before and after independence from colonial rule. The paper will also look at the Zimbabwe government's Land policy since 1980 and what has influenced same. The legal framework under which this exercise is proceeding will also come under scrutiny. The government policy will then be evaluated against the Global Plan of Action of the Habitat II agenda, to which the government is a signatory. Finally the paper will question the actual implementation of the land reform programme, with the aim of drawing lessons from the Zimbabwean experience.

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## 1. INTRODUCTION

At independence in 1980 Zimbabwe inherited a highly skewed pattern of land distribution. A small minority of white large-scale commercial farmers owned and farmed most of the better agricultural land. The majority of the national population, made up exclusively of black Zimbabweans, farmed in the lower rainfall and poorer soil areas. This dual structure of land ownership was a result of various pieces of legislation introduced during the colonial era, which resulted in mass expropriation of prime agricultural land by the colonial settlers and the subsequent marginalization of black people into reserves now known as communal areas. The issue of access to land was therefore a major rallying point that led to the war of liberation. After protracted negotiations between the liberation armies and the newly elected Conservative Government led by Mrs Margaret Thatcher, the Lancaster House Agreement was finally reached.

More than a hundred years ago, in 1890, British forces occupied a part of Southern Africa that is now known as Zimbabwe. A year earlier the white settlers had been given rights to the land of indigenous people. The British South Africa Company had been formed to buy concessions from the British Crown and this formed the basis of the subsequent land grabbing by the settlers. Over the next ten years or so, as the take-over of land unfolded, white settlers hemmed in the majority black population on what they called Native Reserves (known today as communal areas). This marked the beginning of the division of the Africans' land. They got small, largely infertile tracts of land while expropriated land in the hands of white farmers was the biggest and the best. Surveyors were sent in to peg out the new farms and title deeds were issued to the new settlers.

Conquest through land grab and livestock seizure brought stiff resistance from the indigenous people. The first major uprising (known as the First Chimurenga) soon exploded in 1893. It was bloodily suppressed its leaders and instigators executed. However the tide that would turn against the settlers today was rising.

In a relatively short period of time up to 1914 the division of land became vastly disproportionate. Just three percent of the population controlled seventy-five percent of the land, while most of the rest were restricted to a mere twenty-three percent of the worst land in designated reserves. There were only 28,000 white settlers to nearly one million Africans in Zimbabwe at that time.

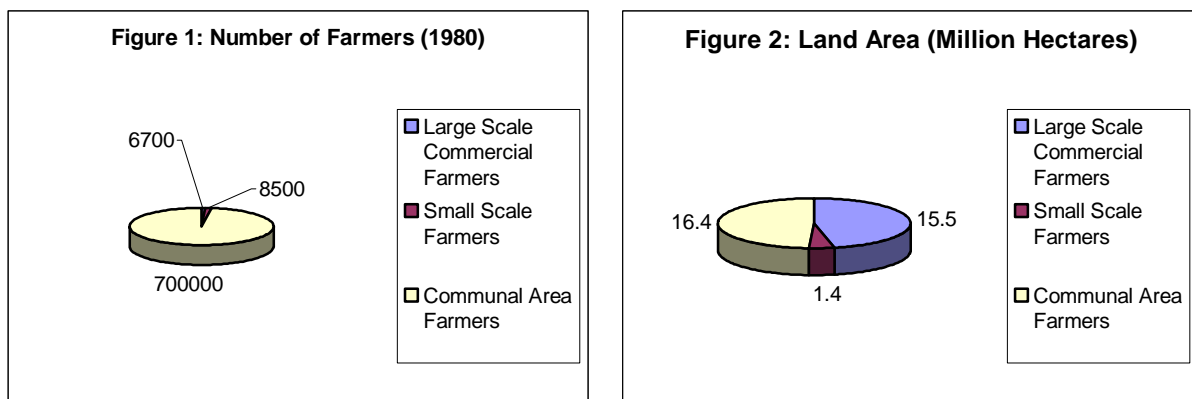
In the ensuing years various pieces of legislation were passed which sought to protect and strengthen the huge privately owned settler farms that were largely situated in high rainfall areas. The growing black population could hardly eke out a living on the generally poor soils in the communal areas. Discontent gradually took shape within the liberation movement, which emerged as a major challenge to the *status quo* in the early 1960's. The armed struggle

