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A CRITIC OF ZIMBABWE'S CURRENT LAND REDISTRIBUTION  
PROGRAMME

BY

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## **Abstract**

The history of land distribution was such that 1% of the white population was in possession of all the productive land in Zimbabwe and so in 2000 there was a Fast Track land reform programme that occurred to address this issue. Land reform was necessary for the people of Zimbabwe considering the Zimbabwean situation, redistribution of land had to be done in order to balance out the unevenly distributed land between the white minority and black majority. It is for this reason that the war veterans led an Agrarian revolution in 2000 which saw white commercial farmers removed from their farms by force. The claim is that the model used for distribution is not as transparent as it should be hence social justice was not served. Another issue is that after the distribution that was done there seems to be a lot of farms that are not being utilized to their maximum capacity and some of them are not being utilized at all. The purpose of this study is to examine the methods used for land distribution in Zimbabwe as a model for distributive justice. As well as investigate some of the issues regarding land Reform and analyse the criteria used to allocate land, having done this the study will through collection of data and analysis come up with a model that can be effective in the distribution of land in the Zimbabwean context. Guided by the concept of distributive justice that has one of its basic principles emphasizing land being allocated based on merit, some of the findings showed that this was not being done and entirely emphasized. The nature of the current model allows for a lot of loopholes for corruption because of the decentralisation of the land committee hence through analysis of data collected, this research recommended a new model for land allocation to allow for transparency in the land reform process.

**Key words:** land distribution, land reform, distributive justice, land committee



## **Declaration**

I declare that this dissertation is my original work except where sources have been cited and acknowledged. The work has never been submitted, nor will it ever be submitted to another university for the award of a degree

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## **Dedication**

To my late mother who I know would have been proud of me for it was her dream for me to reach this far and I dedicate this to my late little brother who I would have wanted to achieve something similar and something greater than I have. I will always love you both and I know you are watching, I know you are resting in peace.

## **List of Acronyms and Abbreviations**

BSAC	British South African Company
EMA	Environmental Management Agency
FTLRP	Fast Track Land Reform Programme
ZANU	Zimbabwe Africa National Union
ZANU PF	Zimbabwe Africa National Union Patriotic Front
ZAPU	Zimbabwean African Peoples Union
ZANLA	Zimbabwe African Nation Liberation Army
ZIPRA	Zimbabwe People's Revolutionary Army



## **Key Terms**

Chimurenga	Is a word in the shona language, meaning ‘revolutionary struggle’
Distributive Justice	Concerns with the nature of a socially just allocation of goods in society. A society in which incidental inequalities in outcome do not arise would be considered a society guided by the principle of distributive justice
Justice	the legal or philosophical theory by which fairness is administered
Reserves	An area allocated to Africans during the colonial era

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## **CHAPTER 1: INTRODUCTION**

### **1.1 Introduction**

Land is one of the most valuable natural resources of a country. It represents the principle form of wealth and the main source of economic and political power. Land can be seen as a vehicle for human development as well as resource for food production. It was the Berlin Conference in 1884 to 1885 that created geopolitical boundaries that are in existence till this day, with the coming of the western colonialists into Africa, this saw the beginning of the commercialisation of land. In Zimbabwe (then called Rhodesia) there was displacement of local people into arid land while British settlers got the best of the available land in the country. This became the phenomenon throughout the colonial history of what was called Rhodesia until an educated African elite decided to confront the Rhodesian government and demand economic and political powers.

As a result war broke out first in 1896 and again in 1966 (First and second Chimurenga) which forced the Rhodesian government on the negotiating table at the Lancaster House Conference in 1979. When Zimbabwe got its independence in 1980, land reform in the country was always an issue of contention with the new democratically elected government with a huge task to distribute land to local Zimbabwean people as promised during the war. This redistribution happened from the 1980s to the 1990s peacefully with slow results until the year 2000 when land was forcefully taken from the white farmers in what was called the Fast-track Land Reform Programme (FTLR). Land reform was done in order to distribute land to the majority of the people in the country and resettle the population into productive land. Zimbabwe was previously an agrarian based economy formally known as the 'Bread

basket of Southern Africa', after this reform the Agricultural sector has experienced a drastic decline to the extent that the country is now importing the most basic of agricultural produce such as maize to feed its people because the current new land beneficiaries are not utilizing land. It is this reform that this paper seeks to address, thoroughly examining the issues, digging deep into what happened and why it happened when it did.

The researcher will present several methods of land reform as a model elsewhere in the world and compare the experiences of other countries to the Zimbabwean model used to distribute land after the FTLR. The research was guided by the theory of social justice, this theory is broad and it encompasses several areas but for this paper so the researcher delimited the topic to distributive justice a concept under social justice. Looking at how the distribution of this land was handled and what was the model, as well as criteria used for determining who gets the land. The outcome of this research is a modification of the current model that is in place.

## **1.2 Background of the study**

The history of land segregation in Rhodesia dates back to 1894 when two reserves, the Gwayi and the Shangani were allocated to the defeated Matebele by the British South African Company (BSAC), The two reserves had a total acreage of approximately 1 006 010 hectares compared to the 21 million which the Ndebele used to occupy (Moyana 1984). This shows the extent to which this caused conflict among the locals, because during pre-colonial Zimbabwe the local indigenous population lived without land restrictions, hunters would hunt at will in any area they were familiar with, the farmers would grow crops using mixed methods to the extent that they could allow it

to lie fallow for a time with Cattle being the prized possessions (Curtin, Feierman 1994). So the seizure of land by the British was a blow to the local's culture and way of life. Thus Africans lost their immemorial right to ownership of land, so it was this dispossession of the African suitable lands for cultivation and for pasture that created the discontent that found expression in the 1896 risings and not the idea of private ownership (Moyana, 1984).

Later on in 1930 there was a bill passed that became an act and its provisions were implemented in 1931 and this was called the Land Apportionment Act, it sought to legalize land segregation. Under this Act land was divided into European areas, Native reserves, Native Purchase Areas and Forest Areas; then there was seven million hectares of "unassigned land" and native reserves were increased to about 98 and this was adequate for the growing population. In European areas land was considered private property and was accompanied by title deeds while native reserves termed 'communal tenure' was without title deeds (Raftapolous and Mlambo 2009).

This marked the beginning of the commercialization of land in this region and therefore this was a concept Africans were not familiar with. There will be several reforms meant to segregate the African population, however fast forward several years later there was the rise of the African elite that sought to change the situation. It is important to note that this African educated elite were politically educated and this allowed them to identify Rhodesian rule as repressive and so the rise of nationalism came about with the formation of the Zimbabwe African Peoples Union (ZAPU) under Joshua Nkomo and the Zimbabwean African National Union (ZANU) led by Ndabaningi Sithole. These two parties went through a rigorous process of trying to

obtain political and economic independence for the Zimbabwean people, and when negotiation failed completely they resorted to war popularly known as the Second Chimurenga which confronted the powerful Rhodesian government head on using military action. Political parties stated above created military wings, Zimbabwe African National Liberation Army (ZANLA) led by Herbert Chitepo then followed by Josiah Tongogara with command eventually falling to Robert Mugabe from ZANU and the Zimbabwe People's Revolutionary Army (ZIPRA) formed during the 1960s by the nationalist leader Jason Moyo, the deputy of Joshua Nkomo for ZAPU.

It was later on when the war was going on in the country when pressure by the independent African nations led to the formation in October 1976 of a joint front (not a merger) between ZANU and ZAPU named it the Patriotic Front (Raftapoulos and Mlambo 2009) with the formation of this front, the war carried on until 1979 when pressure culminated on the Rhodesian government until it decided to negotiate at what became known as the Lancaster House Conference of 1979. This conference was to a large extent, the result of several forces grown weary of fighting, this conference was attended by the Patriotic Front, led by Robert Mugabe and Joshua Nkomo and the Muzorewa delegation which included Sithole and Smith (Raftapoulos and Mlambo 2009). It was at this conference that a cease-fire was negotiated through which war was ended (Sadomba, 2008) and this changed the fate of the Zimbabwean people that had endured not only long repressive rule but a war of liberation that gave them independence which meant political and economic powers for the first time since colonization.

There were a number of agreements made at the conference however, the main point of disagreement was on the issue of land. The Patriotic Front wanted the majority government to be allowed to expropriate unused white commercial land in order to resettle the many land hungry Zimbabweans, but the agreement that was reached was that land could not be confiscated but would have to be bought on a willing seller willing buyer basis (Raftapolous and Mlambo 2009). Part of the agreement included provisions that the new government would not engage in any compulsory land acquisition and that when land was acquired the government would "pay promptly adequate compensation" for the property. From 1985, every vendor of land was required to obtain from the government a "certificate of no present interest" in the acquisition of the land concerned before going ahead with the sale (Willing buyer willing seller) (Matondi, 2012).

However such an agreement was however beyond the financial ability of the new state. The unresolved land issue was only temporarily rested following British and American promises to buy and develop the white owned lands, without however disclosing how much money they would put for compensation exercise (Raftapolous and Mlambo 2009). An election was held and Robert Mugabe, leader of the ZANU-PF, won a resounding victory. However, the new government was bound by "sunset clauses" in the Lancaster House Agreement that gave special protections to white Zimbabweans for the first ten years of independence (Raftapolous and Mlambo 2009).

Constitutionally, the Lanchester House agreement established the 'willing buyer, willing seller' principle as the basis of land transfers, with an expiration date of 1990 (Moyo &

Yeros, 2005). It was the provision of the willing buyer willing seller that the government used to distribute land to the people, this system was used especially in the 1990 period and although there were targets on numbers of people resettled it was not met entirely. Its effectiveness can be questioned but indeed some progress had been made to distribute land to indigenous Zimbabweans. By 1997, the government had resettled 71,000 families (against a target of 162,000) on almost 3.5 million hectares of land. About 400 black elite farmers were leasing 400,000 hectares of state land, and about 350 black people had bought their farms (Matondi, 2012). For a period of seven years these numbers should have been higher a lot of people in the country needed to be resettled as promised by the government. It is important to note that this was a time when there was a lot of economic challenges in the country and the government was dealing with an economic crisis.

What happens next became significant in the history of the country. As per agreement Zimbabwe received financial assistance from various governments, Britain in particular provided £44 million through a "land resettlement grant" and budgetary support which expired in 1996. Britain under the Conservative Party government, favoured redistribution based on the agreed willing sellers at full market prices. However in 1997, the new British Labour Party government had Minister for International Development write to the Zimbabwean government stating that they do not accept that Britain has a special responsibility to meet the costs of land purchase in Zimbabwe (Raftapolous and Mlambo 2009).

