

Post Independence Land Reform In Zimbabwe

CONTROVERSIES AND IMPACT ON THE ECONOMY

Medicine Masiwa

FRIEDRICH
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**POST-INDEPENDENCE LAND REFORM IN ZIMBABWE:
Controversies and Impact on the Economy**

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Chapter Eight

Land Reform and Gender in Zimbabwe

Abby Mgugu & Rindayi Chimonyo

Introduction

The issue of land and gender has not been of interest to policy makers until recently. This was due to the fact that in Africa and even in Victorian Europe land was considered a male domain and thus its implications on women has not been an issue. Yet there is a growing body of evidence showing that the issue of land and gender cannot be dealt with separately since this has implications on access to and control of land in Africa.

It should be noted however that much of the literature on the land issue in Zimbabwe and elsewhere in Africa has focussed on how the colonialist forcibly moved indigenous people from the fertile lands and their subsequent impoverishment. Very little is said about the impacts of these forced evictions on the woman, thus creating a gender dimension in land issue discussions. There is therefore need for a clear understanding of the implications of the forced removals of the indigenous people from their land on marginalised groups, of which women form the majority.

The lack of consideration of gender implications in discussions on the land issue and failure of subsequent land reform programmes instituted by government to take gender into account, are rooted in a cultural context of the people. This chapter looks at land reform and the gender challenges in Zimbabwe.

It is divided into four sections. The first section deals with definitions, while the second section attempts to situate women's land rights in the land reform programme. The third section deals with the issue of policy implications on mainstreaming gender into the land reform programme. The section pays special attention to the impact of gender-insensitive policies on women and the land reform programme. The fourth section provides policy recommendations on how the land reform programme in Zimbabwe could mainstream gender and thus take cognisance of the majority of the marginalised people.

Definitions

There is need to define the terms culture, development and gender and how they relate to land issue to allow for the contextualisation of the argument on the challenges of gender in the land reform programme of Zimbabwe.

Defining culture

According to Nakanyika-Musisi (2002) the word culture has been called upon for negative intentions of control and denial and abused as a noun. Culture in the broad sense means all that has been created by people as distinguished from all that has been given to us by nature. Zoya Bebeshkina et al (1985) stated that:

'culture is made up of two components. The first is the material element that embraces qualitative achievements (e.g. the technical level of people's production, ... people's technical skills, organisation of labour,.....). The second component is the intellectual element which also embraces qualitative achievements (e.g. ... language, speech, thought/logic, standards of behaviour... level of social knowledge.... and the extent to which progressive ideas and positive knowledge has been assimilated by society).'

Culture therefore is a product of historical conditions and can only be understood and appreciated in a particular time and society. This explains why culture has been termed dynamic instead of static as it can only be explained within the context of a given society within a certain time frame. The time frame also reflects the values and norms practised and believed by a certain group of people.

Defining development

The discourse around culture and its dynamism cannot be adequately understood outside the concept of development. According to Young (1997:52) development is a complex process involving social, economic, political and cultural betterment of individuals and of society itself. Betterment means the ability of the society and its members to meet the physical, emotional and creative needs of the population at a historically acceptable level.

Looking at the above definition from a gender perspective, Young (1997:52) continues to say:

'Proponents of gender and development approach ask the question: Who benefits, who loses, what trade-offs have been and what is the resultant balance of rights and obligations, power and privileges between men and women and between given social groups'

Defining gender

There is also need to define the term gender. The gender issue has been likened to that of race, class or even religion (WLZ 2002). In the land question, Muzondiya (2000) states that racism is a dogma of group superiority with components that include contact, domination, acculturation, integration and pluralism. Muzondiya (2000) further states that the above attributes of gender are rooted in colonialism and culture of the people.

The problems of gender inequality are similar to those of racism in that to be black meant one was inferior and being born white was superior (Mupawaenda 2000). To be born a woman is a misfortune that destines one to an inferior position where opportunities and benefits are limited, while being born male guarantees one a place in the power hierarchy.

