

Post Independence Land Reform In Zimbabwe

CONTROVERSIES AND IMPACT ON THE ECONOMY

Medicine Masiiwa

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POST-INDEPENDENCE LAND REFORM IN ZIMBABWE:

Controversies and Impact on the Economy

Edited by

Medicine Masiwa

Published by Friedrich Ebert Stiftung and Institute of Development Studies,
University of Zimbabwe, Harare, 2004

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Development Studies, University of Zimbabwe

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Cover design: Danes Design, Harare

Printed by: G. M & S. Printers, Harare

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ISBN: 0-7974-2786-4

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Chapter One

Land Reform Programme in Zimbabwe: Disparity Between Policy Design and Implementation

Medicine Masiwa & Lovemore Chipungu

Introduction

Land is a natural resource that has always been hotly contested among groups of people living between the Zambezi and the Limpopo. Before the arrival of the first European settlers over a century ago, bloody tribal and ethnic battles were fought for land. The Europeans found two major tribes, Shona and Ndebele living in the now Zimbabwe. The livelihood of the former tribe was based on agricultural and pastoral activities while that of the latter was largely based on highly organised military structures. In both cases, the nucleus of the government was composed of the Chief, supported by councillors and headmen

The colonial conquest of the country by the British in the late 1880s destroyed these systems and subordinated the African people in both political and economic terms. Economic subordination started by the passing of the Land Apportionment Act in 1930, which formalised racial separation of land. Africans lost their coveted land and substantial economic power as they were driven to marginal areas with inherently poor soils and erratic rainfall. Although farming was part of their livelihoods and the sole source of food and income, a series of repressive legislation prohibited them from participating on the mainstream of the economy. This, apparently led the disgruntled majority blacks to take arms and fight a protracted war against the injustices. In 1980, they won political independence and the new ZANU PF government promised the empowerment of the people by giving them land. A policy tool identified for this purpose was the land redistribution and resettlement programme.

The First Phase Land Reform Programme

Immediately after the attainment of independence in 1980, the new government launched the first phase of the resettlement programme in September. Besides redistributing land, this phase also focused on developing rural areas through the provision of infrastructure and other socio-economic services as to ameliorate the

plight of the people negatively affected during the war of liberation (Zuwarimwe, 1999). Politically, it was seen as a vehicle that would enable the government to achieve peace and stability. Socially, it intended to address issues of equity in the distribution of land with a long term effect of ameliorating poverty among the rural populace. Economically, it was designed to improve agricultural productivity among the resettled families. This view was echoed by Joshua Nkomo (1984) who argued that "new settlements in the commercial areas must be real productive farm communities..." . In this regard, the need to achieve national stability and progress in the country saw the resettlement programme being implemented in a planned and systematic manner.

The need to achieve these objectives in turn dictated the criteria that was used to select beneficiaries and these included:

- Effectively Landless people/families;
- Unemployed and poor families with dependants between the age of 18 and 55years, and prepared to forego all land rights in communal areas;
- Returned Zimbabwean refugee;
- Experienced communal farmers prepared to forego communal land rights and give-up any paid employment;
- Communal farmers with master farmer certificates.

Shortcomings of the First Phase

Although the first phase of the land reform was relatively well planned and supported, it failed to achieve set targets. Considerable amount of land was available through the willing buyer willing seller basis. Some white commercial farmers made their farms readily available as they abandoned their land during the war and just after independence. Donors were also forthcoming with financial assistance. In 1983, for instance, the British government gave about 40 millions pounds sterling to the Zimbabwe government for the purpose of land redistribution. However, government failed to vigorously pursue the land redistribution plan in order to resolve the land imbalance that existed. For example

- The government aimed to settle 162000 families during the period 1982 - 1985
- Acquire 8.3 million hectares from white farmers for the purpose

In practice, the government

- Managed to settle only 60000 families (i.e. only about 37 % of target) between 1980 – 1985 (see table 1)
- Managed to settle only 10000 families between 1985 - 1990.

Table 1: Land Acquisition, 1980-1997

Period	Families settled	Total No. of Hectares Required
<u>Constitutional Constraints</u> 1980 – 1985 (5 years)	60000	2,147,855
<u>Land Acquisition Act, 1985</u> 1985 – 1990 (6 years)	10000	447,791
<u>Land Acquisition Act, 1990</u> 1992 – 1997 (5 years)		789,645
Total 16 years		3,385,291

Source: Zimbabwe Government, 1998

In an effort to speed up land acquisition, The Land Acquisition Act came into force in 1990. The Act stipulated that all land for sale should be offered to the government first. At the same time, under-utilised and derelict land would be identified for possible involuntary appropriation. The government was no longer bound to follow the Lancaster House Constitution. Despite the Land Acquisition Act coming into force, not much progress was made in terms of resettling the needy people. About 400 farms were acquired, but unfortunately it is alleged that the bulk of these farms went to senior party officials. Much could have been achieved in the first 20 years after independence and this could have avoided problems the country is facing today. Official reasons given by government for the slow progress in land reform are lack of resources, limited capacity of implementing agencies, constitutional constraints (e.g willing buyer willing seller basis) and the rise in land prices.

The Lancaster House Constitution, which governed the country for the first ten years, only allowed government to acquire land through the conservative means of willing-seller-willing-buyer (Moyo, 1995). This approach was restrictive in that it denied government the right to purchase large tracts of land for large-scale resettlement schemes in one block. Land that was coming on the market was that which the whites were off-loading in marginal areas of the country and in a short space of time, land prices shot up drastically, making it difficult for the government to acquire land (Tshuma, 1997). This explains why 81% of the land acquired for resettlement in the first phase was in the drier agro-economic regions of the country (Zimbabwe, 1993). Even after the expiry of the Lancaster House Constitution on 18 April 1990, the government failed to raise adequate funds to acquire farms for resettlement.

Government Complacency

It is however argued that there are more fundamental causes to failures of the first phase of the land redistribution programme. Key among these are government complacency and lethargy, class interests as well as the lack of political will to implement agreed policies. This is demonstrated by minimal budget allocated for the purpose of land redistribution during the period 1980 to 1993. While the constitutional obligations imposed such a restrictive operational environment, the government's rhetoric to resettle people did not match with its financial commitment as shown in table 2. The government's naivety is reflected in its short-term crisis

management based on fiscal policies that evolved around the annual budget. The systematic nature in which the programme was being implemented meant that financial support was required to provide the necessary infrastructure before the beneficiaries moved onto the land. Unfortunately, budget allocations were far below expectations as summarised in table 2.