(now referred to as the Second Chimurenga) moved from the towns into the villages and communal areas, involving peasant communities in the national uprising. The Second Chimurenga culminated in the Lancaster House conference in 1979, which led to the birth of the Republic of Zimbabwe on 18 April 1980.

## 2. LAND RESETTLEMENT 1980-1996

### 2.1 Policy Objective

Figures 1 and 2 below summarise how land was distributed for agricultural production at independence.



Land redistribution was high on the list of priorities for the new Government in 1980. Soon after coming into power the Government established an Intensive Resettlement programme. The specific objectives of the resettlement programme were summarised as: -

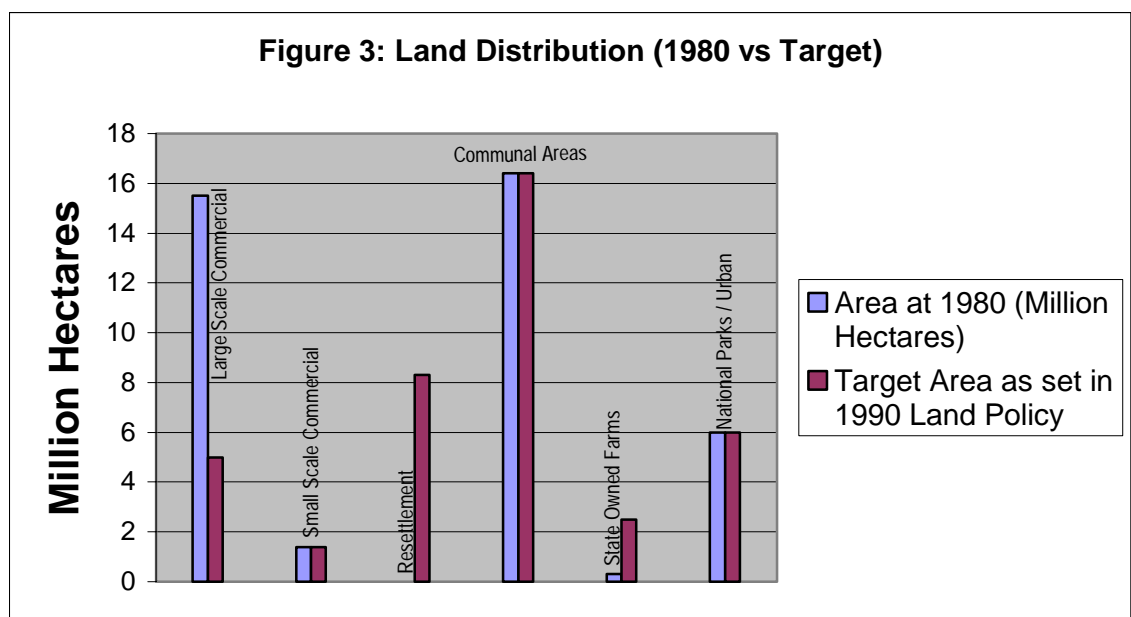
- To alleviate population pressure in the Communal Areas;
- To extend and improve the base of productive agriculture in the peasant farming sector, through individuals and cooperatives;
- To improve the standard of living of the largest and poorest sector of the population of Zimbabwe;
- To ameliorate the plight of people who have been adversely affected by the war and to rehabilitate them;
- To provide, at the lower end of the scale, opportunities for people who have no land and are without employment and may therefore be classed as destitute;
- To bring abandoned and under-utilised land into full production as one facet of implementing an equitable policy of land redistribution;
- To expand and improve the infrastructure and services that are needed to promote the well being of people and economic production.