However, when the term gender is introduced into any debate, what comes into peoples' minds is that, this is yet another debate on women's issues. Yet gender is more than just a debate on women's issues. It discusses and brings to the attention of policy makers and implementers critical issues, not only for the well being of men and women in their given localities but for the overall development of a country. In Zimbabwe, the land reform programme has provided yet another opportunity for the country to critically analyse its development strategies especially those related to poverty eradication.

It is therefore important that when discussing the challenges of gender mainstreaming in the land reform programme to understand from the onset what gender is and how it is being dealt with in the country. In most instances African societies feel that gender is an imposed concept from the West and therefore does not have a place in the African developmental discourse.

WLZ (2000) understands gender as the social construction of relations that govern the interaction between men and women. Eade et al (1995) maintain that gender is a set of different roles and characteristics which are considered appropriate to girls and boys, and which vary according to culture, ethnic identity, race, class and age. Eade et al (1995) go further and contend that society's expectations of men and women (boys and girls) also change over time and the changes are influenced by global and local economic and cultural trends. However, it should be understood that gender does not only describe the different roles and relationships between men and women, but also the power structures inherent in the relationships.

It is a known and accepted fact that throughout the world, women have less power than men and face enormous barriers to holding high public office and to participate in decision-making echelons. They do not have full access to and control of resources upon which they depend on, such as land and water.

Land is defined as a valuable and necessary resource for society's existence and development, (Nakanyike-Musisi 2002:35). In order to understand the linkages between land, gender, culture and development, one needs to note that, customary land tenure rules and regulations are imbedded in cultural norms that govern the behaviour of societies. Customary land tenure is thus the ideological life form that expresses a range of internal and external power relations and obligations. This therefore means that customary tenure systems determine how people and indeed governments act in distributing land to the landless, regardless of gender. Land tenure is a social and political process rather than a system of laws and rules, (Cross et al 1997:17).

History of gender and women's land rights - an overview

In Zimbabwe and indeed in Africa as a whole, gender inequality is found in the pre-colonial, colonial as well as the postcolonial periods. During pre-colonial times, in both patrilineal and matrilineal societies, gender patterns of accessing resources such as land operated, and these were entrenched by colonisation. Colonialism processes brought in a new order and men and women experienced this differently. Women in the pre-colonial systems hardly owned land but accessed this resource through their male relatives. It has been argued that in pre-colonial times, women had control of a piece of land but again their male relatives would have allocated this to them. Very few cases have been reported where land was allocated directly to women in most societies in Africa (WLZ 2000).

Tsikata (1994) mention that labour migration patterns in southern Africa and cash crop production in East and West Africa are examples of processes that established new forms of sexual division of labour that had profound gender implications at the family level. The colonial government introduced hut tax among other things which controlled labour migration and ingrained the differences between men and women that led to the contextualisation of gender and class inequity matters pertaining to land in most parts of Africa. The imported laws into most of the African countries together with the codification of the customary laws assigned different roles to men and women. The process of misinterpretation of the customary law and the institutionalisation of the imported laws, affected how men and women accessed resources in Africa.

Tsikata (1994) goes further stating that 'studies have pointed to the joint enterprise between male elders, chiefs and colonial state to control women and promote economic and social processes that promoted gender inequality in Northern Rhodesia, Nyasaland and Gold Coast through court procedures and by-laws.' The interpretation and institutionalisation of these processes created a situation where it was difficult if not impossible for women to become economically independent as the new regulations continuously tried to keep women out of the mainstream economy (WLZ 2000)

Women and Land in Zimbabwe

Land is an emotional and contested issue in Zimbabwe. It is a battle of wits between the black and white man, the rich and the poor and more specifically between men and women (WLZ 2000).

The question of land and gender is closely linked to survival issues in Zimbabwe as 86% of the women in Zimbabwe lives and depends on the land for their livelihoods. This therefore makes land a significant socio-economic resource for women. According to Moyo (1996) land underpins the economic, social and political lives of the majority of people in Zimbabwe who depend on 'agriculture and natural resources for their social reproduction.' The importance of land to reproduction of capital is highlighted by Moyo (1996) who goes further to point out that basic material goods are derived from the land and its domestication through artificial inputs.

The above contention shows the importance of land to both male and female, but it is clear from both the historical and contemporary approaches that women have been marginalised in access to and ownership of land in Zimbabwe.