Table 2: Annual Land Acquisition and Expenditure (1980-1993)

Year	Total National Budget (million Z\$)	Resettlement Allocation as a % of National Budget
1980-81	1426.9	N/A
1981-82	2013.5	N/A
1982-83	2790.8	1.3
1983-84	2708.4	0.6
1984-85	3389.2	0.2
1985-86	3644.6	0.2
1986-87	4573.8	0.4
1987-88	5173.6	0.4
1988-89	6052.2	0.3
1989-90	6937.7	0.5
1990-91	9017.1	0.2
1991-92	11169.1	0.4
1992-93	1468.5	0.3

Source: Mhishi (1995)

The finance situation was further aggravated by the non-availability of pledged financial support from the United States and Britain (Bratton, 1994).

Class Interests

Towards the end of the first decade, the government's socialist rhetoric was thawing down in favour of capitalist principles. Indeed the adoption of the Economic Structural Adjustment Programme (ESAP) in 1990 was a fundamental development that shaped the agrarian reform. This in turn saw the emergence of black elite, which was eager to gain from the system ahead of the landless peasants. The land grab scandal of 1994 (nicely called the Tenant Farmer Scheme: Moyo, 1995) clearly demonstrated that the government was not wholly committed to the resettlement programme. The scandal did not only unearth the poor and clandestine criterion used in the selection of people for resettlement, but it also indicated that the ruling elite was becoming part of the problem in the complex web of the land reform programme. As the Controller and Auditor-General's Report (1993) indicated, some chiefs in the government and in the ruling class allocated themselves land ahead of the landless peasants.

Policy Exclusion and Unclear Institutional Roles

In addition to reasons mentioned above, there was lack of consultation and participation of non Government stakeholders (top –down approach). The government sought to handle the land issue without involving affected local

communities and other stakeholders. Prior to the launch of the National Economic Consultative Forum (NECF) in 1998 there was no significant non-government stakeholder participation in the Land Redistribution and Resettlement Programme (LRRP). The key actors then were central government and its various line ministries and the ruling party, ZANU (PF) through the land identification committees and national committee, chaired by ZANU (PF) national chairman. The process thus, was highly politicised, strong on rhetoric but consequently lacking the balance necessary for the development of a holistic and accountable programme.

There was also poor ministerial co-ordination. Too many ministries and government departments were involved without clear roles and mandates. For instance there was lack of institutional clarity and division of labour between central government and Rural District Councils (RDCs) as well as between the RDC and the communities as represented by traditional authority (chiefs, headmen and *sabhukus*) that make up the RDC. The process was highly technocratic, centralised and was concerned more about numbers of people given land rather than the empowerment process. Although government centrally drove the programme, the implementation responsibilities were fragmented among government agencies with inadequate co-ordination. For example land identification was ZANU(PF) driven; Land acquisition was done by the Ministry of Lands and Agriculture (MLA); Land use planning was done the Department of Extension Services (Agritex); Settler selection was done by the Ministry of Local Government and settler placement was done by the Ministry of Rural Resources.

This fragmentation created problems of synchronisation and co-ordination. Further, the institutions did not create space to tape ideas from intended beneficiaries, which are the rural poor and the landless. As a result, a coherent vision of the programme did not emerge that would move the resettled farmers out of subsistence into commercial activities failed to emerge as intended.

Inappropriate Land Tenure

The first phase of the resettlement programme failed to address the issue of tenure among the resettled farmers. Land was vested in the hands of the government while the beneficiaries were only given permits to reside and work on the land. The Land Tenure Commission (1994), among the other findings, noted that the insecurity of tenure among the resettled farmers grossly affected their commitment and long-term investment. This resulted in many farmers not surrendering their customary entitlements to land in the communal areas (Scott, 1985).

The Second Phase Land Reform Programme

The second Phase of the Land Reform and Resettlement Programme came into being at a time when the ruling government was reeling under a number of negative developments. Among such developments was the introduction of the Economic Structural Adjustment Programme (ESAP), whose impact on the economy and the general populace was negative (see Kanyenze, Chapter six). On the other hand, new political parties emerged that were determined to challenge the vanguard ZANU PF government. The efforts from the opposition parties were complimented by the rise of the private media and civil organisations that also helped to disseminate

information to the general public. These helped to a large extent, in moulding the second Land Reform and Resettlement Programme.

Apparently the rising political opposition forced government to seriously think about resuscitating the resettlement programme, which had slowed down over the years. In April 1996, the National Land Acquisition Committee was formed at the ruling party's congress. The committee was sanctioned with the task of identifying land for resettlement. The tasks of this committee were complimented by the Provincial Land Acquisition Committees at provincial levels. The formation of these institutions and the amendment of the Land Acquisition Act in 1996 (which empowered the government to designate land in large tracts for resettlement) accelerated the rate at which land was identified for acquisition. Hence by November 1997, the National Acquisition Committee had identified close to four million hectares of land countrywide as shown in Table 3.

Table 3: Farms Identified for Acquisition

Province	No. of Farms	Area in Ha.
Manicaland	122	144 788.50
Mashonaland Central	114	148 293.03
Mashonaland East	291	339 839.07
Mashonaland West	410	508 828.34
Masvingo	110	888 797.95
Matabeleland North	52	305 485.87
Matabeleland South	186	919 420.97
Midlands	203	550 129.93
Grand Total	1488	3 805 583.66

Source: The Herald (22/11/97)

This was a very important preparatory stage for the second Land Acquisition and Resettlement Programme. Once the farms were identified and listed for acquisition, a preliminary notice of acquisition was sent to the property owners who were expected to respond. The preliminary notice of acquisition remained in force for a period of one year before the initial acquisition process began as by the provisions of the Land Acquisition Act (Chapter 20:10). Some authorities argue that this was the formal initiation stage for the second phase of the land reform programme. However, the farm owners contested most of these farms in the court of law.