To achieve national stability and progress in a country that has only emerged from the turmoil of war.

These objectives guided the implementation of the Intensive Resettlement Programme up to 1990. The Government did not rank the objectives in any order of priority but it was left to the implementing agencies to decide which objectives took precedence over others. In light of the experience gained during the first ten years of programme implementation the objectives were revised in the new National Land Policy of 1990 as follows: -

- To resettle deserving and landless people;
- To extend and improve the base of productive agriculture in the small scale farming sector, through the provision of training and extension for the promotion of good husbandry and social development;
- To alleviate population pressure in the Communal Areas through an integrated linkage between resettlement and Communal Area reorganisation and development;
- To improve the standard of living of the largest and previously disadvantaged sector of the population through the provision of infrastructure and services and the execution of a resettlement programme that will ensure the attainment of sufficiently high levels of income.

An initial target was set in 1980 to resettle about 18,000 families on 1.5 million hectares of land over a five-year period. This was revised in 1982 to 162,000 families on 9 million hectares. In the new Land Policy of 1990 the hectarage was further revised to 8.3 million hectares, maintaining the same target population. The new National Land Policy also established the Government's strategic objective for the sizes of the various land tenure regimes. These are summarised in Figure 3 below.



Four types or models of resettlement were used at the outset of the programme:

- *Model A*, involving a village as a nucleus with individual arable holdings and communal grazing within the village boundaries. Settler families were allocated residential stands, about 5 hectares of land for arable purposes and access to communal

grazing. The schemes were provided with access roads linking all villages with a rural service centre at which Government service staff (agricultural extension, health and education workers and resettlement officers) were based.

- *Model B* scheme, involving the formation of cooperatives to manage purchased farms on a collective basis. This model was supposed to be selected for properties with developed infrastructure (e.g. irrigation or infrastructure for specialised agricultural enterprise).
- *Model C* schemes patterned on the nucleus estate concept with a core commercial estate and/or processing facility and settler outgrowers. These schemes were introduced in order to involve small producers directly in more complex and technically demanding farm enterprises such as tobacco and dairy production. Member families have individual plots but share in communal grazing. The core estate is a commercial venture run by cooperative committees; members contribute their labour to the estates the proceeds from which are distributed to them in accordance to the labour they have put in.
- *Model D* schemes, which were intended for the low rainfall natural regions IV and V and entail the use of ranches for grazing by communal communities. A main objective of this model was to reduce the pressure on communal grazing areas by increasing the amount of grazing land to communities. This model was later modified and renamed the Three Tier Scheme.

The Government in September 1996 produced a revised Policy Paper on Land Redistribution and Resettlement. This is discussed in more detail later in the paper.

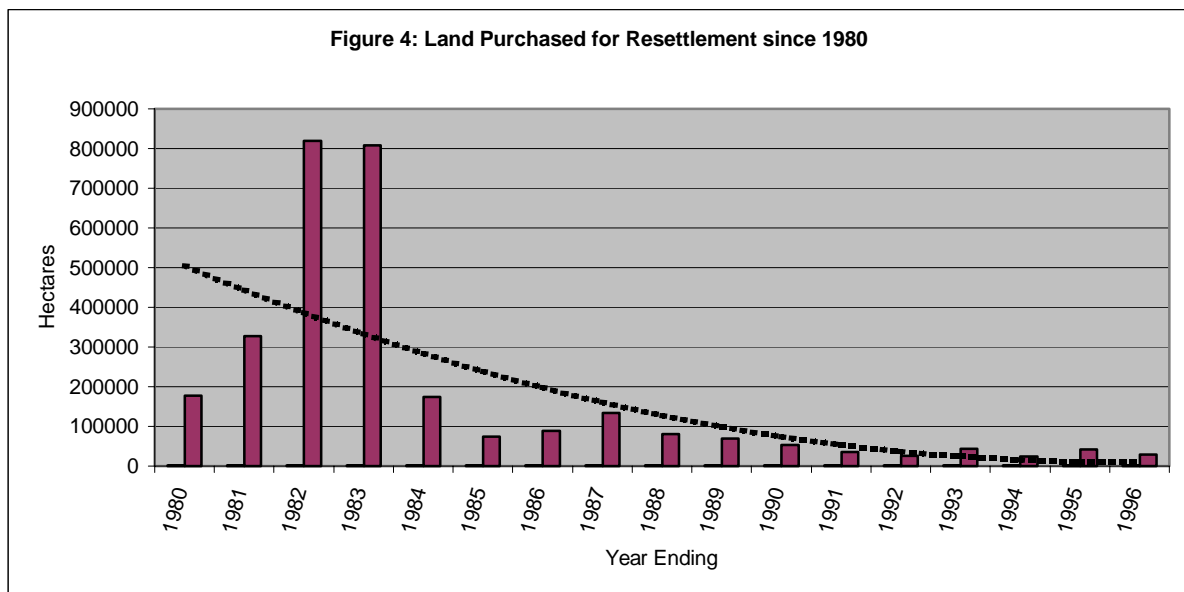
## **2.2 Achievements of the Intensive Resettlement Programme**