Many scholars have approached the issue of women and land from different perspectives. Chaneaux-Repond (1994) and Gaidzanwa (1995) have approached the subject from an economic empowerment perspective calling for recognised gender implications in the land reform programme. However, Moyo (1996) criticises this approach, contending that it deals with 'the sex-based discriminatory nature of land redistribution at the expense of gender conceptualisation of the land problem.' Moyo (1996) calls for a critical theoretical framework within a multi-dimensional perspective of the interactions of power, land and gender which according to him will lead to addressing the variables of gender, class, race and ethnicity.

In order to deal with the issues of women and land in Zimbabwe, practitioners have used the Women in Development Approach (WID) as opposed to the Gender and Development Approach (GAD). This has been deliberate on the part of the practitioners as the WID approach clearly spells out the importance of land to women and also ensures that women's needs are taken on board. The GAD approach will talk of mainstreaming without really splitting the hair on the implications of the process to women.

Policy framework governing women's land rights in Zimbabwe

According to the 1992 Population Census, women constitute 52% of the population in Zimbabwe. At least 86% of these lives and depends on the land for their livelihoods. It is ironic that out of these 86% only 23% have secondary access to their own land parcels allocated to them by their husbands Matowanyika et al (1988).

In order to understand the gender implications of the policy provisions governing land in Zimbabwe there is need to analyse the regulatory framework in which the land issue is being dealt with at the national level. It is also important to contextualise the national dynamics within the regional and international levels in order to draw out conclusions on the challenges of mainstreaming gender into the land reform programme of Zimbabwe.

International Human Rights Instruments

At the international level, the GoZ has acceded to various conventions, which promote women's civil, political, social and economic rights. Of significance are the following:

- The Universal Declaration of Human Rights of 1948 that focuses on the dignity and equality of people and non-discrimination on any grounds including sex. The Preamble of the Declaration specifically refers to the equal rights of men and women.
- The International Convention on Economic, Social and Cultural Rights of 1966 and Article 3 commits state parties to '*... ensure the equal rights of men and women to the enjoyment of all economic, social and cultural rights...*'
- The Convention on the Elimination of all Forms of Discrimination Against Women of 1979, which is considered as the Bill of Rights for **Women** seeks to promote

women's equality and non-discrimination. It also commits state parties to institute specific measures to accelerate de facto equality between men and women. Article 14g commits member states to ensure that women *have access to agricultural credit, and loans ...and equal treatment in land and agrarian reform as well as in resettlement schemes.*

- The Beijing Platform for Action (BPFA) (1995) is one recent attempt to go beyond policy to operational programmes that would empower women. Section 156 of the BPFA recognises how *'customary and legal barriers to ownership of or access to land, natural resources... contribute to impeding the progress of women'*. Section 166c goes further to prescribe to governments to *'enhance, at national and local levels, rural women's potential by facilitating their equal access to and control over productive resources, land....* Section 166(e) urges governments to *'undertake legislative and administrative reforms to give women equal rights to men to economic resources including access to, ownership and control over land'*

The GoZ has also made commitments at the Regional level to address the plight of women on access to and ownership of economic resources and commitment to non-discrimination.

- The African Charter on Human and People's rights (1982) – Article 18 re-affirms the commitment of parties to women's equality and equal rights.
- The SADC Gender Declaration (1997) commits governments in the region and article H(3) stipulates *... promoting women's full access to and control over reproductive resources such as land, livestock ... in order to reduce levels of poverty among women.*
- Article H(4) stipulates *.... Repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination and enacting empowering gender-sensitive land laws.*

The legal and Policy Framework governing women's land rights in Zimbabwe

At the national level the GoZ has made attempts to create an enabling environment for women's empowerment in terms of access to and control of resources including land. Of importance are the following policy frameworks:

- The Legal Age of Majority as amended which conferred majority status on women
- ZIMPREST: section 5.6

In terms of mainstreaming gender into the land reform programme and the economic empowerment of women, the significant policy frameworks are:

- The National Land Policy Framework Paper – revised in November 1999
- Land Reform and Resettlement Programme - ,Phase II of September 1998
- Inception Phase Framework Plan 1999 – 2000
- Communique issued at the end of the Donors' Conference on Land Reform and Resettlement in Zimbabwe

An analysis of the above documents will provide a basis for assessing the challenges of gender mainstreaming in the land reform programme in Zimbabwe. It is assumed that the above documents were designed from a gender perspective since the GoZ had committed itself to adequately address gender in the land reform programme and beyond.