This new position was justified for the new British government because tax payers money was being used to finance a project that was not transparent using a model that

did not cater for the average Zimbabwean and based on the nature of the corrupt government this was a position that was somewhat justified however this angered the Zimbabwean government and a lot of accusations were made regarding this position and the British government was accused of being breaking its promise. In 1999 the economy had started facing challenges and there were strikes and demonstrations that were organized by Trade unionists that then created a political party called The Movement for Democratic Change (MDC) led by Morgan Tsvangirai. This was a direct challenge to the ZANU-PF government which had been the only the only influential political party since independence. In order to respond the government came up with a constitution that sought to cement presidential powers and in return it promised to redistribute white owned farm land to the people. The referendum for this new constitution got a majority No Vote and this was the first defeat of ZANU-PF since 1980. There are various theories as to what sparked the land invasion when it did but some government officials blamed the MDC for the No vote on the referendum so with the realization that the government was losing support it had to act. This marked the beginning of the violent Fast Track land Reform in 2000.

### **1.3 Statement of the problem**

Zimbabwe attained independence in 1980 and at that time the country land distribution dynamics were such that a minority of its citizens owned the majority of the most arable land. At that point there was a stated acknowledgement that the situation had to be addressed through a land redistribution process under the social justice concept of distributive justice so that the land could be equitably distributed across the social and racial spectrum. However, by the year 2000 the land distribution situation in Zimbabwe reflected the undesirable pre-independence dynamics and a violent land seizure exercise took place. White farmers had the land they occupied taken from them and the government raised the issue of righting the historical land imbalance as a justification for the seizures. The question of redistributing land had never been contested but in the aftermath of the seizures questions have arisen relating to the methods used and the economic results arising from the methods used. Zimbabwe being previously an agrarian driven economy has been importing food something that was not the case prior to land seizures. As such, land re-distribution as a social justice principle has been laid open to question and this paper seeks to engage this.

### **1.4 Research Objectives**

1. Examine the model used to distribute farm land in Zimbabwe
2. Analyse the criteria used to allocate land to beneficiaries
3. Recommend a model that can be used to distribute land



### **1.5 Research questions**

1. What is the model used to distribute farm land in Zimbabwe?
2. What is considered when choosing beneficiaries for land in the allocation process?
3. How can the current model of reform be enhanced?

### **1.6 Assumptions**

1. Land reform is a necessary aspect of distributive justice
2. A land reform programme has taken place in Zimbabwe but it is not satisfactory
3. Government of Zimbabwe land reform policy is at variance with concerns of the white farmer
4. Social justice is desirable in a society

### **1.7 Purpose of the study**

The purpose of this study is to appraise the land reform program undertaken in Zimbabwe in 2000 and appreciate the extent to which it approximates to achieving the social justice principle of distributive justice. In as far as land was redistributed, the question is to what extent did this process meet the standards of social justice. In addition, this paper sought to tease out sustainable models for land re-distribution using the empirical case of the 2000 fast track land reform as a reference point. Looking forward, this paper sought to come up with recommendations that speak to a more sustainable land reform regime for Zimbabwe derived from an evaluation of the existing model.

### **1.8 Significance of the study**

The importance of this research study lay in that it adds to the body of existing knowledge in the social justice realm regarding land distribution, particularly through

its interaction with the Zimbabwean land reform situation. It will allow readers to gain deeper insights as to what other models of land reform that have been used throughout the world that can be replicated and be used in the Zimbabwean case. This study will be significant in future reforms in regard to the land reform as a model for any country that is in a similar circumstances as Zimbabwe. The study will benefit academia in regard to other alternative methods for land reform that could be utilized, therefore influence policy for reform in the respective area.

### **1.9 Delimitation of the study**

This study was delimited to the concept of distributive justice as a key component of social justice, that is to say, the study focussed on how the redistribution of resources serves to achieve justice for society. The study focussed on the specific time-based events of 2000 in relation to Zimbabwe's land redistribution process arising out of the violent land seizures that gave rise to the land redistribution models adopted in the country. The study is limited to the redistribution of land for farming purposes only. In order to achieve this, the study identified and was delimited to key stakeholders in the discourse of land redistribution in Zimbabwe and these were government line ministries, commercial farmers and their representation, land redistribution beneficiaries (post 2000), prospective beneficiaries who are in the process of applying for land and financial institutions in as far as they play a decisive role in funding farming activities.

#### **1.1.1 Limitations of the study**

The land question is a highly politicized one and so respondents from government and land beneficiaries as well as prospective beneficiaries are hesitant to give candid

feedback out of fear of victimisation. As a result targeted respondents in the line ministries, land beneficiaries, as well as prospective land beneficiaries did not want to be recorded. The level of red tape that is required to have access to line ministries for interviews proved to be a challenge, the process took a lot of time. The researcher endeavoured to assure the respondents that their input would be safeguarded and not cast in any disagreeable manner. The undertaking to do contributed towards a more open interaction with the respondents.

### **1.1.2 Summary**

This chapter outlined the history of the land question in Zimbabwe and provided a background of land reform in Zimbabwe. The problems arising that drove this research as well as the research objectives which informed the research questions. The assumptions of the researcher were outlined and the concept of distributive justice was highlighted. The delimitations and limitations of the researcher were discussed in this chapter.

## **CHAPTER 2: REVIEW OF RELATED LITERATURE**

### **2.1 Introduction**

Land is an important resource in Zimbabwe, its significance can be made clear by the Zimbabwean economy, it was once the second most industrialized in Sub-Saharan Africa, following South Africa. Zimbabwe was once characterized by significant articulation between the sectors, and diversified production of 7,000 commodities, ranging from food and clothing, to fertilizers and chemicals to metal products, electrical machinery and equipment even locally assembled automobiles; manufacturing accounting for 25 % of GDP and earned 40% of foreign exchange. Agriculture remained the most important sector, accounting for 40% of GDP and employing 70% of the population (Moyo & Yeros, 2005), this shows the level of significance of the agriculture sector in Zimbabwe, this means of production were controlled by a few and this is why land had to be redistributed.

In the aftermath of the land invasions and the beginning of the land redistribution the Zimbabwean government through the Ministry of Lands and Rural Resettlement has the mission statement below:

To acquire, equitably distribute and manage the agricultural land resource through the provision of appropriate technical, administrative services for the sustainable socio-economic development of Zimbabwe (Ministry of Lands and Rural Resettlement, 2017).

The ministry mission statement clearly illustrates the intention of the government to achieve social and economic justice through equitable distribution and management of the agricultural land. Land reform as a model for distributive justice, particularly looking at commercial and subsistence farm land. This research focused on the distribution of

land in Zimbabwe after the farm invasions in 2000, the idea is to look at the model that was used to distribute farm land. Guided by John Rawls theory justice with particular attention focusing on the principle concept of distributive justice this research examines the model used to distribute land in Zimbabwe, analysing the criteria for allocation of land and then recommending a new model that can be used to distribute land. This chapter will shed light to some of the literature that is associated with this research the pre independence situation and post-independence situation utilising the concept of distributive justice.

## **2.2 Conceptual Framework**

This study will be informed by the concept of distributive justice, derived from the Justice theory analysed by John Rawls in 1971 in his book *A Theory of Justice*. Distributive justice is a concept that addresses the ownership of goods in a society. It assumes that there is a large amount of fairness in the distribution of goods. Equal work should provide individuals with equal outcomes in terms of goods acquired or the ability to acquire goods. Distributive justice is absent when equal work does not produce equal outcomes or when an individual or a group acquires a disproportionate amount of goods (Jordan, 2017). In this case the white farmers acquired a disproportionate amount of land in which the black population would not have access to, which then shows the absence of distributive justice. The governments need to redistribute land was an attempt to address this injustice.

Distributive justice addresses who owns these goods and how they are acquired. A sense of injustice is aroused when individuals come to believe that their outcome is

not in balance with the outcomes received by people like them in similar situations (Rawls, 1971).

Under this concept of distributive justice there are many ideas that are relevant to this study namely Merit-Plato version of distributive justice, Justice as fairness and the difference principle. The first idea is called Justice as fairness proposed by John Rawls, the idea endorses re-distribution of wealth and advocated for justice to be interpreted as fairness. For Rawls the wealth of society should be roughly distributed in much the same way (Rawls, 1971). This idea addresses the issue of fairness in the distribution of resources, this idea assumes that the resource in question can be equally distributed to everyone fairly however the resource (land) cannot be equally allocated to the entire population. This idea is not entirely applicable in this research so focus will not be on this idea.

The second idea is the difference principle, this states that any inequalities must always benefit everyone in society, injustice then is simply inequalities that are not to the benefit of all (Gale, 2008) The argument is that if a few people are in control of a resource and based on their control their output is benefitting the greatest number in the population, that inequality is just. In this case if the land is in position of a few that are productive, such that they create employment for thousands of people as well as contributing to the nation as a whole then that inequality is just. This idea realises that not everyone can be efficient if resources are equally distributed but if those that are efficient can produce for the greater good of the nation then that inequality is just.

The third idea is Merit-Plato's version of distributive justice which states that people should be rewarded with positions of responsibility according to their intelligence,

capacity for devotion to the public good, and education (Jordan, 2017). In regard to the model that is used to redistribute land it should ensure that this merit- Plato version which requires the most equipped to be allocated the necessary resource. This idea can be supported by the difference principle because in most cases the individuals with the skills and the capacity are often in the minority, which seems to be what the difference principle insinuates.

This research will focus on the difference principle of distributive justice which will discuss issues such as: what needs to be looked at is what is more important fair distribution of land to the people, or effective distribution which leads to production that will intern benefit the nation as a whole. It is important to note that this idea is not against redistribution of land, the discussion is not whether land should be distributed or not, the question is how to effectively distribute land to those who can maximise it for the common good of the nation.

The difference principle was chosen because of the realisation that not everyone can have access to farm land but the few that can should be ones that are effective enough to produce in a manner that will benefit everyone. For example if in Zimbabwe the difference principle is at play and there are only 800 000 farmers who are effective farmers and produce to maximum capacity this will mean the entire population will benefit from cheaper products. So even though there is inequality in distribution this benefits the society for they will have cheaper products that will increase their standards of living.

### **2.3 Constitution of Zimbabwe on Agricultural Land**

For the land issue to be put into context this research has to unpack what the Constitution of Zimbabwe says about land, how it is defined and a lot of other issues it raises. Firstly a look at how the Constitution of Zimbabwe defines agricultural land. Section 72 (1) highlights the rights to agricultural land in Zimbabwe, in this section agricultural land means land used or suitable for agriculture, that is to say for horticulture, viticulture, forestry or aquaculture or for any purpose of husbandry including, the keeping or breeding of livestock, game, poultry animals, the grazing of livestock or game (Constitution of Zimbabwe Amendment (No. 20) Act , 2013).