### **2.2.1 Land Acquisition**

Up to 1994/5 the Government had purchased up to 2.9 million hectares of land for the resettlement programme. Figure 4 shows the pattern of land acquisition over the period. In addition a further 0.6 million hectares were allocated for resettlement from the pool of available state land and from donations and farms acquired as derelict. This brings to 3.5 million hectares the total land acquired for resettlement.

Up to May 1989 approximately 48,000 families had been resettled and a further 4000 families had been allocated stands which they had yet to take up. The schemes identified at that point had a capacity for a further 17,000 families, who were still to be identified. As at September 1996, a total of 71,000 households had been resettled and a further 20,000 families had benefited from the acquisition of additional grazing land.

Model A Schemes have predominated accounting for about 3 million hectares of land under the programme and 66,000 settler households. Model B schemes account for about 165,000 hectares of land and 4,200 settler households. Model C accounts for about 800 households on 17,000 hectares of land. The three-tier scheme, which succeeded the Model D schemes, provides 20,000 households in natural regions IV and V with 250,000 hectares of grazing land.



### 2.2.2 Programme Impact

The Comptroller and Auditor-General carried out a value for money study of the programme in 1993. The results of the study were as follows: -

- The resettlement exercise was well planned, in accordance with policies and procedures, which were clearly spelt out.
- The programme was found to have benefited mostly the landless rural poor.
- It had concentrated on achieving immediate social and political objectives.
- As a result the standard of living of most settlers on Model A and Model C schemes had significantly improved. Income levels had increased and settlers had benefited from the access to clean drinking water, improved sanitation facilities, housing and schools.
- The standard of living of settlers in schemes B and D was found not to have improved, and the models were described as “unsuccessful”.

The report however noted a number of problems with implementation of the programme. There were 19 ministries and/or Government departments involved in the programme which produced problems of co-ordination among the various stakeholders, each of which had its own priorities and objectives. The report also found that “the political interference in the implementation of the programme at all levels leads to difficulties in implementing plans”. Resettlement officers had insufficient capacity to provide the nature and scale of assistance required by settlers and extension services were spread too thinly. The Report noted that Government had been unable to acquire land in the prime Natural Region I and II in sufficient quantities. It further recommended that Government should try and recover the costs of resettlement from the settlers and introduce an appropriate land tenure system, which would enable settlers to use their land as collateral. “This would enable Government to settle more families without undue strain on the fiscus, while encouraging settlers to use their

resources profitably and with due regard to conservation. Likewise the maintenance of infrastructure provided by Government should be borne by the local authority under which the scheme falls, with the local authority raising taxes from the settlers as is the case with other farmers”

### **2.3 1990 New National Land Policy**

The Government of Zimbabwe formulated a new National Land Policy in 1990 with the main objective of reducing the imbalances in land distribution. The policy was also designed to ensure that “following resettlement, the resultant land distribution pattern that emerges leads to the effective use of all land in Zimbabwe”. The government explicitly recognised the role of the large-scale commercial farming sector in the development of the economy. It also emphasised the problem of land pressure in the Communal Areas, arising from the growing human population and excessive number of livestock. A greater emphasis was placed on the maintenance of agricultural productivity. This was reflected in the increasing stress given to redistributing land to capable small and large scale farmers rather than a focus primarily on the landless, those in congested marginal and degraded lands and the rural poor. The new strategic targets for the main categories of land holdings are set out in Figure 3.