The National Land Policy Framework Paper (revised) 1999

Even though the framework paper was meant to provide gender sensitive guidelines on the implementation of the land reform programme, it falls short of mainstreaming gender. The document benefited from stakeholder consultations and considered women's inputs to some extent (WLZ 2000). The document tries to acknowledge women's reality and marginalisation, it also attempts to acknowledge effects of African customs and culture on women's ability to access and control land.

However, deeper analysis of the document reveals a number of gender gaps that impact negatively on women's access to and control of land

From the onset, the foreword of the document, highlights the land issue as central in the 'attainment of social and political stability and economic development in the country.' The foreword goes further to refer to the poor and that the document presents the principles that should underpin the National Land Policy whose vision is to create 'a just, democratic and efficient land economy... for national economic development,' GoZ, 1998a). It introduces the term equitable access to land, and this according to WLZ (2000) is the closest mention or allusion to gender issues. There is a glaring absence of the mention and use of the terms, equity and justice as instruments that would be used to bring about social justice between men and women in the quest for equitable distribution, control and ownership of land in the country.

Even though the document does allude to the need to have administrative reform guided by basic principles of democracy, the issue of equality is omitted yet this would have been the guiding principle for the democratic administration of the land reform programme.

Land Reform and Resettlement Programme –Phase II of September 1998

An analysis of this document again reveals gender gaps that would pose a challenge to the mainstreaming of the concept in to the land reform programme and beyond.

The concept gender is not included in the foreword nor does it appear in the table of contents. An analysis of the objectives of the Land Reform and Resettlement Programme Phase II shows that government plans to resettle 91 000 families and youths '... in a gender sensitive manner,' (GoZ, 1998b). The practical implications of this statement on women as a marginalised group however, pose a challenge to mainstreaming gender into the land reform programme.

The other objective of the document alludes to 'increase conditions for sustainable peace and social justice by removing imbalances in ownership.' This from a gender

perspective is making reference to racial and class imbalances and not to gender imbalances.

The selection of beneficiaries is not addressed in a gender sensitive manner as women are lumped together with agricultural graduates. Yet if the document was to meet the challenges of mainstreaming gender into the land reform programme, women should have been treated as a special group with different conditions to that of men, since very few are agricultural graduates.

The document is also silent on the security of tenure for women but it talks of guaranteeing security of tenure in general.

The Inception Phase Framework Plan (IPFP)

The inception phase framework is again silent on gender mainstreaming, as it does not provide a gender desegregation of the families that were to be resettled. The only provision for gender mainstreaming in the document is found in the objectives where it says 'resettlement will be done in a gender sensitive manner,' (GoZ, 1999-2000)

The IPFP expresses the aim of the National Land Policy is to govern land issues but excludes gender issues. The terms used in all the documents meant to govern land in the country, 'equitable and socially just...' may include gender mainstreaming, but do not compel the documents to have an agenda to redress the gender based land imbalances in the country.

The above analysis shows clearly that gender mainstreaming is not a priority in the land reform programme of Zimbabwe and this poses a question on government's commitment to address gender issues in the country.

The legal and constitutional framework governing land in Zimbabwe

The lack of gender mainstreaming in the policy documents governing land in the country is affirmed in the agrarian laws of the country.

Most of the legislation on land rights in Zimbabwe is silent on the rights of women. The legislation on the access and control over natural resources is also gender blind (Sithole 2002). She goes further to state that it appears there is an assumption that the gender-neutral legislation will be applied equally to men and women. This is an erroneous assumption because gender neutral legislation can be discriminatory when applied to the realities of women's lives. The legal framework in Zimbabwe governing access to, control and ownership of land has several inequities. The legal framework allows for outright discrimination when the law is applied to the realities of women's lives. This is evidenced by the findings of the Rukuni Commission (Rukuni, 1994), which established that under Freehold women own only 2.3% of the large-scale commercial farms.