The Constitution addresses important issues relating to agricultural land, section 72 (3) (a) addresses the issue of compensation of farmers that might have had land repossessed, it states that when land is acquired or repossessed, no compensation is payable in respect of its acquisition, except for improvements effected on it before acquisition. Section 72 (3) (b), further elaborates stating that no persons may apply to court for the determination of any question relating to compensation, except for compensation for improvements effected on the land before its acquisition, and no court may entertain any such application (Constitution of Zimbabwe Amendment (No. 20) Act , 2013). This is important because the land belongs to the state therefore compensation made should be based on developments made on that land, and not based on the repossession of that land. This is an important provision highlighted here because of the nature of which land had been acquired during the colonial era.

The constitution goes on to justify this issue in section 72 (3) (c) which makes use of section 56. Section 56 addresses the issue of equality and discrimination, The state



must take reasonable legislative and other measures to promote the achievement of equality and to protect or advance people or classes of people who have been disadvantaged by unfair discrimination (Section 56 (6)) (Constitution of Zimbabwe Amendment (No. 20) Act , 2013). In this section the constitution seeks to challenge the issue related to socio-economic justice, the argument being that if something in this case land was acquired by unjust means such as the way in which land was taken from the people of Zimbabwe then the state is committed to addressing this issue. So the process of land redistribution was an attempt to fulfil this provision.

### **2.3.1 Principles guiding policy on agricultural land**

The basic and most important principle of agricultural land in Zimbabwe is that every Zimbabwean citizen regardless of race and gender. The distribution of land must be “fair and equitable”, the land tenure system must promote increased productivity and investment by Zimbabweans in agricultural land (Section 289) (Constitution of Zimbabwe Amendment (No. 20) Act , 2013) . In this section the constitution seeks to promote legislation that will address social justice a concept that guided this research, as well as economic justice has to be addresses when considering new legislation in regard to land issue.

### **2.3.2 Establishment of a Land Commission**

The Constitution section 296 (1) highlights the establishment of a land committee which ensures accountability, fairness and transparency in the administration of agricultural land, the also conduct periodical audits of agricultural land, to make recommendations to the government regarding acquisition of private land for public purposes, to look into land usage and the size of agricultural land holdings among many responsibilities, this commission has a responsibility to look into issues that are

related to agricultural land and their functions are clearly explained in the whole section 296 (1).

## **2.4 Land Tenure in Zimbabwe**

The Constitution of Zimbabwe being the supreme Law of the Land, is very clear on the issue of land ownership in the country. The issue of Land is highlighted in Chapter 16 of the Constitution of Zimbabwe.

Chapter 16, 289 (b) subject to section 72, every Zimbabwean citizen has a right to acquire, hold, occupy, use, transfer, hypothecate, lease or dispose of agricultural land regardless of his or her race or colour (Constitution of Zimbabwe, 2013)

This section addresses the issue of the right to ownership of land in Zimbabwe. The constitution being the supreme law of the land has indicated the criteria for allocation meaning anyone that is within the stated criteria has access to land, this stipulation is in line with distributive justice, which previously stated the fairness in the distribution and allocation of goods, it is fair because it allows for level ground to compete for available land.

The constitution also looks at the issue of equity in the manner land is distributed, Chapter 16, 289 (c) the allocation and distribution of agricultural land must be fair and equitable, having regard to gender balance and diverse community interests.

Having highlighted what the constitution says about land ownership and also addressing the need to ensure distributive justice. The next question that needs to be discussed is what is the model used for land allocations in Zimbabwe and what does the law say, An article published in 2006 in The Independent by Augustine Makaro stated that, new land beneficiaries will have to go through a rigorous vetting exercise and be required to produce a convincing five-year development plan and a production

plan for a similar period before they are allowed to lease state land. The new requirement could result in non-performing land grabbers being booted out of the farms they currently occupy (Mukaro, 2006) what this article is arguing is again in line with distributive justice because the issue of equity is in play, for one to be allocated land they must be able to utilise it.

As mentioned above under the current model land is divided into two types A1 and A2, the A1 and A2 farms in the Zimbabwe Land Commission Bill 2016 are defined as:

“A1 farm” means a farm held under a permit allocated under the Model A1 scheme (villagised, and three-tier land-use plans with minimum plots of three hectares) described in the Land Reform and Resettlement Programme and Implementation Plan (Phase 2), published in April, 2001 (as re-issued and amended from time to time);

“A2 farm” means a farm held under a ninety-nine year lease allocated under the Model A2 scheme (the Commercial Farm Settlement Scheme, not exceeding the maximum farm sizes prescribed under Statutory Instrument 419 of 1999 or any other law substituted for the same);  
Land Commission Bill 2016

The Land Commission Bill also has a clause that gives powers to the state to take back land if necessary, section 27 (1) gives powers to the president to take land for public purposes, it states that President may retake for public purposes:

The President may, at any time and in such manner and under such conditions as he or she may deem fit, retake possession of land alienated in terms of this Act or any portion thereof, for State, local authority or public purposes on payment to the lessee or grantee, as the case may be, of such compensation as may be agreed upon or, failing such agreement, as may be determined by arbitration.... Land Commission Bill 2016.

This means that the state has the powers to take the land if it is not being utilised for the greater good of the society, this is where the difference principle is in play. Land allocated is supposed to benefit the society under this principle therefore if this is not

the case this is injustice and the land can be repossessed to give another farmer who can fully maximise the land.

The state through the lands commission bill limits land that can be distributed for farming purposes and the limitations are stated below.

Some of the regulations stated in the Lands Commission bill are as follows:

(1) Subject to sections 5 and 6, no person shall own a farm situated in – (a) Natural Region I if the size of the farm exceeds two hundred and fifty hectares; or (b) Natural Region IIa if the size of the farm exceeds three hundred and fifty hectares; or (c) Natural Region IIb if the size of the farm exceeds four hundred hectares; or (d) Natural Region III if the size of the farm exceeds five hundred hectares; or (e) Natural Region IV if the size of the farm exceeds one thousand five hundred hectares; or (f) Natural Region V if the size of the farm exceeds two thousand hectares.”

### **2.3. Pre-Independence Legislation on Land**

There were several pieces of legislation that governed the allocation of land, and the idea was to separate Europeans and Africans as much as possible, as well as to deprive Africans the opportunity to own land. So Legislation was crafted to ensure the realization of this goal, the two most mentioned Acts are the Land Apportionment Act and the Land Tenure Act.

#### **2.3.1 Land Apportionment Act 1930**

The idea was to allocate separately defined areas in which Europeans and Africans could respectively and exclusively acquire land had arisen in the Rhodesian legislature. Africans could purchase land anywhere outside the reserves but little land

had been alienated to them by 1920, meanwhile Europeans had purchased 12 545 528 hectares, Africans had only bought 16 188 hectares (Moyana, 1984). Due to fears that the African would demand more rights to purchase land, legislation passed in 1930 (Land Apportionment Act). It barred African landownership outside the reserves, except in a special freehold purchase area set aside for “progressive farmers” the best land was allocated to whites; less than one-third went to Africans, while about one-fifth remained unassigned. From 1937 Africans not required as labour on white-owned lands were removed to the reserves, which became increasingly congested (Southern Africa, 1899-1945, 2017). When a system is in place that does not allow equal opportunities for a certain group of people to take part then that system is discriminatory which goes against equity and the principle of social justice.

### **2.3.2 Land Tenure Act 1969**

The purpose of the Land Tenure Act was to ensure that each race shall have its own area, the interests of each race shall be paramount in its own area and neither race may own or occupy land in the area of other race, except by permit which shall be issued or refused by a Minister of Government (Cary & Mitchell, 2008). This is in direct contradiction with the principles of distributive justice, this form of distribution only benefited the white minority, which got the best land and not the entire population, the black majority was marginalised and got the least productive land. Race was the criteria for allocation, fairness was not considered.

The Act of 1969 reserved 15.5 million hectares, largely in the most productive areas, for some 6,000 farms, owned by both individual white farmers and large estates; 16.4

million hectares for 700,000 black families; and 1.4 million hectares for 8,500 black small-scale farmers. By the end of the war (war of liberation), 42 per cent of the country was owned by white farmers, and inequality had been exacerbated by the Bush War, as thousands of Africans either left to escape the fighting or were forcibly relocated into “protected villages” (Southall, 2011). Therefore in light of this there was need to redistribute this land to include black farmers, or rather a new model had to be created to address the injustice that was associated with this situation.

#### **2.4 Land Reform in 2000 (The Narrative)**

This section will give a narrative of the process that led to the FTLR in 2000, it is very important to note that there is general consensus that land had to be redistributed to achieve social justice, it was the process of repossession that faced so much resistance. Even the opposition party as well as the British government was in support of redistribution just not in the manner in which it was done.

Sometime after the constitutional referendum in February 2000, a rag-tag army of former guerrillas invaded white owned farms and occupied land throughout the country in a coordinated operation. The government provided Z\$20 million (US\$ 500 000) to fund the war vets, and the severity of attacks ranged from courteous negotiation to total occupation of the farmers home, forcing farmers out of their farms, (Geoff, 2003) The police commissioner ordered the police not to intervene in ‘political matters’, and the rural communities were left to fend for themselves, (Geoff, 2003).

This was a violent land reform program popularly known as the ‘Farm Invasions’

To understand the grievances of the Zimbabwean people there is need to expose the land situation in the country. At independence about 6000 white commercial farmers owned 15 Million hectares of land while 8,500 small-scale Black Zimbabweans farmers had 1.4 million. The rest, an estimated 700 000 communal farming households, subsisted on 16.4 million hectares. In other words, these households occupied less than 50 per cent of all agricultural land, of which 75per cent was in the drier less fertile agro-ecological regions 4 and 5. There was therefore a keenly felt sense of historical injustice and deprivation over the question of land (Sachikonye, 2011). Therefore the need to redistribute land was a necessary process and in principle the need to reallocate land was valid. The theory of distributive justice speaks to this need because there was already an unequal distribution of land.

The withdrawal of the British government support to finance the land reform was again what justified the land invasions in the country, and throughout the course of the invasions the above reason was seemingly the most important cause. The shift in the new British government policy on land issue in Zimbabwe was seen by the government as refusal to honour its promise and this was enough to start the invasions. This is important to mention because it explains the manner in which land was taken and the methods that were used. It also explains why a specific group of people only benefited from this type of land reform and so this is why it is an important point to mention considering the purpose of this research is to establish whether socio- economic justice was served or not.

#### **2.4.1 Results of the fast track land reform 2000**

By 2009 the Government of Zimbabwe had acquired some 10.8 million hectares (ha) of land for resettlement programme out of a total of 12.3 million ha of commercial land, in general the government sought to reduce large scale commercial farms from an average of 2,200 ha to 500 ha or less, thereby increasing the number of commercial farmers from 3,950 to over 300,000 (split into small and large farms) classified as either A1 or A2 farms (Matondi, 2012, p. 8). This was the Zimbabwean government's attempt to address distributive justice, demarcating the farms to increase the number of farms as well as increase the number of farmers was a key step to address this.