The Government also announced new intentions with regard to restrictions on the number of farms owned by individuals or companies, farm sizes, absentee landlords, and foreign ownership. The Government confirmed its intention to introduce a land tax, “mainly to encourage the proper use of land and also to avoid speculation”. It also announced that it would appoint a commission of land experts to examine land tenure issues. The 1990 policy also addressed the issue of land subdivisions. A number of specialists in the area had called for the relaxation of the subdivision regulations in order to allow farmers with excess land to dispose of it. However the Government was concerned by the need to control land subdivisions undertaken for speculative rather than genuine agricultural purposes. The issue of indegenisation also came into play with the government intent on the establishment of a more racially balanced large-scale Commercial sector.

### **2.4 Legislation for Land Acquisition**

The Zimbabwean Constitution agreed at the Lancaster House Conference included provisions on the acquisition of land by the state. The constitution restricted land acquisition for purposes of resettlement to land that was under-utilised. It required the acquiring authority to pay “adequate, prompt compensation” for land acquisition.

In 1985 Parliament passed a new Land Acquisition Act which allowed the Government the right of first refusal on all large scale commercial farms put up for sale. The provisions of the 1980 constitution were however retained.

In 1990, Parliament passed the Constitution of Zimbabwe Amendment Act, which limited the degree of protection afforded by the Constitution against the acquisition of land for resettlement purposes. In 1992 a new Land Acquisition Act was passed. Together with the constitution of Zimbabwe this provided for the following:

- Payment for land acquired to be in local currency only;
- Government could now compulsorily acquire land that was being fully utilised;
- Government must pay fair compensation depending on the guidelines set by the Minister when acquiring designated land;
- Compensation to be assessed by a “compensation committee”;
- Where there is a dispute as to the amount of compensation, the parties can appeal to the Administrative Court for arbitration.

A process of land designation was established under the 1992 Act, under which Government technical specialists, farmers’ interest groups, and policy makers identify land for acquisition. Designated farms are gazetted to provide notice to land owners, who are given 30 days to write in objection if they so wish. Designated farms are then processed for evaluation and compensation.

## **2.5 Land Tenure Commission**

The Government established a “Commission of Enquiry into appropriate Agricultural Land Tenure Systems” in 1993. The Commission reported in 1994 and the Government accepted most of its recommendations, including the following: -

- In Small Scale Commercial Farming Areas, the Government accepted that leases with option to freehold tenure should be retained, with emphasis put on sustainable utilisation of land and natural resources.
- On resettlement areas, Government is agreeable that long term leases with option to purchase should be awarded to current permit holders and future resettlement farmers on Models A, B and C with the ultimate aim of providing title deeds to encourage capital investment.
- Future resettlement in Natural Regions IV and V where livestock is the mainstay should be based on the three-tier model with full participation of the village committees in the administration of the scheme.
- In the communal areas, Government agreed that the existing set-up should be maintained and strengthened and that the management of communally owned resources is done through executive committees elected by village assemblies chaired by chiefs. In the long term all communal areas should be surveyed, planned and demarcated into viable holdings with certificates issued to each holder in order to minimise boundary disputes.
- In large scale commercial farming areas it was agreed that administrative mechanisms for processing farm subdivisions and consolidations response to market forces should be streamlined to enable farmers with large tracts of land to subdivide into smaller commercial farming unit and sell them.
- The Government agreed that a Land Act, which consolidated the current number of laws on land and natural resources be promulgated. This act would be the major reference legislation on land and would override and guide all other legislation on land.