Although government was now determined to deal with the land problem, it was again dogged by financial problems. It estimated that it would need about \$US 1, 9 billion (about \$ZW 42 billion), which it hoped to raise from international donors. The government went on to unveil a \$US1, 9 billion budget in the Revised Phase II Report on Zimbabwe's Land Reform Programme as shown in table 4:

For the A1 model that was targeted towards the poor and the landless, it was projected that 80% of the budget (about US\$1, 5 billion) would be committed to their support. The remainder (about US\$ 387 million) would be channelled towards the A2 Model, which is a full-cost recovery model. The other funds for the A2 model would be obtained from lease rentals, agricultural land tax and from the actual purchase price from those who opted to buy their farms. The projected costs and expenditure up to 2004 is divided into two levels as shown in Table 4:

Table 4: Programme Budget for Phase II by Model (US\$; 2000-2004)

LEVEL I			
Activity	Model A1	Model A2	Total Cost
Land Assessment			
• Farm surveys & identification	354 469	88 617	443 086
• Land evaluation	708 937	177 234	886 171
Sub-total	1 063 406	265 851	1 329 257
Farm Acquisition			
• Land improvement costs	143 357 724	40 675 269	184 032 993
Land Distribution			
• Land-use planning	3 544 686	886 171	4 430 857
• Irrigation development	5 742 391	1 914 130	7 656 521
Sub-total	9 287 076	2 800 302	12 087 378
Farmers Support			
• Farmers training	2 038 194	531 703	2 569 897
• Farmer crop package	5 569 074	1 258 346	6 827 420
• Land preparation	9 491 827	2 038 150	11 529 977
• Extension	4 253 623	1 063 406	5 317 029
Sub-total	21 352 718	4 891 604	26 244 322
Monitoring & evaluation	531 703	177 234	708 937
Demarcation (arable, grazing, homestead)	6 380 435	1 417 874	7 798 309
Credit support	132 925 715	44 308 571	177 234 286
LEVEL II			
Infrastructure			
• Water points/boreholes	206 616 877	45 466 616	252 083 493
• Primary Schools	272 625 246	58 539 631	331 164 877
• Rural service centre	31 401 404	6 760 024	38 161 428
• water supply	3 925 176	845 003	4 770 179
• Administration block	21 980 983	4 732 017	26 713 000
• Schemes staff houses	35 326 579	7 632 286	42 958 865
• Telephone & Electricity	55 737 493	11 999 043	67 736 536
• Clinics	4 710 211	1 014 004	5 724 215
• Animal health centres	6 574 669	2 398 718	8 973 387
• Dips	84 391 273	27 258 163	111 649 436
• Road construction	34 398 167	7 950 661	42 348 828
• Maintenance (5%)			
Sub-total	757 688 078	174 596 168	932 284 246
Title surveys	77 856 946	16 717 977	94 574 923
LRRP agency costs (1%)	14 287 265	3 648 087	17 935 352
Sub-total	1 443 013 705	368 456 812	1 811 470 517
Contingency cost (5%)	72 150 685	18 422 841	90 573 526
Grand Total	1 515 164 391	386 879 653	1 902 044 044

Source: Land Reform Programme (2001)

Although the government had such a high sounding budget, it failed to attract donor support to finance the Land Reform Programme.

The Donors Conference (September 1998)

In its quest to raise sufficient funds for Phase II Resettlement Programme, government went on to organise a donors' conference in Harare in September 1998. By this time however, international donors had grown suspicious of government's moves, particularly its passing of the Land Acquisition Act of 1992, which allowed government to compulsorily acquire land (Tshuma, 1997). Despite such negative developments, the government continued to request for donor support to meet its budget needs at the Harare 1998 conference. Here, the government introduced Phase II of the Land Reform Programme to the donors, which outlined how land was to be acquired and how the beneficiaries were to be selected. According to this document, land to be identified for acquisition would be:

- land that is under-utilised or derelict;
- land belonging to absent landlords
- land belonging to commercial farmers and or companies with more than one farm;
- oversized farms exceeding 1 500 hectares in regions one and two;
- land adjacent to communal areas.

The beneficiaries to this phase were to include:

- the landless poor;
- overcrowded families;
- graduates from agricultural colleges;
- other people with experience.

As said before, government hoped to raise \$US 1,9 billion (about \$ZW 42 billion) required to resettle 100 000 families. Of this amount, 35.8% would come from the government, 60.7% from the donors and 3.5% from the beneficiaries. Masiwa (2001) summarises the major agreements reached at this conference as follows:

- The second Phase of the Land Reform Programme was to begin with an inception phase covering 12 months and involving 118 farms.
- The implementation process was supposed to involve thorough consultation between the government and various stakeholders as well as learning from external experience.
- The programme was to focus on poverty alleviation with beneficiaries being selected from among the poor, those living in congested and marginal areas, as well as from the vulnerable groups such as farm workers.
- The programme was supposed to be implemented in a fair, transparent and sustainable manner.
- There was also need for full participation of the beneficiaries.

The financial commitments from international donors were however disappointing as shown in table 5. Out of the \$ZW 42 billion requested by government, donors were only able to pledge \$ZW 7 339 000, just a drop in the ocean.

Table 5: Financial Support Pledged by Donors

Donor/Country	Status	Amount Pledged (Z\$)	Other
China	Foreign	-	Agricultural Machinery worth \$ZW12m.
Netherlands	"	-	Technical support and co-finance infrastructure development
USA	"	-	Technical assistance
Israel, Australia, Cuba, Egypt, Brazil, Japan, Korea, Ireland	"	-	Technical support in the form of building schools, clinics, expertise and technology transfer
Commercial Bank of Zimbabwe	Local	5000 000	
Inter-market Holdings Ltd	"	2000 000	
Barclays Bank	"	100 000	
Delta Co-operation	"	100 000	
Anglo American	"	100 000	
Bertilia Shipping	"	39 000	
Grand Total		7 339 000	

Source: The Herald (12/09/98)

Indeed the outcome of the conference was an effective pointer to the environment of sheer mistrust that now characterised the government and the international community. A number of issues were very hazy to the donor community and among these are:

- The European Union's stance was that it could not commit itself to the Land Reform and Resettlement Programme on the basis of a policy document. What they wanted were concrete proposals for projects on how the government was going to carry out the land reform in all areas it intended to resettle people. Japan similarly raised the same fears. They further questioned the justification of the Z\$42 billion required and how it was to be implemented.
- On the other hand, the International Monetary Fund (IMF) wanted the government to employ a market-oriented approach. Such an approach would involve taxation of under-utilised land that would induce subdivision of farms. This approach in turn would release more land on the market.
- Some donors also wanted the reform programme to be integrated within the macro-economic framework of Zimprest that had specific targets aimed at fostering economic growth.
- Another cost-effective approach to acquire land was to reduce the burden of the government on funding through the provision of credit facilities. The IMF noted that a land reform programme wholly financed by the government could lead to negative ripple effects such as inflation (Zimbabwe Independent, 11/09/98).

Despite the financial dilemma emanating from the donors conference and apparently frustrated, government went ahead to launch the 2nd Phase of Land Reform and

Resettlement Programme in 1999. Its aim was to acquire 5m hectares to resettle 150000 families in 5 years. The programme would start by a 2 year inception phase in which 118 farms would be acquired.