Under this model A1 farms were supposed to be small farms of between 12 and 30 ha in agro-ecological regions, the main purpose of the A1 scheme was to decrease land pressure in the communal areas as well as to provide assets to the poor so that by 2011, there were 145,775 beneficiaries on 5.8 million ha (Matondi, 2012). The principle of distributive justice was at play in this instance, the government's attempt to involve as many black farmers as they could in this process, opening up farming land to black farmers that meet the criteria for allocation.

In the beginning of 2000 the government equally prioritized the elite and the resource driven A2 model ostensibly to de-racialize the large-scale commercial farming areas, the starting point for the A2 model was the decision in phase II of the Land and resettlement Programme in 1998 that recommended the selection of agricultural graduates as well as blacks involved in agriculture to be the primary beneficiaries of



any public resettlement scheme, the idea being that of a development of a middle and upper class of blacks in agriculture on the basis of economic empowerment (Matondi, 2012) . This move was in line with the difference principle, where there was recognition that there is need for a capable black elite to acquire large pieces of land for farming which shows the relevance of this concept to this research.

The main question to be asked was that how A1 and A2 famers selected, the process of beneficiary selection are was based on a system of application, the A1 model individuals applied for the land from the district land identification committee (composed of chiefs, war veterans and civil servants). For the A2 model, individuals had to apply directly to the ministry and filled in a form with supporting documents proving ability to raise necessary farming resources (Rukuni, Tawonezvi, Eicher, & Manyuki-Hungwe, 2006). These lists of applicants for A1 and A2 models applicants were vetted by the provincial land identification committee before submission to the ministry where the minister signed an offer letter to the successful applicant (Rukuni, Tawonezvi, Eicher, & Manyuki-Hungwe, 2006).

The table below gives a graphic picture of the land that has been allocated to beneficiaries showing the extent of the progress that was made to distribute land to the people.

*Table 1: Results of the distribution of land*

<b>Farming Sectors</b>	<b>Area (ha)</b>	<b>Number of Plots/ beneficiaries</b>
A1	5,759,153.89	145,775
A2	2,978,334.08	16,386
Communal areas	16,000,000.00	1,200,000
Old Resettlement Areas (Phase 1 and 2)	3,667,708.00	75,569
Large-scale commercial farms (unacquired)	648,041.27	1,154
Small Scale Commercial Farms	1,400,000.00	8,000
Conservancies	792,009.00	-
Institutional Farms	145,693.42	113
Unsettled gazette land	757,577.51	517
Total	32,148,517.17	1,447,523

(Matondi, 2012, p. 9)

The results of the land reform programme were as follows. In April 2001, the objectives of the land reform and resettlement program were, among other things, said to be to acquire not less than 8.3 million hectares from the large scale commercial

farming sector for redistribution (an increase from the five million hectares stated in 1998). In October 2001, the government announced that it intended to list for acquisition 4,558 farms, covering 8.8 million hectares. In the same month, based on a survey of its members, the Commercial Farmers Union (CFU) estimated that 1,948 farms had been physically occupied and that the number of people occupying farms had risen to 104,000 from an estimated 25,000 at the end of the year 2000, with an overall average of fifty-three occupiers per farm.

By the end of 2001, about 250 farmers out of the CFU's total membership of 3,500 had left their farms over the previous year, and the Ministry of Land, Agriculture and Rural Resettlement had recorded that 114,830 households had physically moved and resettled on 4.37 million hectares. By January 2002, up to 6,481 farms had been listed for acquisition. Of these, 918 had been removed because they were counted twice, and 689 were delisted after litigation or negotiation; leaving a total of 4,874 listed farms, or 9.23 million hectares of land (B. Manby, 2002)

## **2.5 Land Reform Models**

There are many countries that have had successful models for the redistribution of land amongst the people, for both social and economic reasons. In light of this study will look at other models of land reform and borrow ideas that could be useful in developing a suitable model to Zimbabwe for future distribution of land.

Redistributive land reform may promote both equity and efficiency. Implementing such reform can be costly, however, and may not be the best way to achieve redistribution. If land redistribution is to be implemented, it should be based on a

uniform land ceiling that can be exceeded if landowners are willing to pay a high enough price to do so. Owners of redistributed land should be permitted to rent out their land. Sales of redistributed land should however be restricted though not banned: sales that respect the land ceiling should be permitted and a government body should be empowered to buy back land from those who need to sell. Land reform programs should be accompanied by agricultural extension and emergency income support programs. Where traditional (coercive) land reform is not possible, market-assisted reforms and tenancy reforms can be considered, but while they are easier to implement, they have important disadvantages (Banerjee, n.d).

These are some of the measures that could have been looked at as a model for redistribution of land.

In Mexico land redistribution formed an integral part of the nationalization process, popularly known as "Mexicanization". The implementation of the "Mexicanization" system was immediately followed by distribution of the land, affecting both local and the foreign landlords immensely. Though the process was a very slow one, yet was effective in the sense that it allocated about 5.3m hectares of lands among half million people belonging to as many as 1500 different communities. By the year 1930, the Mexican communal landed properties (Ejidal) comprised a total area of 6.3% of national agricultural lands (Butterfield, 2010)

Land reform in Mexico had to deal with large farms owned by landlords and this had to be distributed to local people or peasants, in the 1900s the process of the reform began and evolved with time. The term Ejido was used and is defined as Ejido, in Mexico, village lands communally held in the traditional Indian system of land tenure

that combines communal ownership with individual use. The ejido consists of cultivated land, pastureland, and other uncultivated lands. In most cases the cultivated land is divided into separate family holdings, which cannot be sold although they can be handed down to heirs (Butterfield, 2010). This process is almost similar to the A1 model used in Zimbabwe, the idea of communal use of land was replicated in Zimbabwe and major similarities is that this land cannot be sold but can be passed on.

This new model also spoke to ownership of the land, the state wanted to avoid individual ownership of vast pieces of land (like in Zimbabwe) and therefore when land was redistributed the beneficiaries of land reform, only received rights to use the land in legal theory, and could not alienate it as if it were private property, if an ejidatario could no longer farm his or her land, and had no successors in the family able to do so, the plot should revert to the community for redistribution to some other potential beneficiary (Historical notes on Mexico's land Reform, 2017). This component in the model is similar to that of Zimbabwe in that the state demarcated land to avoid individual farmers owning vast amounts of land.

This was sustainable for some time, however, land titles have been bought and sold in ejidos, and ejidal land might be rented to capitalist entrepreneurs from outside the agrarian community for long periods. But these were informal and illegal practices up to December 1991, when the neoliberal administration of President Carlos Salinas de Gortari amended constitutional Article 27 in ways which will in practice make legal sales of ejido land possible for the first time and allow peasants to put up their land as collateral for a loan (Historical notes on Mexico's land Reform, 2017).

The result of this model is that to date following a series of land reform laws and programs in Mexico, the overall agricultural sector underwent remarkable changes. At present, almost all peasants in the country are owners of small plots of land. Since small pieces of lands resulted in small yields, hence the farmers supplemented their earnings by working for the Mexican landlords (Butterfield, 2010). It is important to note that the creation of these Ejidos was critical in the actual distribution of land in Mexico the ultimate turning point was Article 27 that made legal sales of Ejidos and allowed owners to get loans from the banks.

In Italy a bill was passed on May 15, 1950, by Parliament and is known as the "Sila Law". Its most important clauses provided that henceforth privately owned holdings in the Sila district were to be limited to a maximum extent of 300 hectares (750 acres) that land in excess of the ceiling set by the law was to be expropriated and distributed in the form of small holdings to landless peasantry and that the Sila Development Board, organized in 1947 was to implement the provisions of the law (Kish, 1996). The concept of creating a maximum number of land and reallocation of land is similar to that of Zimbabwe as well as Mexico in that the state wanted to avoid individuals owning vast areas of land.

Adopting the criterion of land use as the basis of reform Italian lawmakers created a method of agrarian reform that differs radically from previous attempts carried out by similar reforms elsewhere. Land reform legislation as executed in various countries during the thirty years previous to 1950 was based on either the legal-mechanical or the collective principle. Where the legal-mechanical principle was adopted, an upper limit of acreage for any one holding was established by the law. Land in excess of that acreage was expropriated by the state, compensation to be paid the owner, and the

acreage thus expropriated was distributed to 13. This model is similar to Zimbabwe in the idea of compensation of land paid back to the previous owners of the land if it was expropriated.

Claimants, thereby creating many small holdings from a single large estate. Under this form of legislation, the use to which the land was put previously, and the contribution it had made to the livelihood of people living on or near it, was ignored. Model farms lost acreage in excess of the upper limit in the same manner as holdings that consisted entirely of meagre pastures. Size was the only criterion of expropriation.

If land is used wisely and intensively, employing a substantial number of workers, and producing a high income per unit area, the portion of the holding to be expropriated is relatively small. If, on the other hand, the land is used extensively, producing a low income per unit area, and employing only a small, largely seasonal labour force, the loss of land to the owner through expropriation is bound to be high (Kish, 1996). This model can be replicated in Zimbabwe to deal with low productivity. This allowed for maximization of production of crops and enabled agriculture to thrive, the immediate of this model is that it motivated farmers to do exceptionally well to avoid their land from being taken away by the state.

This can be a good model for the Zimbabwean context for it will encourage current farm owners to maximize on farms so as to avoid seizure of land. Another interesting mechanism was called "Land Reform Extract Law" of 1950, the proportion of a given holding to be expropriated was calculated on the basis of the total taxable income of the holding, combined with the taxable income per hectare. Total taxable income was

that declared on January 1, 1943 by the owner. On that date Italy's post-war inflation had not yet taken place, and the figures, entered on the tax rolls, are part of the public record. Taxable income per hectare is not calculated, however, by the simple method of dividing total declared income by total acreage. The law expressly states that woodland and land not in crops are to be deducted from the acreage used as "denominator" in calculating the income per hectare (Kish, 1996).

However to summarize the model used by the Italian Government on Land Reform it was more to do with distributing land for productivity, not only for the purposes of distribution alone, but redistribution to enable distributive justice as well as ensuring that productivity would serve the greater good for the nation. This process due to legislation was structured as follows:

Government created agencies which operated in specific areas in Italy for example in the Zimbabwean context the Government creates agencies that will be allocated to each farming district in the country that are accountable to the minister of Lands. In Italy all these agencies and sections of other institutions dealing with the execution of the land reforms are subject to general supervision and co-ordination by the Ministry of Agriculture. The Ministry appoints the chairmen, general managers and members of the boards of directors of the agencies. The decrees which set up the agencies and defined their respective areas of operation were all issued towards the end of 1950 and the beginning of 1951 (Bandini, 1955). As a result this process had accountability and transparency something that can be replicated in Zimbabwe.