- Cabinet endorsed the setting up of the Department of Lands to be filled with technically competent land experts.
- Cabinet agreed that the surveying and registration of all land and rights should be given priority.
- Cabinet agreed that part of the priority functions of the new Ministry of Lands should be the creation of a comprehensive land database.
- It was also accepted that the government officially adopt four types of tenure as follows (1) freehold, (2) leasehold, (3) communal land and (4) state land.

### 3. FAST TRACK LAND REFORM PROGRAMME

The major reason for the numerous amendments to both the constitution and the Land Acquisition Act was to try and improve the amount of land being given up for resettlement. Despite verbal guarantees given to the liberation leaders during the Lancaster House conference the former colonial power was not forthcoming in providing funds for land acquisition. In the year 2000 the Government appointed a Commission to look into the drafting of a new Constitution. The draft constitution contained provisions relating to the acquisition of land for resettlement and it also placed the onus for providing compensation for the acquired farms on the former colonial power. The Government would no longer be obliged to pay compensation for the acquire land except for infrastructural improvements. A referendum was held in the same year to allow the people to either accept or reject the draft constitution.

The verdict of the majority of Zimbabweans was to reject the draft constitution in its entirety for reasons that were more political than anything else. With parliamentary elections coming on later the same year the ruling party found itself increasingly under pressure to deliver on the land question. It was now twenty years since gaining independence and there was not much to show in terms of access to land for the majority of Zimbabweans residing in the communal areas. The ruling party adopted as its slogan “*Land is the economy and the economy is land*”. Shortly after the verdict of the referendum war veterans of the Second Chimurenga began invading white owned farms in a “*spontaneous demonstration*” which had the backing of Government. White landowners were told to co-exist with the new “*settlers*”. This new phenomenon soon spread throughout the country with ordinary peasant farmers joining in.

The government soon put in place legislation to protect the new settlers. These would only be moved once new land had been identified for resettling them. Elections came and went, with the ruling party beating the main opposition by the slightest of margins. After the elections the President appointed a new cabinet that was generally referred to as the “war cabinet” whose major thrust was to see to the completion of land reform exercise now dubbed the Third Chimurenga. What followed was a wholesale acquisition of farms that were quickly subdivided into small medium and large-scale self-contained units. Previous owners were given a time limit (in accordance with the revised Land Acquisition Act) to vacate their land. Applications were invited from individuals who were keen to take up the plots for serious agricultural purposes. Applicants were required to submit detailed project proposals before being considered for allocation of a farm. This drastic exercise earned Zimbabwe admiration

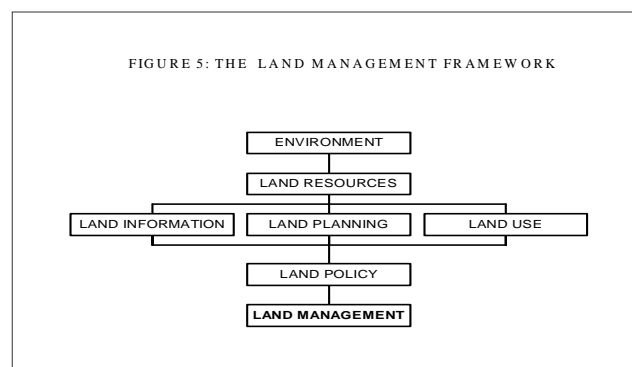
from the world's marginalized communities while there has been condemnation from other sections of the international community who sympathise with those perceived to be at the losing end of this exercise. Questions have arisen on the timing for this particular exercise, with one school of thought arguing that orderly and planned land reform has been sacrificed on the altar of political expediency

#### 4. LESSONS FROM THE ZIMBABWE EXPERIENCE

Zimbabwe's experiences with land reform are of particular significance to other countries in the region like South Africa and Namibia. What the Zimbabwean government learnt from its own experience is that in an agriculturally based economy no development programme will succeed if people are not given access to land. Equitable access to means of production is vital to the success of any development programme. There is a direct link between poverty reduction and land reform, and issues of poverty reduction cannot be tackled without addressing issues of land reform.