The Draft Constitution and Farm Invasions

The same year, 1999, the Constitutional Commission was formed to gather views on the draft constitution. One of the aims of the draft constitution was to make it easier for the government to acquire land for resettlement. The Land issue in the draft constitution was handled in Sections 56 and 57. Section 56 says:

- (1) *Everyone's right to own property and to use and enjoy their property must be protected, although this right may be subordinated in the public interest.*
- (2) *The State or an authority authorised by an Act of parliament may acquire land compulsorily for public purposes or in the public interest.*
 - (a) *in accordance with fair procedures set out in the Act of Parliament and*
 - (b) *subject to section fifty seven, so long as compensation is paid just and equitable in regard its amount, timing and the manner of payment*
- (3) *A law that extinguishes or diminishes anyone's vested or contingent right to be paid a pension, gratuity or similar payment arising out of employment is to be regarded as a law that acquires or authorises the compulsory acquisition of that person's property.*

Section 57; Agricultural land acquired for resettlement

- (1) *In regard to the compulsory acquisition of agricultural land for the resettlement people in accordance a programme of land reform, the following must be regarded as of ultimate and overriding importance;*
 - (a) *under colonial domination the people of Zimbabwe were unjustifiably dispossessed of their land and other resources without compensation;*
 - (b) *the people consequently took arms in order to regain their land and political sovereignty, and this ultimately resulted in the Independence of Zimbabwe in 1980;*
 - (c) *the people of Zimbabwe must be enabled to reassert their rights and regain ownership of their land*

and accordingly-

- (i) *the former colonial power has an obligation to pay compensation for agricultural land compulsorily acquired for resettlement, through a fund established for this purpose*
 - (ii) *if the former colonial power fails to pay compensation through such a fund, the Government of Zimbabwe has no obligation to pay compensation for agricultural land acquired for resettlement*
- (2) *In view of the overriding considerations set out in subsection (1), where agricultural land is acquired compulsorily for resettlement of people in accordance with a programme for a land reform, the following factors must be taken into account in the assessment of any compensation that may be payable-*
 - (a) *the history of the ownership, use and occupation of the land;*
 - (b) *the price paid for the land when it was last acquired;*
 - (c) *the cost or value of improvements on the land;;*

- (d) *the current use to which the land and any improvements on it are being put;*
- (e) *any investment which the State or the acquiring authority may have made which improved or enhanced the value of the land and any improvements on it;*
- (f) *the resources available to the acquiring authority in implementing the programme of land reform*
- (g) *any financial constraints that necessitate the payment of compensation in instalments over a period of time; and*
- (h) *any other relevant factor that may be specified in an Act of Parliament.*

In February 2000 a constitutional referendum was held and the draft constitution was rejected by the national majority. Apparently angered and frustrated by the result, war veterans and landless villagers started a wave of invasions of commercial farms, marking the beginning of a complex crisis in Zimbabwe. The commercial farmers were alleged to have campaigned for a no vote against the draft constitution.

Amendment of the Constitution

Despite the rejection of the draft constitution, parliament went on to amend the constitution in April 2000. This enabled the government to acquire commercial farms without an obligation to pay for the soil, but only for the farm improvements.

The amendment did not stop farm invasions as was expected. Instead, the invasions became more violent as the June 2000 parliamentary elections approached. Despite the ruling party winning the majority of seats invasions continued.

The Fast Track Resettlement Programme

The substantive failure of the Inception Phase and rising pressure from people for land led government to legitimatise the violent farm invasions through an accelerated resettlement programme named "Fast Track". At first there seemed to be some confusion regarding the exact definition and scope of the fast track resettlement programme among the majority of Zimbabweans. On its part, the government sought to explain this issue at a mini Summit held in New York in early September 2000. The impression given by the government was that the fast track resettlement programme was an elaborated plan for land reform at an accelerated pace. However, there is no elaborate explanation to the programme besides a page draft document entitled " Accelerated Land Reform and Resettlement Implementation Plan" which was distributed at the Mini-Summit. According to this small draft document, fact track resettlement programme is part of Land reform and Resettlement Programme (LRRP-II, 1998 onwards), notably a compensation for the pace of the Inception Phase. However, unlike in LRRP-II, the draft on fast track resettlement programme specified a time frame for the completion which was before the beginning of the rainy season of the year 2000 i.e. in November. On 15 July 2000 the fast track resettlement programme was officially launched. Targets set during this period were to acquire 1 million hectares and resettle 30000 families

Thereafter, the fast track would be completed in three years with the additional acquisition of 4 million hectares of commercial farm land in which about 120000

families would be resettled. The fast track resettlement programme had two models, namely the A1 and A2 models as shown in figures 1 and 2. The A1 model was targeted at the rural landless and farmers would be resettled in villages or self-contained small farms of about 5 hectares, depending on the natural farming region.

Figure 1: Structure of the A1 Model

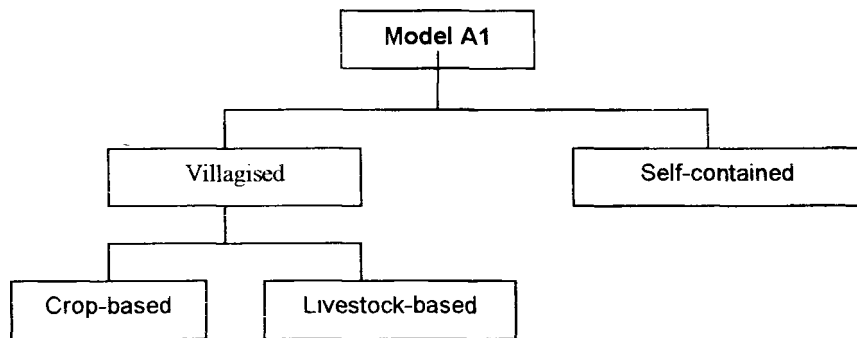
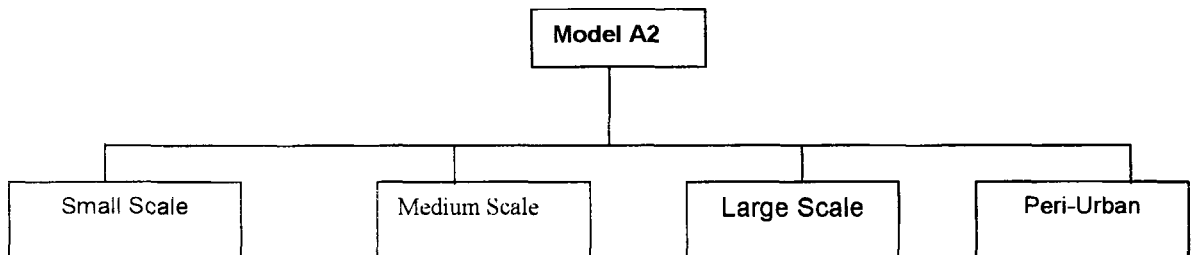


Figure 2: Structure of the A2 Model



The Self - Contained Units of the A1 Model provide consolidated farm units for individual families for a 99-year lease with an option to buy. The objectives and target groups of this land-use model are just similar to the villagised model. However, in this scheme, only basic services and infrastructure are provided.