According to Cross Currents, land reform in Japan was regarded as one of the most successful of the occupation-era reforms, and has become the model for land reform in other countries. The purpose of land reform in Japan was to reduce the wide gap



between absentee landlords who owned agricultural land but did not farm it themselves, and tenant farmers who rented the land in exchange for giving the landlord a high proportion of the crop. The land reform laws in the country were intended to limit the amount of farm land one household could own to about the amount of land that one family could farm themselves, without outside labour.

The government forced absentee landlords to sell all their land to the government. Farmers were allowed to own a small amount of farm land that they could rent out to others ( 2.5 acres or one hectare in most parts of Japan, and 10 acres or 4 hectares in Hokkaido), and had to sell any excess to the government. The government then sold this land, usually to the tenant who had been farming it. The result greatly improved the living conditions of farmers (Land Reform in Postwar Japan, 2003).

## **2.6 Critic of Land Reform**

Land distribution is populist and land should be competitively distributed only to those that will guarantee maximum utilization of the land, capitalism should be at play to facilitate effective farming. This is echoes by the difference principle which allocates resources to the few that can in tern produce for the greater good of the nation. Land should not be distributed to everyone but to those that can produce for the nation and its people. The issue of equal distribution of resources is populist and not in touch with the reality that not everyone will and should get land but only those that can produce for the good of the nation which is what the difference principle address.

In countries under Communist influence land reform programs followed the collective principle. All private land holdings were expropriated, regardless of size, and title to

the land was vested either in collective farms, representing groups of farmers, or in the government itself, as owner of state farms. Household plots, usually less than an acre in size and adjacent to farm houses, are the only remaining privately owned land holdings in this system, all other land is communally owned (Kish, 1996). This would mean only qualified farmers in this set up will have access to this land and it is not redistributed to the people based on the belief that everyone deserves land. Land does not have to be distributed equally but should be done in a way that can produce effectively, cutting farm sizes could be problematic, and having thousands of farmers will not guarantee productivity having a few could be more effective. This is why the difference principle is paramount to maximum utilization of land because the few that have the land despite this having inequalities the difference principle is going against equality towards efficiency.

While it is clear to most people that skin colour or religion should not be valid criteria of distribution (which was the case in Zimbabwe), real-life experience suggests that such factors often turn out to be quite significant. In the United States, as elsewhere, issues of distributive justice are connected to concerns about systemic poverty and racism, and questions about the fairness of affirmative action policies that grant preferential treatment to particular racial or gender groups (Maiese, 2017). In Zimbabwe this is the same, the claim is that white farmers are not getting access to land post 2000. Although always challenging, to the extent that re-distribution can be enacted by the government through what is widely perceived to be a legitimate decision making process, success is more likely to be achieved. If the redistribution process is seen as illegitimate, renewed conflict is a more likely outcome (Maiese, 2017).

## **2.7 Summary**

This chapter captured available literature on issues concerned with land reform, a narrative on the sequence of events leading to FTLR was given, land tenure in Zimbabwe was also captured and the conceptual framework was discussed and linked to its application in the research. Other countries that embarked on their own land reform were discussed

## **CHAPTER 3: METHODOLOGY**

### **3.1 Introduction**

This study made use of the qualitative approach in collecting and analysing data, in depth interviews were carried out to the identified key informants and their responses were analysed. Targeted population included members of the Ministry of Lands and Rural Settlement, Ministry of Agriculture, the banking sector, farmers, beneficiaries of the land reform as well as those that are applying for land. This section will give more insight and justify why the data was collected in the manner in which it was collected. The research design, the data collection instruments and data collection procedures will be discussed in this chapter.

### **3.2 Research Design**

The study will use qualitative method of obtaining and analysing data because in order to critically analyse data effectively. Qualitative methods is used to gain an understanding of underlying reasons, opinions helps to develop ideas and motivations as well as giving insights into problems (Wyse, 2011). In as much as this research study sought to gain insights into the dynamics surrounding the fast track land reform in Zimbabwe the most, convenient methodology was one which could retrieve reasoned out explanations and justification for the process from the key stakeholders namely the government line ministries, commercial farmers and the new farmers, applicants for land and beneficiaries.

### **3.3 Population and Sampling Methods**

#### **3.3.1. Population**

A research population is generally a large collection of individuals or objects that is the main focus of a scientific query (Grey, 2009). In this case that population is made up of the following groups of people. The government of Zimbabwe line ministries namely The Ministry of Agriculture (5) and the Ministry of Lands and Rural Resettlement (4), the white farming community represented by the Commercial Farmers Union of Zimbabwe (CFU) (2), post 2000 land reform beneficiaries (4), prospective black land applicants (3). Members of the banking sector Agri Bank (2) and the Commercial Bank of Zimbabwe (CBZ) (2).

***NB- The numbers in the brackets represent the numbers of participants interviewed***

#### **3.3.2 Sampling methods**

Non-probability sample method was used specifically the purposive sampling technique. Non-probability sampling is a sampling technique where the samples are gathered in a process that does not give all individuals in the population equal chances of being selected (Gray, 2009). Purposive sampling is a non-probability sample that is selected based on characteristics of a population and the objective of the study (Crossman, A , 2017 ). The reason for this technique in the research was because of the nature of the research, information must be obtained from those with first-hand information on the sequence of events and technicalities of the issues in discussion, so technocrats where the target in order to obtain accurate data of the events and systems. The researcher also employ the snow balling sample technique where research participants recruit other participants for a test study, normally used where potential

participants are hard to find (Gray, 2009). Snow balling was used based on recommendations given by the subjects, this allowed for accurate and detailed information because the researcher was getting prominent individuals to explain what happened in open interviews which will give the researcher the opportunity to compare responses effectively. Research participants are not always created equal, one well-placed articulate informant will often advance the research far better than any randomly chosen sample of 50 (Palys, 2008).

### **3.5 Data Collection Instruments**

The instruments that were used by the researcher were three namely in-depth interviews, observation and documentary analysis.

#### **3.5.1. In-Depth Interviews**

In-depth interviewing is a qualitative research technique that involves conducting intensive individual interviews with small number of respondents to explore their perspectives on a particular idea, program, or situation (Boyce C; Neale P, 2006). Data collected through interviews is rich data and deeper insights are gained, the direct interaction with the participants which would get a lot more information about the topic in question.

#### **3.5.2. Observation**

Observation is a systematic data collection approach, it is used to examine people in natural settings or naturally occurring situations (Cohen D, 2006). This was used in order to allow the researcher to observe the process of land allocation in order to get additional information that might not have been mentioned in interviews.

#### **3.5.3. Documentary Analysis**

Is a form of qualitative analysis in which documents are interpreted by the researcher to give voice and meaning around an assessment topic, analysing documents incorporates coding content into themes similar to how focus group or interview transcripts are analysed (Gray, 2009). Having access to official government documents is essential because they are normally very detailed and reliable to use.

### **3.6 Data collection process**

The researcher faced no challenges when getting data from chosen institutions and individuals except from the Ministry of Lands and Resettlement. The procedure to get a letter for approval was difficult a lot of red tape was in the way but once approval was given individuals were forthcoming with the researcher and responded well. Participants from this Ministry did not want to be recorded during the interviews. The farmers and the banks were forth coming through the entire process and were willing to give as much information as possible. One challenge that the researcher faced was getting relevant documentation on time, all the documentation acquired came in fragments and this was difficult for analysis and compilation.

### **3.7 Pilot Study**

A pilot study was done with the assistance of the provincial office in the ministry of lands and Rural Settlement in Mutare. The assistance of this office in the pilot study was vital, the researcher needed to establish the relevance of the research design and the questions in the in depth interviews to be carried out. Through this pilot study the researcher was assisted to ensure that interview questions would directly respond to the objectives of the research. Pilot study had 3 high ranking officers in the ministry who assisted the researcher in crafting his questions as well as getting technical

information. This process is critical to ensure that systematic areas that are usually associated with the chosen research design do not occur or are limited.

### **3.8 Ethical Considerations**

This research study was carried out prioritizing good research ethics. This study took the view that the overriding ethical consideration was that of simultaneously doing well and ensuring that no harm is generated in relation to the participants and their situation (Homan, 1991). Data was gathered with the consent of the respondents and anonymity was top priority, their names were not used during the recording of data. The respondents were made aware that they could withdraw from the study at any time during the interviews. The participants were well informed about the research, the knowing consent of individuals to participate as an exercise of their choice, free from fraud, deceit, duress or similar undue inducement' Berg (2009, p. 87) It is for this reason the researcher prioritised this aspect of the research. The respondents were assured that their anonymity would be safe-guarded.

### **3.8 Summary**

This chapter discussed the methods used to collect data from the respondents as well as the population that was targeted for this research. The sampling techniques that the researcher used were discussed. The research design was explained as well as the ethical considerations.



## **CHAPTER 4 DATA PRESENTATION ANALYSIS AND INTERPRETATION**

### **4.1 Introduction**

There are three objectives that this research sought to address the first being the model use to distribute farm land in Zimbabwe, Investigate the criteria used to allocate land and ultimately recommend a model that can be used to distribute land to maximize production. These are some of the responses that will be discussed in this chapter.

### **4.2 Presentation of Findings**

#### **4.2.1. Perceptions of the necessity of land distribution**

The sampled population all agreed that this process of redistribution of land was necessary and had to be done. There was consistent responses all round regarding redistribution of land, general response was that the situation prior to the FTLR could not be sustained.

#### **4.2.2 Model used to Distribute Land**

This will address the first objective which is to assess the model used to distribute land in Zimbabwe.

There are two types of farm land in the Zimbabwean model of land reform after 2000, there are A1 farms meant for subsistence farming and A2 farms meant for commercial and national production, as one official interviewed explicitly explained

“A1 farms are meant for food security and meant for self-sufficiency, while A2 are supposed to cater for national production” (interview carried out on 27 March 2017).

This was the classification made at this time to differentiate the two types of farms.

A senior member at the ministry of Agriculture explaining the stages of land distribution stated that:

“The perspective A1 farmers initially invaded the farms and then the land was later parcelled out and given to occupiers. Later access to A2 followed the same procedure and lands committees were formed at district level to vet the applications while access to A1 was through the sabhuku (Chief). An applicant would go to the sabhuku who would recommend him/her to the district administrator to process the offer letter ” (interview carried out on 27 March 2017).

Explaining the stages for the inception of the land redistribution, what is shown here is that the Sabhuku has a major role to play in the distribution of land under this model, putting it into context the A1 (which consist of about 6 hectares of land) farms were allocated through referral by the sabhuku and for the A2 farms the land committee sits and does the allocation. This is what this model entails respondent stated that A1 in most instances was issued out at district level by the ‘Sabhuku’ and after the fast track land reform programme A1 farms first preference was given to invaders of that land.