In the resettlement areas women are free to apply for land under Model A1 or A2 resettlement schemes. However under Model A1 women face discrimination as they

are required to submit their application through the traditional leadership. The patriarchal tendencies have hindered women from accessing and owning land.

The obstacle comes in because in order for one to access land under Model A1, the right to occupy and use communal land is given to the Rural District Councils (RDC) in terms of Sections 8 and 9 of the Communal Land Act Cap 20:04. According to Section 8 (1) a person can occupy and use such land with the consent of the RDC established for the area concerned (GoZ 1992). In granting this consent the RDC must:

- Consult and cooperate with the chief appointed to preside over the community concerned in terms of the Traditional Leaders Act, Cap 29:17 (Section 8(2) (a) of the Act.
- Grant consent only to persons who, according to the customary law of the community that has ***traditionally and continuously*** (own emphasis) occupied and used the land in the area concerned are regarded as forming part of such community of who according to such customary law, may be permitted to occupy and use such land (section 8 (2) (b) of the Act

This is a challenge to mainstreaming gender as women in Zimbabwe, marry and move into the husband's home and therefore are automatically not governed by the provisions of this act. It is ironic because more than 80% of the women in the country are living in some kind of a union or another (ZWLA 2001) will not qualify to access and own land under Model A1 resettlement scheme.

It was discussed above that the current policies governing land in the country do not provide women with security of tenure. This again is affirmed in the legal framework that does not provide protection to women in terms of their security of tenure. In most cases, access to land by married women is also determined or dependent on the subsistence of the marriage, as she is likely to lose it in the event of the breakdown of the institution. The rights to married women's access to land are also affected if the husband enters into a polygamous marriage (Kunze et al 1998). These rights usually end up being compromised as the same piece of land will now have to be shared between and amongst the co-wives.

Under the customs of Zimbabwe, women are considered to be minors who have to be assisted by their male relatives to undertake any business activities (WLZ 2000, ZWRN 1999, and Hilhorst (2000). In general customary systems often allocate plots to women and other secondary right holders as long as male members of the household (Kunze et al 1998.) do not require them.

The above situation is compounded by the existence of Section 23(3) of the constitution, which makes mainstreaming gender into the land reform a real challenge for the GoZ.

The Constitution of Zimbabwe is the supreme law of the country. It contains a Declaration of Rights, which sets out the fundamental rights of the people of Zimbabwe. Section 16 of the Constitution protects private ownership of property by barring the state from compulsorily acquiring property except under specified conditions. A major exception to this right are the provisions of the Land Acquisition

Act Cap 20:10 which permits the state to compulsorily acquire land in the interests of public safety or security. The same section also allows the state to acquire agricultural land for purposes of resettlement.

The above provisions provide the Zimbabweans with a right to own land for agricultural purposes without discrimination. However in terms of women's land rights in the country, these rights are eroded by the continued existence of Section 23 of the Constitution.

Section 23 of the Constitution protects the people of Zimbabwe against discrimination on the basis of race, tribe, and place of origin, political opinions or gender. This provision applies to discrimination in the laws and policies of the state. It covers discrimination in terms of rights to land. However, section 23(3) (f) specifically provides that it shall not be discriminatory to accord rights or privileges relating to communal land to *tribespeople* (own emphasis) to the exclusion of other persons. Section 23(a) permits discrimination in matters of marriage, divorce, devolution of property on death or other matters of personal law. Section 23 (3)(b) permits discrimination in the application of customary law in any case involving Africans.

Conclusions and Recommendations

The above analysis has shown that agrarian legal and policy framework in Zimbabwe makes it difficult to mainstream gender into the land reform programme. This poses a challenge on how women can access and own land in their own right, it also makes it difficult for women to have security of tenure on the land that they may have access to. This is despite the government commitment at the end of the 1998 Donor's Conference where it committed itself to adequately address gender issues in the land reform programme

This chapter will try to provide policy suggestion that could be implemented to ensure that gender is mainstreamed into the land reform programme. It is the contention of the chapter that there is need for collective action to initiate and sustain the challenges found within women's land rights claims. This will involve committed involvement of women from all walks of life, as there will be issues to deal with at structural levels. The structural issues will involve policy and implementation interventions at different levels. They will also include cultural and attitudinal issues not only among policy makers and implementers but, among women themselves

In 1998, the State realised the important role that women play in agriculture in the country, and it can be concluded that this was the reason why it committed itself to adequately address gender issues in the second phase of the land reform programme.