The Livestock-Based A1 Model, on the other hand, is a Three Tier Land Use Model designed for the drier parts of the country where there is no irrigation. The objective in this variant is to provide commercial grazing with the long-term aim of increasing the communal herd. The target group are people in the overcrowded communal areas adjacent to acquired farms in drier natural regions of the country. Part of the land (20%) in this model is reserved for the war veterans. The level of service provision in this model is just the same as for the villagised variant.

The A2 model is a commercial farming land-use model meant to empower the black indigenous farmers. While the approach enables easy access to land by all citizens of Zimbabwe, the whole model is based on full-cost recovery with the beneficiaries having an option to purchase the land within the 99-year lease period they are given.

Hence the beneficiaries should show evidence of experience and availability of resources as to be allocated land in this scheme. The objectives of the model are to:

- create a cadre of black indigenous farmers;
- break the gap between white and black commercial farmers;
- facilitate access to input support for commercial agriculture by indigenous farmers and
- empower black entrepreneurs in the economy of Zimbabwe.

Table 6 summarises the type of farms and the recommended sizes under this scheme.

Table 6: A2 Model Land-use Types

Type of Farm	Maximum Farm Size per Agro-Ecological Zone					
	I	IIa	IIb	III	IV	V
Peri-Urban	2 - 50	2 - 50	2 - 50	2 - 50	2 - 50	2 - 50
Small Scale Commercial	20	30	40	60	120	240
Medium Scale Commercial	100	200	250	300	700	1000
Large Scale Commercial	250	350	400	500	1500	2000

Source: GoZ (2001)

The Expanded Period Phase (2000-2010)

The expanded period is an overlapping phase that aims to pursue and complete all activities that were initiated during the Accelerated Fast Track Phase. The government has put in place an elaborate implementation schedule which aims to capture all activities to be implemented in the period in question and these include:

- Identification of land to be acquired (up to 2001);
- Assessment of the suitability of farms (up to 2001);
- Gazetting of properties to be acquired (up to 2001);
- Serving of preliminary notices and acquisition orders (up to 2002);
- Filing of court applications (up to 2002);
- Land valuation and assessment for compensation (up to 2004);
- Preliminary planning and demarcation (up to 2004);
- Settler selection and emplacement (up to 2005);
- Provision of access roads, water points and dip tanks (up to 2010);
- Detailed land use planning (2010);
- Provision of secondary infrastructure (2010).

In addition to the above schedule of activities, monitoring and evaluation will also be part and parcel of the implementation period during this phase as to ensure that the implementation process is in line with the objectives of the whole exercise. In essence, the Expanded Period Phase is just a summation of all activities of the 2nd Land Reform and Resettlement Programme.

Institutional Framework of the Fast Track Land Reform Programme

The identification and subsequent resettlement of beneficiaries in the Fast Track Phase had a wide range of actors. These include nearly all ministries and other civil organisations. As indicated in Table 7, the institutional framework for the Fast Track

Land Reform and Resettlement Programme had six major institutional actors. Leading the programme at national level was the Cabinet Committee on Resettlement and Rural Development (CCRDR). This is a policy formulation body that comprises 11 government ministries, which are ministries of:

- Lands, Agriculture and Rural Resettlement;
- Local Government, Public Works and National Housing;
- Rural Resources and Water Development;
- Finance and Economic Development;
- Environment and Tourism;
- Youth Development, Gender and Employment Creation;
- Mines and Energy;
- Foreign Affairs;
- Transport and Communication;
- Health and Child Welfare and
- The Department of Information and Publicity in the Office of the President.

The tasks of the CRD were complimented by the Inter-ministerial Committee on Resettlement and Rural Development (IMCRRD). This was chaired by the Director in the Office of the Vice President's Office and its major function was to oversee implementation activities.

The identification of land for acquisition and subsequent resettlement was the responsibility of the National Land Acquisition Committee (NLAC). This committee comprised four ministries and was chaired by the Vice President's Office. It also had structures at provincial (i.e. the Provincial Land Identification Committee) and district (i.e. the District Land Identification Committee) levels, which were chaired by Provincial Governors and District Administrators respectively.

To co-ordinate the operation of activities on the ground, the NLAC was assisted by the Land Task Force of Ministers (LTFM) which in essence, was a sub-committee. This sub-committee comprised three ministries.

The government also set up National and Provincial Command Centres Committees (NPCCC). The members in these committees were drawn from five ministries and the Secretary for Local Government, Public Works and National Housing chaired the command centre. At provincial level, Provincial and District Administrators chaired the Command Centres respectively. These committees were tasked with gathering and dissemination of information.

Consultation among various stakeholders was also a key issue in this programme. Hence the National Economic Consultative Forum (NECF) played a crucial role in consultation between the government and the private sector. This was done through formal meetings between the NECF and the various institutions in the Fast Track Land Reform and Resettlement Programme.

Table 7: Fast Track Institutional Framework

Institution	Composition	Responsibility
Cabinet Committee on Resettlement & Rural Development (CCRRD)	- 11 ministries	-Formulation of policy -Co-ordination of rural resettlement & development
Inter-ministerial Committee on Resettlement & Rural Development (IMCRRD)	-All ministries in CRD. -Chaired by director in the office of the vice president.	-Programme project appraisal -Recommend policy -Plan implementations -Monitor & evaluate programme implementation.
National Land Acquisition Committee (NLAC)	-Ministry of Lands, Agric & Rural Resettlement. -Ministry of Local Govt. Public Works & National Housing -Ministry of Environ. & Tourism. -Min. of Rural Resources & Water Development. -Chaired by vice president's office.	-Land identification for compulsory acquisition.
Land Task Force of Ministers (LTFM)	-Sub-committee of NLAC. -Chaired by Minister of Local Govt., Public Works and National Housing.	-Co-ordinate activities -Speed land delivery -Marshall resources -Speed settler emplacement
National & Provincial Command Centres Committee (NPCCC)	-Chaired by secretary for Local Govt. Public Works & National Housing -Security Ministries. -Min. of Transport & Telecommunication. -Dept. of Information & Publicity. -Min. of Justice, Legal & Parliamentary Affairs. -Dept. of War Veterans Affairs	-Information gathering & dissemination.
National Economic Consultative Forum (NECF)		Links the govt. and the private sector.