A point that needs to be highlighted by a high ranking official of the Ministry of Lands and Rural Resettlement emphasized that “Land is not purchased, it is allocated”

The model that is used in Zimbabwe is that land remains the property of the state and those that are allocated land are leasing it from the government. For one to get this lease the process is explained below.

#### **4.2.3. 99 year lease Application Process**

When one applies for land (in the A2 Scheme) recommendation is done at the District level and provincial level, application forms are submitted at the district and provincial offices and the screening process begins, once a list of those granted land has been completed the list of applicants that have been selected they are then recommended to the minister for approval once they have been approved and signed by the minister then the next stage begins.

The next phase of this process is as follows, an applicant has been allocated land in the A2 scheme, receives an offer letter from the ministry which stipulates conditions that the allocated farmer has to abide by. each case according to a respondent in an interview, a lot of famers actually just have an offer letter and do not have a lease agreement, it is believed some can go months if not years without this lease agreement. One of the farmers interviewed stated that she got her land years ago and has still not received her 99 lease agreement, with this letter (the offer letter) applicants use it to apply for a 99 year lease, once application forms had been submitted, an inspection team comes to assess developments made and the farmers plan for the farm, information is documented and a report is submitted to the Ministry of Lands and Rural Settlement, once they approve surveyors would need to visit the farm for pegging. (The application form of the 99 year lease will be attached).

To put this process into perspective here is an account of one of the respondents who recently benefited from this model, on how they recently got given land using this same model:

I applied at Ngungunyani ministry of lands.....I filled out a form for land allocation, there after I went to Marondera the province yandakasarudza<sup>1</sup> they computerized then my name was picked in Marondera when I went there. I had to go for several meetings to check kuti kune munda ndekupi<sup>2</sup> since allocation yanga yatanga (had began) long back kuma 2000.....

They identified land in \*\*\*\*\* at a Farm called \*\*\*\*\* .....I filled out forms for that land and later given an offer letter.....

I later applied for an 99 year lease, inspection team was sent to inspect see improvements etc and to hear what plan I have for the farm....all was documented.....I got a letter after about 6 months to say 99 year lease was approved, paizoda kuti maSurveyors vauuye to repeg<sup>3</sup> the whole farm. Takanzi we can hire private surveyors or wait for government surveyors, Private was too expensive, Government surveyors only came a week ago.....stayed with them for 10 days while surveying the farm (Interview 23 March 2017)

According to this interview they are done with the surveying and are currently waiting on the report then which will be sent to ministry of lands, then the lease agreement will be issued, she wasn't sure if the audit report will come back to them or not.

Ministry of Lands office (A key informant interview in Harare) explained that there are two Land committees at district level and at provincial level all comprising of members of the armed forces, war veterans, the chief, members of the ministry of Lands and Rural Resettlement and Ministry of Agriculture. He went on further to state that the land committee only sits on the A2 farms and the A1 farms, the process goes through the Sabhuku (as previously explained). So applicants apply at their district office after a selection process a shortlist of names (recommended by the district Land committee) is taken to the Provincial offices, this office also creates a list of recommended names that will be taken to the minister for approval. The

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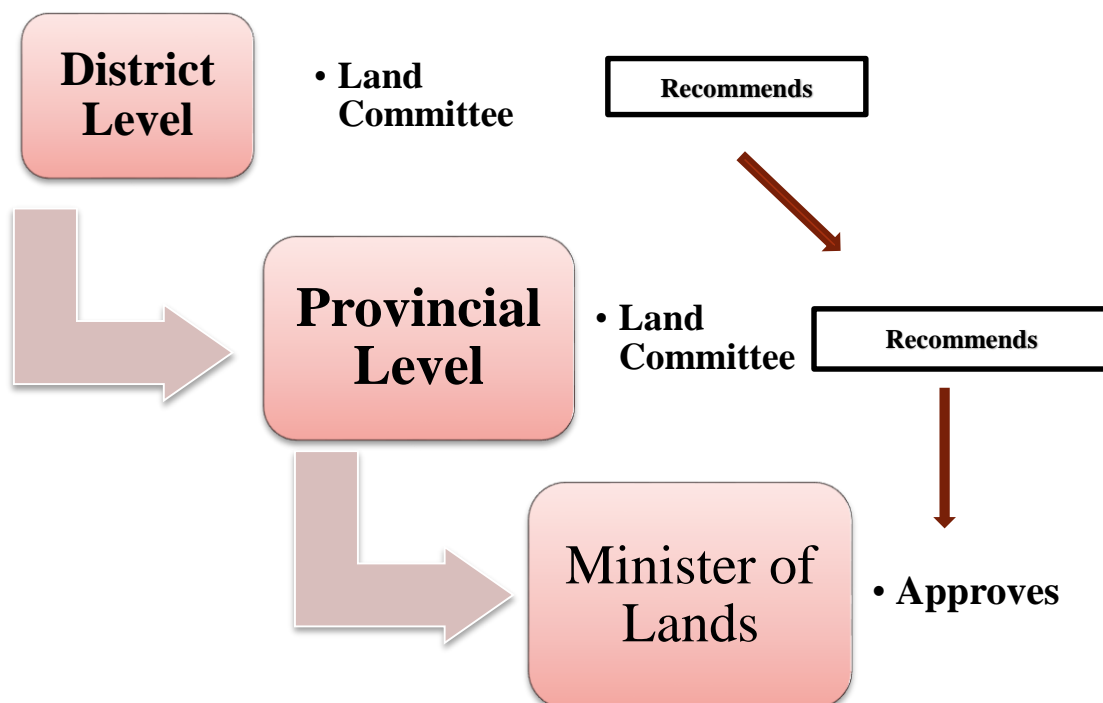
<sup>1</sup> Yandakasurudza (Shona)- The province that she had chosen to apply for land  
The model is such that you submit forms at the District or Province you want land to be allocated so she was explaining just that.

<sup>2</sup> To check where a farm was available

<sup>3</sup> paizoda kuti maSurveyors vauuye to repeg (shona)- There was need for surveyors to come and repeg the land

Diagram below will demonstrate the process that is followed when applicants are applying for land:

*Figure 1: The Land Committees*



#### 4.2.4 Criteria used for selection of land beneficiaries

This section will deal with the second objective which is to examine the criteria used for land allocation on the current land reform programme.

The researcher in the process of investigating also made an attempt to apply for a piece of land and was given an application form in order to apply for a piece of land, the form states the criteria used for the selection of those that can get land. It states:

“The scheme is open to all citizens of Zimbabwe, be they in public or private sector including women, war veterans, former detainees and restrictees and disabled persons”

“Applicants who provide proof of availability and/or ability to mobilise adequate resources to support the proposed farming programme will have an added advantage”

The form also has a section 7 that has requirements that should be added to on an applicant's application, it states:

“Attach an annual cash flow projection for a five-year development programme. A statement and/or proof of training or experience in the agri-industry and proof of ability to command funds in the form of cash and/or movable assets to carry out your intended agricultural activity will be an added advantage”

This is the criteria that is officially used for selection of those that will be granted farm land, the question now is to what extent is this criteria followed.

Four key informant interviews carried out in their responses to the issue of criteria quoted the constitution chapter 16 of the constitution of Zimbabwe which speaks to the fact that all Zimbabweans can be land beneficiaries. By virtue of being Zimbabwean land is given, this is supported by the land acquisition Act. The criteria for land allocation according to the official Ministry of Lands and Rural Resettlement application form is that those that are equipped with the skills and can attach a five year cash flow of income as well as their ability to command funds would stand a high chance of having land allocated to them. So that is the official ministry position regarding criteria for allocation.

An unofficial position was then articulated by one of the key informant interviews, although he agreed that one had to be Zimbabwean argued that:

“land was reserved for war veterans, ministers, and those connected to the ruling party and that is no secret, look at how many farms they have it is very clear” (Interview carried out on 28 March 2017).

The respondent claimed that this was the criteria for land to be given, contrary to that another respondent claim that land in 2000 after the invasions was given to the

‘invaders’ and the claim was that ‘land was given to the first farm invaders’. This brings in question the issue of the criteria used for selection of those that had land allocated to them. It is important to state that these respondents acknowledged that individual farmers who had applied for land, received the land.

A senior member of the ministry of Lands and Rural Settlement interview stated that:

“The first 80 farmers per each province was done okay, it was effective, there was conclusive information about the farmers about their knowledge and their experience, but after that it was chaos” (Interview carried 16 March 2017)

This respondent argued that the first form of redistribution was done effectively and she stated that at first it was done well and ‘as time went on people got greedy’ and started being corrupt and had no regard to the standards that were set. This respondent also highlighted that when it became chaotic a lot of ministers and members of the ruling party as well as war veterans began to take land based on who they knew and their political affiliations.

#### **4.2.5 Issues raised about the current Land Reform and Resettlement Programme**

According to some of the respondents the A1 model has had more success than the A2 model, a female respondent from the ministry of Agriculture stated that the A1 model ‘has served its purpose’ although this seems to be her position on this matter it goes without its challenges and some of these challenges will be discussed in this section highlighting

#### **4.2.6 Key findings on A1 model**

During the research my findings were echoed by a report the National A1 Land Audit which will be used to support the researchers findings, this report will be used on supporting the issues raised on the A1 scheme. In order to make this organized it will be divided into categories and topics.

#### **4.2.7 An analysis of the A1 Model of Land Reform**

##### **4.2.7.1 Allocation of Land**

A1 plots were allocated mostly to people who invaded farms in 2000 and 2001 no regard of place of origin people occupied farms regardless of where they were from and according to this Land audit a quota system was then put in place to accommodate people from districts without farms. Based on this report there was no discrimination against gender or place origin the only interest groups pronounced by the quota were the war veterans. This quota entailed that 20% was for the war veterans some complained that they did not get the 20% in certain districts. In a number of districts farms were planned to accommodate all land occupiers disregarding the carrying capacity of the farms.

On issues concerning planning of this land it was observed that planning and demarcation of most A1 farms was done when people where already on the ground this resulted in very small and unviable plots being created.

A1 Farms average 6 hectare and are given based on recommendation to the district administrator from the sabhuku and then applicant is given a permit for that land



#### **4.2.7.2 Security of tenure on A1 Schemes**

According to the report A1 beneficiaries in all districts do not feel safe to invest heavily on their plots resulting in low productivity across the board. The report raised 4 issues regarding insecurity of beneficiaries:

- i. Some A1 farms were replanned to A2 and this generally gives a sense of insecurity to the beneficiaries especially those on highly mechanized farms
- ii. At inception the beneficiaries were advised not to build permanent structures before planning and demarcation was done. Beneficiaries allege there has not been any instruction advising them to start putting permanent structures
- iii. Other settlers allege that they are refused permission to bury deceased family members on their plots. This gives doubt that they are on the farms permanently
- iv. Some financial institutions are reported to be refusing to accept A1 permits as legal documents

According to the report the A1 Model was meant to decongest communal areas hence there was no screening of beneficiaries. This resulted in many beneficiaries without farming skills being allocated plots. At the same time another issue raised was that some provinces have more settlers than their carrying capacity with some people settling themselves on land designated for grazing. In drier areas this is not the case, because of the water situation some beneficiaries were forced to abandon the plots.