However, Government fell short in making legal and policy reforms a priority during the implementation of the second phase of the programme. This chapter contends that in order for gender to be adequately mainstreamed into the land reform programme, the following recommendations should be made part of the policy formulation in the country.

In order to meet the challenges of mainstreaming gender into the land reform programme and beyond, this chapter recommends that a comprehensive policy document that speaks to the needs of women's rights in the country should be developed and finalised with consultation from all relevant stakeholders in the country.

The policy document should contain among other issues provisions that will allow for:

- Land allocated to spouses should be jointly registered
- Model A1 resettlement should not be treated as communal land because it is state land. Government must put in place clear non-discriminatory guidelines indicating the rights of women allocated land in their own names in the Model A1. Guidelines should also be put in place to protect women in the event of divorce.
- Guarantee women's security of tenure
- Provide for affirmative action for women to access, own and control land
- A Land Reform Gender Policy Framework should be developed that that will set out details of women's needs/concerns as well as the proposed solutions

Legal Reforms

The challenges of mainstreaming gender can also be addressed through the amendment of Section 23 of the Constitution of the country that erodes all the gains that women had made in the country through the promulgation of different pieces of legislation since 1980.

As expressly stated by the Supreme Court Judge presiding over the Magaya case: *the judgement was a 'wakening' call to all women in Zimbabwe so that they do not sit on their laurels and take comfort in a falsehood that the Legal Age of Majority Act (LAMA) had done a great deal in protecting women's rights in Zimbabwe.*

The amendment of Section 23 will make it possible for women to challenge customary law in terms of their rights to land and other economic resources. The amendment of Section 23 will outlaw ALL discrimination against women inclusive of discrimination in the application of customary law.

The chapter calls for the amendment of the Communal Land Act (1992) so that it makes it clear that women are entitled to be allocated land in their own right.

The chapter also calls for the enactment of a comprehensive land act that will deal with the following issues to ensure that gender is mainstreamed into the land reform programme and beyond:

- Clearly defines all land in Zimbabwe in terms of tenure rights The Rukuni Commission concluded that:

There is no tenure system which is secure in its own right but rather any tenure regime is only as secure as the degree of common resolve in a society to secure and guarantee stated rights for individuals; this requires consensus in society, competent governance, legitimate and effective institutions"

- Sets out the criteria for qualification to acquire land under the different tenure systems. The proposed criteria should be non-discriminatory to any parties.
- Clearly defines the rights and obligations of the occupiers lessees or owners of the land in respect to:
 - Sale of land
 - Lease of the land
 - Rights upon divorce
 - Rights upon death (inheritance of the land)

The GoZ is a signatory to a number of international conventions that protect women against discrimination and some of them have been discussed in this chapter. It should however be noted that these conventions do not protect women, as they are not part of our domestic law until ratified by an Act of Parliament.

This Chapter recommend that Section 111b of the Constitution of Zimbabwe be amended to allow for the automatic domestication of the international instruments/conventions that the Government is party to.

It is also recommended that the government of Zimbabwe should ratify the protocol on CEDAW. The ratification will provide women with an opportunity to challenge the discrimination against them at international levels.

References

Bebeshkina, Z. et al (1985); ABC of Social and Political Knowledge: What is Historical Materialism? Union of Soviet Republics, Progress Publishers

Chaneaux-Repond M. (1994); Gender Biased Land-use Rights in Model A Resettlement Schemes of Mashonaland, Zimbabwe, ZWRN Monographs

Cross C. and Friedman M. (1997); "Women and Tenure: Marginality and the Left-hand Power", in Meer, S. (Eds.) Women, Land and Authority: Perspectives from South Africa, David Phillip Publishers, Clarent, South Africa

Eade D. and Williams, S. (1995); The Oxfam Handbook of Development and Relief, Volume 1, Oxfam, (UK and Ireland)

Gaidzanwa R. (1995); "Land and the Economic Empowerment of Women: A Gendered Analysis", in Southern Africa Feminist Review, The Gendered Politics of Land, Vol. No. 1, SAPES Trust

Government of Zimbabwe (1992); Communal Land Act, Government Printers, Harare

Government of Zimbabwe (1998a); National Land Policy Framework, (Discussion Paper), Ministry of Lands and Agriculture, Harare.