Source: Zimbabwe's Land Reform Programme (2001)

Legal Framework of the Fast Track resettlement Programme

A key feature about the fast track resettlement programme is that it started without any legal backing. In fact it proceeded by undermining the judiciary system (see Madhuku, Chapter Seven). Judges, who initially gave judgements for removal of farm invaders were allegedly no longer free to exercise their powers due to political pressure. Commercial farmers, whose land had been gazetted for acquisition, initially challenged the legality of the land reform in general and the fast track resettlement in particular. They argued that the exercise was illegal according to the constitution of the country and, through the Commercial Farmers Union (CFU), they took the government to court where they also challenged the legality of the Presidential Powers. They felt these powers were being abused whenever it was

convenient for the government to do so. For instance, the powers were used to promulgate land acquisition regulations passed by the parliament.

On November 1 2000, the Land Acquisition Amendment Bill was passed amid protracted debate in the parliament. The bill replaced temporary regulations and improve procedures for compulsory acquisition for agricultural land for resettlement. The wording "designated rural land" was replaced with "agricultural land required for resettlement purposes". Parliament also amended the section of the Land Acquisition Act, which required that a preliminary notice remained valid for a year, unless it was cancelled before then. The new bill passed provides that the preliminary notice will remain in force indefinitely unless earlier withdrawn by the acquiring authority or until land in question has been acquired. The lapsing or withdrawal of a preliminary notice will not prevent the acquiring authority from issuing a fresh notice, should the need arise. The bill relieved the acquiring authority of the need to prove that the land acquired is suitable for agricultural purposes. It repealed a section of the Land Acquisition Act that required the administrative court to determine applications for confirmation or authorisation for a compulsory acquisition within 30 days of receipt of the applications unless the court was satisfied that there were special reasons why a longer period should be allowed for determination.

On 10 November 2000, the supreme court instructed the state to stop the fast track land programme unless the necessary legal requirements had been put in place. However, this ruling was not effected by the government. Illegal farm occupations continued unhindered. It is public belief that the ZANU PF government could not have had the will and courage to evict war veterans occupying the farms since they formed a crucial power base for its presidential campaign in the year 2002. The Minister of Information and Publicity publicly criticised Chief Justice Gubbay, who presided over CFU application alleging that he was partial since he made remarks against land reform in 1991.

The government argued that the land issue was a political issue, which should not be solved through the courts. The executive, government ministers and members of the War Veterans Association attacked the country's judiciary system, alleging that it was serving the interests of the white minority. Chief Justice Gubbay in particular was accused of making some supreme court decisions that were viewed by the government as a ploy to derail the land reform programme. Allegedly under political pressure, Chief Justice Gubbay went on retirement before his term was over.

Method of Compensation

According to the land Acquisition Act, the government only pays for developments and improvements on the farm, not for the soil. The method of payment is: 25 % of the total value of farm developments and improvements immediately after the acquisition, 25% within two years and the rest within five years. However, farmers whose land was acquired were totally not satisfied about this method of compensation. In their view, the staggered way of payment made it difficult for them to invest in other forms of business. The situation is made worse by the existing high Inflation rate, which went up as much as 600% during the year 2003. Paying full compensation after 5 years therefore means that part of the compensation is rendered valueless.

Beneficiary Selection and Implementation

Despite such an elaborate institutional framework put in place by the government to implement the Fast Track Land Reform and Programme, events unfolding on the ground were beyond any logical comprehension. They were characterised by nationwide farm invasions and occupations that were initiated by the war veterans. To a large extent, the farm occupations were legally supported by the government which had enacted the Rural Occupiers (Protection from Eviction) Act Chapter 20:10 of March 2001. The act prevents the eviction of people who have invaded a particular farm until the issue is determined in the Administrative Court. People who demonstrated such a noble cause of landlessness through farm invasions and occupations were the first to be allocated land for resettlement (Masiwa, 2003).

However despite such lawlessness, selection of beneficiaries was, to some extent, done formally at two distinct levels.

- At grass roots level, the ward councillor, headman and local representatives of ZANU PF were responsible for selecting beneficiaries. The list prepared at ward level was then submitted to the district committee for verification. Unfortunately, the structures and the process were not uniform throughout the country. But a common feature of the selection process is that beneficiaries for the scheme were selected from the same area. (Masiwa, 2001).
- A more elaborate and systematic approach involve interested people submitting their applications to the Ministry of Lands, Agriculture and Rural Resettlement in any province. The applicants are short-listed and evaluated by the technical sub-committee of the Provincial Land Identification and Resettlement Committee (PLIRC). This sub-committee which is chaired by the Provincial Administrator Comprises:
 - The Provincial Chief Land Officer;
 - Provincial Veterinary Officer;
 - Provincial Agriculture and Extension Officer;
 - Provincial Rural Development Officer;
 - Provincial Natural Resources Officer;
 - Provincial Officer of the Department of War Veterans Affairs.

This sub-committee submits its recommendations to the Provincial Land Identification and Resettlement Committee (PLIRC). This committee is chaired by the Provincial Governor and Resident Minister. Chiefs and war veterans are also represented in this committee by provincial members.

Any deliberations agreed on at this committee are submitted to the Agricultural Land Resettlement Board (ALRB) which further considers the applications and recommends them to the Minister of Lands, Agriculture and Rural Resettlement for approval. The National Land Allocation and Redistribution Committee must endorse the decision taken by the minister before the land is allocated to qualifying applicants.

International Mediation Efforts

There are various initiatives made by the international community to try to resolve the Zimbabwean land crisis at the peak of farm invasions during the period 2000 to

2002. Key among these were those from the United Nations Development Programme (UNDP) and the Commonwealth Countries.

United Nations Development Programme

At the end of the year 2000, the United Nations Development Programme sent a team led by Mark Malloch Brown to determine the feasibility of establishing a sound technical basis for furthering the Land Reform Programme in accordance with the principles of the donor's conference on Land reform of 1998. The team noted with concern that the fast track resettlement programme was causing severe economic damage because it was done in an unplanned and violent manner. The programme was spawning massive unemployment and reducing agricultural production. It recommended the government to abandon this programme if it was to avoid international isolation and get the much needed financial backing for the land reform programme. In response, government vowed to continue with the fast track resettlement programme even without international donor support. Conditionalities attached to donors' aid, in the government's view, are an attempt to undermine the country's sovereignty by imposing on the government how it must solve the land issue.