#### **4.2.7.3 Multiple farm ownership and double allocation**

There are several situations that lead to multiple ownership across the districts, these are some of the issues raised concerning multiple ownership:

1. Beneficiaries owning more than one A1 plot

2. Owning an A2 plot or land classified under other schemes
3. Beneficiary registering several A1 plots in different people's names but utilizing all the plots
4. Spouses of A1 beneficiaries owning land
5. Beneficiaries owning their previous communal homes

Regarding double allocation of land there are some issues raised based where there were two or more beneficiaries having official permits for one plot and co-exciting on the plot. In many cases this was because district administrators reallocated plots without withdrawing previously issued permits.

#### **4.2.7.3 Issues raised on the A2 Schemes**

When conducting interviews every respondent was keen on highlighting issues on the A2 scheme, every one of them even when asked A1 related questions would always mention issues to do with A2 scheme. This seems to be the most contentious scheme regarding land redistribution in Zimbabwe based on the interviews conducted, a lot of issues were raised in most instances multiple respondents highlighted the same issues as challenges in this area. The challenges will be mentioned based on responses and solutions to these challenges will later be addressed.

In the selection process of land beneficiaries there are a lot of loopholes and a lot of corruption to the point where those empowered to give land are generating income for themselves and then allocate land to those that either they know or those that have paid them. This poses a serious threat to the transparency and accountability of the whole process. There needs to be a more clear process that can cater for an effective and fair allocation of land

A follow up on the above mentioned point is that because of the different land committees at district and provincial level this causes double allocation when a farm is vacant at district level the land committee allocates, at provincial level the same farm is allocated to someone else causing disputes.

There are issues of double allocation is as a result of this system for example because there is a land a land committee at district level and at provincial level, in this case if land is vacant at district level the allocate it to someone and at provincial level that same land will be allocated to another person and there is double allocation of land.

One of the most consistent arguments that was raised as a big issue was the issue of politicizing land reform, the fact that the land issue in Zimbabwe seized from its inception from being an economic issue to a political issue. As a result this has contributed so much negatively for example a key stakeholder from the ministry of Lands stated that influential war veterans as well as other influential members from the ruling party will have plots in either A1 or A2 schemes and some of these individuals have no knowledge of how to farm but were given productive land simply because of their political affiliation so any form of adjustment that is necessary to be done will not affect them for fear of political suicide because an individual might have influence in a particular province or district. So respondent emphasized that “we have to separate land reform with politics and start doing it for economics”. The issue in this regard is simply to award those that are qualified farmers and not because of their political affiliation.

Another respondent highlighted a weakness in the land committee he argued that there was no tight monetary measures, no clear control measure that can insure transparency and efficiency.

A number of farmers and respondents including a member of Agri Bank also highlighted an issue of how the lease agreement does not allow for banks to feel comfortable to give farmers loans. The lease agreement does not allow for the bank to take ownership of the farm or to sell the farm if the farmer defaults from his/her debt. The reason being that under the Zimbabwean Model land belongs to the state so there has not been any security for the Banks if farmers default on their loans.

In cases where banks do give loans to farmers the interest rates are 12% to 15% which is very high for farmers. This loan according to respondents has to be paid back in most cases within 6 months and this is not practical. A respondent gave an example from the colonial era she stated that white farmers that got land were given loans payable after 10 years at a 5% interest. The example came from the idea that farmers loans have to be long term and interests are supposed to be very low in order to facilitate an aggressive effective production of outputs for the benefit of the nation. Short term loans in the farming sector with high interest rates are dangerous for farmers because the nature of Agriculture is that it is susceptible to a significantly high risk year in and year out and so there has to be a plan of Action for policy makers to come up with a comprehensive and detailed plan in collaboration with banks to provide long term loans with lower interest rates. As it stands no production on farms will occur because the farmers cannot fund their own initiatives on farms

There was a clear selection process which was ignored, people on land are not farmers and this poses a serious challenge because there are situations where beneficiaries have good productive land but are not producing. Another follow up challenge in regards to this matter is that when the government gives such farmers resources they sell them and do not at all produce, resources such as tractors, fuel, seeds fertilizers etc. So ultimately resources are being used up on two fronts, the land is not being utilized and government resources are being misused.

One of the key informants who was part of the distribution of land after the invasions stated that the officers are inexperienced and lacked sufficient skills during pegging of land. There is need for the surveyor general to survey land again

Another issue highlighted was that some farms don't have plans, the ministry has out dated plans on land, and still people are being allocated land on farms that do not have plans. Some plans were done in offices and not on the ground no verifications were made. As a result in some cases no space was left for roads and service centres on such farms. Some of these farms according to a key informant are poorly serviced, have no access to water and schools are far. This results in some farmer abandoning the farms to go to their home lands.

One informant highlighted an issue of how farmers are allocated on farms haphazardly, which results in some farmers going over their pegged area because at the time of allocation they have been no one else in the farm next to him or her and so they make use of an area that was not meant for them. So farmers have a tendency

to go against their pegged land. For Example 2 farmers out of 10 farms are allocated land in the same area it promotes them going over their pegged area. This then causes serious disputes between beneficiaries

Infrastructure disputes on allocated land between new beneficiaries. Some farms were huge in size and had water pipes that stretched on large acres of land, in which case such farms have been demarcated into smaller farms and so fights over the control of such water sources are ongoing and in some cases this affects production

There are mixture of farms A1 and A2, this was caused because people did not follow correct procedure. So some A1 farms are confused with A2 Farms and the other way around.

Multiple ownership of farms some individuals are in possession of more than one A2 farm, this goes against the basic principle of land reform as well as the Land Acquisition Act and needs to be addressed. This is why some farmers do not have land because others are in possession of more than one and in most cases these farmers are not producing as they should hence distributive justice is not served.

Some farms are too small in size for the farmer to make a sustainable profit. The reason why white farmers were so profitable was the fact that they occupied such large farms, so it meant if they are effective then it meant there was enough for the nation, now because farms are smaller now the nation has to rely on thousands of farmers being productive at the same time and this is not the case in the Zimbabwean

context. There are thousands of farmers and they are not being productive the challenge is much more complicated with the numbers involved.

According to a member of the Commercial Farmers Union there needs to be a clear separation between those that want farms for making it a home and probably produce enough to make a small profit and those that want a farm strictly for businesses, farming for profit. This is problematic because the ambitious farmers who want to produce for massive profits does not have access to the land and those that want a simple home are given 50 hectares and ultimately no productivity is done there

A commercial farmer's union member also raised an issue of discrimination of white Zimbabweans, she raised the issue that white farmers are not fairly being allocated land and those that are being allocated are often connected to the system. So there is need to ensure that there is absolute fairness on the distribution of this land so that the capable are the ones that have access regardless of race.

Ministry of Agriculture key respondent stated that when farms where not being distributed conservation mechanisms were not fully considered so a lot of erosion and deforestation occurs and destroys the land 'we are allowing our arable land to degrade'. So that is another issue that has to be dealt with as a matter of urgency.

'Farms are too easy to get' says an official of the ministry of lands, he argued that there is not much effort made in the process of application so those that get the land see no value for it for they neither purchased or worked hard towards the possession

of the farm this means that a lot of people are not entirely attached to their farms but rather see them as trophies.

There is competition between mining and agriculture on the same land, in some farms some people are finding minerals and are now making use of that farm as mining land rather than farming land. This could be problematic especially the illegal miners.

The government of Zimbabwe currently does not have the capacity to invest in Agriculture.

#### **4.2.8 Proposed solutions to raised challenges**

This section will address the final objective which is to propose recommendations that can address the issues that are faced on this current model of land allocation.

Listed below are a number of suggestions that came out of the interviews conducted with key informants during the research. Most of the issues raised are similar across the board from all those that were interviewed.

There is need for a land audit to be conducted an effective and efficient Audit of all farms that are productive and those that are not. There is also a need to have a nationwide plan on ALL the farms so that there is a clear map of the land and a database is created. This audit should also capture who is a real farmer and who is not a farmer, this information is vital, an assessment of how many farms are producing and which ones are not. This is a very necessary process because it allows



policy makers to take action and come up with clear policy that can in turn benefit the nation in the future

There is need to have a proper selection criteria for applicants that then become beneficiaries under this model. Visit application claims physically, the farmer's claims have to be checked and verified. Go to his or her bank to enquire about the claims, this seems to be an issue responding to applicants that are not entirely truthful in their application. This process will make it easier for officials to verify claims that the applicant makes when applying for the land.

Model rationalization, there needs to be an alignment of existing land, who is given land, where what is the size, what is produced there etc. this is essential because as it stands the process seems abstract and hence the many challenges that have to do with a lack of production.

A member of the ministry of Agriculture put in question the need to give a 99 year lease, he argued that there should be stages that would lead to eventual ownership of the land, as long as there is significant progress on the Farm then tenure is a guarantee. The objection on the lease for 99 years was put in question because the argument is one should not get given 99 years if they have not entirely proven that they can be productive on that land. In support of this contribution basic infrastructure should be there before one gets the lease, however this can be problematic because some farmers would be sceptic to invest in something that they are not certain will be given to them.

There is need to reassess the necessity A1 Model, the former officer of the ministry of lands stated this point. The argument is that why productive land should be meant for resettlement when it can be used productively for the good of the nation? the whole A1 model was put in question here and raised a genuine concern as to why productive land should be classified as A1 meant for resettlement

One of the most consistent response from the interviews was that there should be an open market for land and value added to the land so that those that are seriously concerned with farming are the ones that purchase the land. This will help with the issue of accessing loans from banks because purchasing a farms would mean there is ownership and titled deeds are available.

Another respondent stated that in the open market system some land should be sold and some of it must be kept as state land and distributed using the same system that is in place. This recommendation seems to target those that are interested and are capable of purchasing land, so that those that are serious about farming and can finance it should be given a chance as well as the private sector should also be involved in Agriculture.

In cases where farmers default from paying their debt from the bank there is need for a design of some sort of insurance that farmers without property can be protected and can benefit from. This is in response to the current structure where farmers might face a loss after having borrowed money from the bank.