Government of Zimbabwe (1998b); Land Reform and Resettlement Programme – Phase II, Project Document, Ministry of Lands and Agriculture, Harare.

Government of Zimbabwe (1999-2000); Inception Phase Framework Plan. An

Implementation Plan of the Land Reform and Resettlement Programme – Phase II. Prepared by the Technical Committee of the Interministerial Committee on Resettlement and Rural Development and the National Economic Consultative Forum Land Reform Task Force, Harare.

Hilhorst T. (2000); "Women's Land Rights: Current Developments in Sub-Saharan Africa", in Toulmin, C. and Quan, J. (Eds.) *Evolving Land Rights, Policy and Tenure in Africa*, DFID/IIED/NRI, London

Kunze D., Waibel, H. and Runge-Metzger, A. (1998); "Sustainable Land Use by Women as Agricultural Producers? The Case of Northern Burkina Faso", *Advances in Geocology*, 31, pp1469-1477

Matowanyika J., Mutepfa F, Essof S. (1988); *Setting the Basis for Dialogue on Land in Zimbabwe: Report of the NGO Consultative Land Conference*, Harare, Zimbabwe, ZERO/ZWRCN

Melander, G. and Alfredsson, G. (Eds.) (1997) *The Raoul Wallenberg Compilation of Human Rights Instruments*, Kluwer Law International, The Hague, the Netherlands

Moyo S. (1995); "A Gender Perspective of the Land Question", in *Southern Africa Feminist Review*, The Gendered Politics of Land, Vol. No. 1, SAPES Trust

Moyo S. (2000); *Land Reform under Structural Adjustment: Land Use Changes in Mashonaland Provinces*, Nordiska Afrikainstitutet, Uppsala, Stockholm

Mupawaenda A. C. (2000); "Gender Policy for Tertiary Education Institutions in Zimbabwe". Paper presented at a National Conference on The State of Gender Issues in Institutions of Higher Learning.

Muzondiya, J. (2000); "Race and Reconciliation – The Challenge". Paper presented at the Workshop on Security Challenges in Southern Africa: New Perspectives, GEM and IDS, UZ, Harare

Nakanyika-Musisi B. (2002); "Land, Culture and Development", in Rugadya, M. and Busingye, H. (Eds.) *Gender Perspectives in the Land Reform Process in Uganda*, The Uganda Land Alliance, Kampala.

Nyatsanza L. Z. (2001); "Conflict and Potential Conflict Areas in Zimbabwe, ZWLA, Harare.

Rukuni M. (1994); *Report of the Commission of Enquiry into Appropriate Agricultural Land Tenure Systems*, The Government Printers, Harare.

Sithole (2002); *A Gender Analysis of Agrarian Laws in Zimbabwe: A Consultancy Report, for Women and Land in Zimbabwe*, Harare

Tsikata D. (1994); "Gender Equality, The South Commission Report and Development in Africa: An Overview". Paper presented at the CODESERIA Conference on the Southern Commission Report, Abidjan.

Young K. (1997); "Gender and Development", in Visvanathan Nlini et al (Eds.) *The Women, Gender and Development Reader*, London, Zed Books Ltd

United Nations (1996); "The Beijing Declaration and The Platform for Action" Fourth World Conference on Women, Beijing, China, 4-15 September, 1995, UN, New York

Women and Land in Zimbabwe (2000); Women and Land in Zimbabwe, Framework Document

Women and Land in Zimbabwe (2002); Gender and Women's Land Rights, unpublished Workshop Paper, Harare.

Zimbabwe Women Resource Centre and Network and SARDC-WIDSSA (1998); Beyond Inequalities: Women in Zimbabwe, ZWRCN/SARDC, Harare.



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