Commonwealth Foreign Ministers' Meeting, Abuja

A Committee of Commonwealth Foreign Ministers was organised to find possible solutions to the Zimbabwe land crisis. It met in Abuja on 6 September 2001 at the invitation of HE Olusegun Obasanjo, President of the Federal Republic of Nigeria. Land was recognised to be at the core of the crisis and cannot be separated from other issues of concern to the Commonwealth, such as the rule of law, respect for human rights, democracy and the economy. A programme of land reform was therefore, crucial to the resolution of the problem. However, such a programme must be implemented in a fair, just and sustainable manner, in the interest of all the people of Zimbabwe. It was also found out that the crisis in Zimbabwe had a political and rule of law implications, which needed to be addressed holistically and concurrently. The situation in Zimbabwe posed a threat to the socio-economic stability of the entire sub-region and the continent at large. At this meeting, Zimbabwe agreed to end all illegal occupations of white-owned farmland and return the country to the rule of law, in return for financial assistance, farm invasions and the fast track resettlement went on as usual.

Commercial Farmers Initiative (Zimbabwe Joint Resettlement Initiative)

In September 2001, the Commercial Farmers Union made a historic step towards breaking the impasse between its members and the Zimbabwe Government in Harare. The Union proposed to the government the Zimbabwe Joint Resettlement Initiative (ZJRI), a home-grown solution land solution.

Key features of ZJRI were:

- Commercial farmers offered the government 531 farms, representing a total area of 967 452 hectares out of the pledged one million hectares of uncontested land for resettlement purposes. These farms are distributed across all provinces and agro-ecological zones.

- One hectare of free tillage for each of the resettled families.
- A \$ZW 60 million grant for agricultural inputs.
- Establishment of a Z\$1.375 billion revolving soft loan to support capital development on commercial farms.
- Provision of at least three consultants per province to assist new settlers with technical advice.
- Mounting international publicity to convince and attract the international community to support the land reform with financial and technical support.
- Dispute settlement that might arise during the implementation process.

On the 5th of September, acting President, the Honourable Joseph Msika issued a statement on behalf of the Zimbabwean Government accepting ZJRI. Both parties reaffirmed absolute commitment to play a constructive role in support of an internally driven resettlement programme. A joint technical sub-committee to build an atmosphere of confidence and trust was set up. However, the initiative made no impact as it was overtaken by events on the ground. The fast track resettlement went on as usual.

Land Ownership Structure at the End of the Fast Track Resettlement

Table 8 shows land acquired under the fast track resettlement programme according to province. According to the government, a total of 8758 white owned large scale commercial farms were registered in Zimbabwe before the fast track resettlement programme. Taking into account that there were about 4000 white commercial farmers in the country, each farmer owned on average more than two farms. At 2228, Mashonaland West had the highest number of farms registered, followed by Manicaand (1299) and Mashonaland East (1170). The least farms were found in Masvingo (657), followed by Matabeleland North (670). Out of the total number of 8758 farms in the country, 6422 farms, accounting for about 10.8 million hectares were gazetted for acquisition under the fast track resettlement programme. This amounts to more than 73 % of the farms owned by large scale white commercial farmers before the fast track scheme. Acquisition of farms however differ significantly according to province. While nearly 99% of the farms in Masvingo province were acquired, only about 47% of the farms in Manicaland and about half the farms in Matabeleland South were acquired. A possible reason for fewer farm acquisitions in Manicaland is that most of the farms are large scale estates, which fall under bilateral investment agreements with some developed countries.

It is also important to note that a significant number of farms were delisted from the initial acquisition list. Out of the 6422 farms gazetted for acquisition, a total of 1012 (about 16 %) farms were delisted. Reasons for delisting varied with the most common being ownership of a single farm by the affected farmer. The delisting of some farms however could not prevent large scale commercial white farmers from losing most of their land as shown in table 9. Whilst before the implementation of the fast track resettlement programme, this group of farmers owed 30.5 % (12.1 million ha) of agricultural land, this figure was reduced to 6.6 % after the fast track resettlement. The Fast Track Land Reform Programme thus, managed to transfer huge areas from fertile land from white farmers to the lack majority. Other categories i. e. communal, old resettlements, state land and national parks, however were

hardly affected by the fast track as they remained with the same area owned before implementation of the programme.

Table 8: Total number of farms acquired according to province, including gazetted and delisted farms

	Number of farms before fast track	Number of Gazetted farms for acquisition			Number of Delisted farms
		Number	%	Area (ha)	
Midlands	1 092	791	72.44	997 213	95
Masvingo	657	649	98.78	2 662 147	196
Mat. South	750	397	52.93	2 191 211	61
Mat. North	670	481	71.79	1 405 709	102
Mash. East	1 170	912	77.95	1 108 943	196
Mash. West	2 228	1 792	80.43	1 162 508	185
Mash. Central	892	778	87.22	756 664	86
Manicaland	1 299	622	47.88	554 713	91
Total	8 758	6 422	73.33	10 839 108	1 012

Source: The Herald, 29 October 2003

Table 9: Land Ownership Pattern before and after the Fast Track Programme

	November 1997		November 2003	
	Area (millions Ha)	Percentage	Area (millions Ha)	Percentage
A1	N/A	-	4.2	10.6
A2	N/A	-	2.2	5.6
Old (1980 – 97) Resettlement	3.6	9.1	3.7	9.3
Communal	16.4	41.4	16.4	41.4
Large Scale Commercial	12.1	30.5	2.6	6.6
Small Scale Commercial	1.4	3.5	1.4	3.5
National Parks and Urban	6.0	15.2	6.0	15.2
State Land	0.1	0.3	0.3	0.8
Other	-	-	2.8	7.1
Total	39.6	100.0	39.6	100.0