Figure 5 below shows the various facets of the land management framework. The critical objectives and issues that must be addressed by land management policies include the following:

- improving the efficiency of land resource use to support the rapidly growing population of the country.
- providing incentives for development.
- protecting the natural environment from degradation.



Land reform is a political process, which is influenced by many stakeholders, both at the national and international level. What has also emerged is that market based forms of acquiring land are simply not the answer to a situation where there are historical injustices and resource constraints. The trend line in figure 4 shows the decreasing number of farms available for resettlement over the years. There is need to strike a balance between the market based land acquisition and Government led approaches to land acquisition. The Government of Zimbabwe became impatient with the slow rate at which land for resettlement was being acquired. Even the maximum farm size regulations, which were meant to force farmers with excess land to subdivide, were not yielding substantial results.

The Government of Zimbabwe is a signatory to the Global Plan of Action as agreed at the Habitat II conference in Istanbul in 1996. The Global Plan of action recognizes access to land as being fundamental to the sustainable development of a country. In this regard the government has done well although there have been problems of implementation, mainly due to the mismatch between the scope of the exercise and the provision of infrastructure and support services.

Land reform is not just a national issue. Effects of the land problem in Zimbabwe have had impacts on the political stability of the Southern African region and this has given rise to a regional approach to the issue of land reform. Land reform is a long-term hands-on process and other countries would do themselves a huge favour by learning from the Zimbabwean experience

## **5. CONCLUSION**

Because of the colonial injustices, which left Zimbabwe with a dual land ownership structure skewed along racial lines, the greatest challenge that the country has had to face over the last twenty three years has been to redistribute land equitably and at the same time overcome the various legal and financial constraints in the way. Zimbabwe has come a long way and has probably learnt a few lessons along the way, but there are still various issues to be addressed. Land reform involves issues of property rights, land use, actual agricultural production and land administration among various other facets.

What the Zimbabwean government has addressed is just one but very essential component of land reform, but it still needs to address other dimensions so that the land problem does not continue to manifest itself in other forms like diminishing agricultural production, uncertainty over land rights and land administration. There is still need to satisfy the various other aspects of the Land Management framework as shown in figure 5. Resources need to be made available to the newly resettled farmers so that agricultural production can improve and Zimbabwe can once again reclaim its role as the bread basket of the Southern Africa region. There is need for constant follow up on the reform programme implementation. In early 2003 the government appointed a commission to look into the implementation of the land reform programme. At the time of writing this paper the Commission had just submitted its report to the President although this had not yet been made public.

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## **BIOGRAPHICAL NOTES**

**Francis Chitsike** is a lecturer in Cadastral Surveying and Land Law in the Department of Surveying and Geomatics at the Midlands State University in Gweru, Zimbabwe.

After completing a four-year degree course in Land Surveying at the University of Zimbabwe, he joined the Department of the Surveyor-General under the Ministry of Lands, Agriculture and Rural Resettlement in 1992. He then rose through the ranks to become Assistant Director responsible for Cadastral Surveys in 1997, a position he held until 2002 before leaving the Surveyor-General's Department to join the Midlands State University. During his tenure with the Surveyor-General's Department he managed to study and sit for professional examinations in Cadastral Surveying in 1995. In this respect is a Registered Land Surveyor with the Council of Land Surveyors of Zimbabwe. He also holds certificates in "Development and Management of Cadastral and Land Information Systems" and "Strategic Planning and Leadership for Mapping and Land Information Organizations" both from SWEDESURVEY.

Francis Chitsike is a member of the Survey Institute of Zimbabwe, Council of Land Surveyors of Zimbabwe and a past member of the Survey Regulations Board. His areas of research interests are in the fields of Cadastral Systems Development, Land Tenure and Access to Land.

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