Source: Masiwa, 2000 & The Herald, 26/10/03

Table 10 shows the beneficiaries and take up rates for the fast track resettlement programme. A total of 134 452 farmers (127192 under A1 scheme and 7260 under A2) were given land. The highest number of beneficiaries are found in Mashonaland West where about 29000 farmers got land and the least number of beneficiaries is found in Matabeleland South where only about 9000 farmers got land. The average take up for the new farms varied according to schemes and provinces. Whilst the take up rate is very high for the A1 scheme in Matabeleland (100 %), it is very low

for the A2 scheme in Manicaland (42 %). In general the take up rate for the A2 scheme is lower (66%) than that for the A1 scheme (97 %). Reasons for this may be attributed to the nature target groups for the two schemes. Whilst the A1 scheme was target for the landless, mainly from the communal areas, the A2 schemes was targeted for those with adequate resources for commercial production. Apparently the rural landless are forced to stay on the new farms in order to earn a living from farming. The urban elite who have got the resources for commercial farming, initially registered for the A2 schemes. Apparently the majority in this category registered for land with investment in mind. However, due to lack of time or better income alternatives in the urban areas a significant number of these prospective farmers failed to take up the land

Table 10: Beneficiaries and Take-up Rates

	No. of Beneficiaries			Take up rates (%)	
	A1	A2	Total	A1	A2
Midlands	16 169	229	16 398	90	48
Masvingo	22 670	773	23 443	95	79
Manicaland	11 019	463	11 482	92	42
Mat. South	8 923	271	9 194	100	100
Mat. North	9 901	191	10 092	100	94
Mash. East	16 702	1 646	18 348	93	45
Mash. West	27 052	2 003	29 055	97	50
Mash. Central	14 756	1 684	16 440	89	73
Total	127 192	7 260	134 452	97	66

Source: The Herald : 29/10/03

Social- economic Impact of the Fast Track Resettlement Programme

It is still too early to say whether the resettled farmers would be able to match productivity levels achieved by white commercial farmers before them. However, there is a general fear in Zimbabwe that the land redistribution exercise would bring permanent food shortages like the rest of Africa. Although the resettled farmers may have the potential to grow enough food for national needs, this can only be in normal rainfall seasons as experience has shown. Already, the country has seen a significant decline in tobacco production, the major foreign currency earner, from about 200 million kg in 1998 to about 80 million kg in 2003. A major contributing factor maybe that they were not yet settled.

It is however clear that the fast track resettlement scheme has a severe impact all sectors of the economy as the following chapters will illustrate. In short, some of the negative impacts are:

- ◆ A significant drop in agricultural production due to farm disturbances
- ◆ A gross shortage of foreign currency directly through a diminish in agricultural exports and the use of scarce foreign currency to important maize and other commodities of which the country is normally self sufficient
- ◆ Massive unemployment, as many farms discontinue the employment of labour

- ◆ Liquidation of many enterprises whose operations are dependent upon the supply of inputs normally required by the agricultural sector
- ◆ Diminished revenue flow to the fiscus by way of lessor taxes payable on agricultural profits, reduced sales taxes as a result of the decreased spending by those reliant on agriculture and lower taxes on sharply reduced profits of the suppliers of agricultural inputs
- ◆ A worsening balance of payment position, depreciation of the Zimbabwe dollar and increase in inflation. This will arise out of a decline in agriculturally generated foreign exchange earnings compounded with the increased foreign exchange funded imports. The worsened balance of payments will result in the failure of the country to finance important inputs such as petroleum products, electricity and other raw materials required by mining and manufacturing industries

In addition to the direct negative effects of the fast track, the economy also suffered as a result of discontinuance of foreign investment into the country and alienation of goodwill and support of the International Monetary Fund (IMF), World bank European Investment bank etc as well as the world 's private sector banking institutions.

Concluding Remarks

The inception and subsequent implementation of the second Phase of the Land Reform and Resettlement Programme opened a challenging chapter in the history of Zimbabwe's Land Question. Indeed land hunger had become more pronounced by 1998 as witnessed by growing impoverishment. The invasion of farms as first demonstrated by the Svosve people is a clear testimony of the dimension of the problem the government was facing (The Herald, 22/06/98). However the subsequent unfolding of events pertaining to the land issue also reflects the extent to which developments which had gradually began developing in the early 1990s had taken centre stage. Notably, issues pertaining to governance and politicisation became more pronounced in the process.

The polarisation of positions between the government, commercial farmers and donors on how the land reform programme was to be implemented became of major concern. The lapse of the Lancaster House Constitution and its subsequent amendment by the government to allow for compulsory acquisition of land became a point of departure among the various stakeholders. The bone of contention was not only about compulsory acquisition, but also about the payment of compensation (Tshuma 1997). President Mugabe had repeatedly said that the government was not going to pay for the soil. Instead compensation was to be paid for improvements only. His argument was that payment of compensation for farmers who lost their land through compulsory acquisition was the responsibility of the former colonial master – Britain (The Herald, 16/10/97, 28/11/97). The British, on the other hand, argued that they had no obligation to fund the land reform on colonial basis. Hence their commitment to the land reform programme was one of moral obligation to alleviate poverty (The Financial Gazette, 08/09/98).

Indeed it was clear at these early stages that elements of suspicion and mistrust were creeping into the Land Question. Moyo (Zimbabwe Mirror, 2-5 February 1998) correctly noted that the government tended to rationalise land acquisition and

redistribution on the basis of historical grievances and political demands at the expense of valid economic rationale. This was noted in some land acquisition criteria used. The then Minister of Lands and Agriculture, Kumbirai Kangai even said "... some white-owned land was acquired because of social and political reasons including the use of bad language by some white farmers...." (The Herald, page 1, 5/02/98). This became a reality when the government faced mounting pressure from the civic organisations (NCA, ZLWVA, CFU) and the leading opposition political party (the MDC). By the year 2000, the land issue had become highly politicised so much that even the judiciary could not handle the land cases (2000).

In the face of such mounting contradictions, the government failed to attract both national and international donors to support the land reform programme. Efforts (both local and international) to bring normalcy to the programme implementation process failed to yield positive results. Among such efforts was the Commonwealth meeting on Zimbabwe's land crisis which was held in Abuja (Nigeria) in September 2001. The meeting indeed recognised the historical injustices pertaining to the land issue. But in its communiqué, it resolved that there was need to restore the rule of law by, among other things, stopping farm occupations (The Daily News, 3/09/2001). Despite positive assurances given by the government, the post-Abuja period witnessed the invasion of more farms. To date, only 600 of the original 4500 white owned farms are still in operation (Crawford: Daily News, 09/07/03).

While the dust is still settling down, the government claims that the Fast Track Land Reform Programme is over and has been a resounding success. Using its stringent budgetary means, the government has managed to resettle close to 200 000 on both A1 and A2 resettlement. The need to provide infrastructure and other support services is yet to be done. Although the government claims that it was a success, the task now is to rationalise developments on the ground. Even President Mugabe acknowledges that "...things did not go well with the A2 land reform programme. Some people gave themselves more than one farm..." (Daily News, Page 2, 06/07/03).

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