For farmers that do not use the farms to their full potential, land should not be taken from them, the ministry should downsize rather than taking the entire farm. As one respondent from the ministry of lands clearly stated ‘underutilizing does not mean that one is not in production’. Just because a farmer that has 50 hectares of land is only productive on 20 hectares doesn’t mean that he or she is not productive, chances are they are producing what they are capable of producing based on availability of resources. With such a farmer downsizing becomes the feasible option rather than to reposes.

A commercial farmer’s union member who was interviewed suggested that there should be rewards for maximizing production. Farmers that are doing well should be rewarded for example by being prioritized when government is giving out input they should be prioritized. The state has to continuously assist these types of farmers to encourage those that are not maximizing production to do so.

For farmers that default from their debt because they have suffered a loss the bank needs to be able to take a hold of the lease agreement and find a contractor to operate or do as they see fit. The lease should be purchasable to add value to the land. The fact that the banks cannot do anything about it does not entirely help the situation.

Large farms should not be tempered with, large farms lead to sustainable maximum farming profits, it has proven to be difficult to be profitable with small farms and cater for their personal lifestyle, household and personal expenses. So the process of demarcating farms could pose serious challenges in future.

Multi nationals should contract farmers near their vicinity to farm what they want them to farm, give input and farmers would sell the produce to the multinationals

### **4.3 Discussion and Interpretation**

This section will unpack the findings and implications of the presented data. Focus will be made on the models used to distribute land and discuss some of the highlighted challenges and solutions to this changes. The researcher will now link the data with the conceptual framework which was the distributive justice focusing on the difference principle.

#### **4.3.1 Demographic information of the respondents**

In this study the responses where at least 35 to 65 years of age, the individuals in the sample especially those that are in line ministries are all highly qualified and informed technocrats who are well informed on the issues that needed to be discussed.

#### **4.3.2 Analysis of land distribution model**

With this model there seems to be two forms of assessment made for the applicant of the land, the first assessment is when application is sent to the province at the first stage of applying and the second form of assessment is then done yet again when the applicant has been granted land and is now applying for the 99 year lease. This means there are two stages in which one can be denied the opportunity to have the 99 year lease which is the final stage for completion in this process considering that land ownership in the Zimbabwean model does not exist the lease becomes the final document of some form of tenure or ownership of this land until the need to renew.

So these two stages seem to be the states attempt to be thorough with their assessment so that if this is done appropriately and efficiently only those that have genuine intention to produce on land will be allocated land.

Before the lease is granted the process calls for an inspection team that will come to make an assessment of any developments made on the farm and they present a report for the Ministry of Lands, this process will give a comprehensive report on the state of the farm and capture in detail what needs to be done so as to have some form of documentation that explains what was on the land if there were developments made before or after the beneficiary moved in on the land (this is probably in case the new occupant decides to withdraw from the farm they will have to be refunded for all the improvements). When lease is approved either private or state surveyors come to survey the land and peg it (if necessary).

The first assessment of applications are done at provincial and district level seems to be some of decentralization of responsibilities in the issue of selection process which in principle is a good because the officers nationwide at this level seem to be more informed with the area as well as informed about the individuals and their capabilities in cases where they do not know the applicants they are within reach in regards to collecting as much information about the applicant. After the list of names have been assessed and compiled successful applicants (recommended) lists are then sent to the minister for approval. The decentralization will make the process more efficient in regards to this land distribution, rather than having one central authority dealing with allocation for the whole country this process seems to be more effective.

The setup of the land committee is problematic with members of the uniformed officer members of the Ministry of Lands, Ministry of Agriculture, war veterans and the sabhuku. The general setup of this shows members that are not qualified in the realm of making land allocations to the minister this has to be addressed, and only qualified individuals should be members in this group.

#### **4.3.2 Implications of findings**

The difference principle is highlighted in these responses, the idea that there is a screening process in this allocation of land suggests that the best suitable individuals are the one that are beneficiaries of this land, which are often in the minority, but the state would give them land with the expectation that they would produce to their full potential, so that they can be productive for the greater good, the principle here seems to suggest that not everyone should get land but only those that will be productive. This can be seen by the application process and the forms that land is not just given to anyone but to those that are capable of producing to benefit the nation. Although in practice there seems to be loopholes in the allocation process the official government position is to allocate those that can effectively produce.

A lot of gaps and challenges were raised in this research and the implications are that if this model remains the way it then distributive justice will not be served.

#### **4.4 Summary**

This chapter has put together findings that are linked with the objectives that are sufficient for one of the main objectives to be met which is to create a model for land distribution in Zimbabwe. The challenges process and solutions discussed in this chapter will contribute to some of the recommendations in the coming chapter.

## **CHAPTER 5 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

One of the reasons Land reform was done in 2000 was so to address the injustice that was there in relation to distribution of this land as well as accessibility and availability of this land to the Zimbabwean people. Especially after the ineffective concept of the willing buyer willing seller idea was not as effective as it should have been. So because the process was too slow and was not effective the fast track land reform programme was initiated so as to deal with the injustice of land distribution, this research intended to examine the model use to distribute farm land in Zimbabwe, investigate some of the issues regarding land Reform, analyse the criteria used to allocate land and then ultimately recommend a model that can be used to distribute land to the people and maximize production. Some of the findings will be summarized below.

### **5.2 Summary of Findings**

From all the individuals interviewed they all agreed that politics and corruption are the two things that have affected the agriculture and land distribution. All individuals also agreed that in order to deal with this issue effectively there is need to separate politics from agriculture, they all agreed that the government is too involved on the issue of land. Another observation was that about 19 individuals interviewed they all stated that the land market should be opened up for those that want to buy land for farming. Concerning the model that was used to distribute land the researcher did not get any indication from the respondents that they do not like

the model however they criticized transparency and accountability issues but never the process of distribution as a whole. There was no indication of changing the entire system of distribution they all suggested that the systems in place should be followed effectively but not one of them suggested changing the entire system.

Issues raised by everyone interviewed was the issue of bank loans being too high and that issue has to be addressed, as well as the issue of land tenure in regards to the lease agreement not allowing banks to give loans because there was no collateral. Another issue raised by a significant number of individuals was that of tightening the selection process for beneficiaries. Point of interest was that all ministry individuals showed fear when responding to questions and all of them refused to be recorded by audio devices.

### **5.3 Interpretation of research findings**

The two land committees are problematic, firstly they are too many and comprise of war veterans, sabhuku and members of the Ministry of Lands and Ministry of Agriculture as well as members of the uniformed officers. This entails unqualified individuals who are not equipped to assess applications and plans for the economic value and this has to be addressed, land committee should have members of the ministry and economists and accountants those that can assess the practicality of the projections that the applicant alluded to.

It is important to state that the current model if followed well is a good model the challenge seems to be on implementation, there are gaps that allow individuals to take advantage of the gaps to generate income for themselves especially those that allocate land, there seems to be no system in place to promote accountability and transparency and this the problem because a lot of the land is going to unqualified



farmers and this then affects the productivity on the farms this is why the difference principle is critical to this research, the main argument is that instead of giving huge numbers of farmers land, which in turn will not benefit the entire population is unjust, there is need to apply this principle so that land goes into the hands of the few farmers after distribution but these farmers will be effective and produce for the greater good of the nation.

The current beneficiaries of this land reform have no capacity to finance their own projects and so this is problematic, most farmers are awaiting government assistance and with the current economic situation as one respondent stated, the government has no capacity to support Agriculture. The banks are not giving long term loans to farmers, they have made it clear that if they are to do so something has to change so that the bankers feel confident and secure to give loans knowing confidently that their finances protected. With this current model this will not work there is need to strategies and come up with a more pragmatic approach to this issue. It might not be necessary to change the entire system but it will be critical to fill in the gaps that can strengthen and promote productivity in this current reform.

From the findings it was made clear that most some of the most critical areas such as surveying and planning where not done effectively and therefore some of the challenges that are raised in this reform come from that error. For progress to be made the Ministry of Lands and Rural Resettlement has to reflect and admit that to a greater extent this model has contributed to low productivity, would distributive justice be served if beneficiaries are not making use of the land. As a country we

need to reflect and think about what is pragmatic and shift towards progressive and pragmatic reform.

An officer of the ministry of lands indicated that currently on the A1 farms 14000 people have been allocated 19000 on A2 farms. The sole reason for redistribution of land is not and should not be to only give the majority of people but to give the majority that can also produce effectively otherwise if that is not addressed distributive justice in relation to reform is not served. The president announced that farmers cannot have their land taken if the government is not supporting them, but what assistance can the government give? Is it sufficient to assist farmers to be productive? If it is not then why allow idle beneficiaries to be in possession of farms if there is no progress. There are capable farmers who could really be productive on these farms, and it is those that should have access to farms, for the greater good of the nation.

The researcher is well aware that there are other issues out of distribution that can affect farmers such as value of agricultural produce but it is necessary to deal with the foundation and ensure that farmers are producing and other issues can be dealt with when production has been done.



## **5.4 Recommended Model**

### **5.4.1 Introduction**

This section will recommend a model that can be used in the Zimbabwean context, it will be divided into two, the two being a model that is under the same 99 year lease and one that recommends opening the land market for those that want to

purchase, however this will be addressed in brief. These recommendations will focus on the A2 Scheme

#### **5.4.2 Model under 99 year lease**

After a National audit of land has been done, the distribution process should be as follows: **Plan**  **Demarcate**  **Allocate**

*Application-* The application forms should be more detailed, information about the applicant, and should contain a structure of the applicants plan of action, specifically what the farmer wants to farm and annual cash flows (Detailed Bank statement), proof of training certification/recognition police clearance and assets (the current form provides no space for such only required but no space is provided for such information) It is important to guide the applicant on what is required. It should be noted during the application process that by not providing the needed documentations chances of being allocated are drastically reduced. Application should be submitted at the province one intends to be allocated and the applications are collected. Application should provide space for those that would need government assistance and ones that are funding their own initiatives, there is need to have a clear distinction IN the application process so that individuals are identified.

#### *Screening process*

- i. The district land officers should look at these applications and ensure that ONLY those that have been completed in full should be taken for processing, processing should be done at a central location (decentralization has caused a lot of challenges).

Land allocation should be based on what has been provided on the application form and from this the second phase begins

- ii. The second phase of the screening will involve a shortlist of selected applicants, who will be called and interviewed on their plans for the land they applied for as well as more details of their qualification/training or experience in Farming for further assessment.
- iii. During assessment the Bank should be contacted for verification purposes, plan presented should be assessed and approved if it is practical and possible considering the land they have applied for.

*Allocation-* Should be done only by the central Land committee, once application has been approved the land to be allocated should be checked to see value of the land and the current developments (if any, the one allocated to the land is responsible for the costs that are attached to these developments). Once selected should be given offer letter (the current offer letter should be maintained). The beneficiary should move into the farm within 30 days of allocation and developments should begin, progress must be seen to be made.

*Application for 99 year Lease-* (Current format for application letter should be maintained) When application is received surveyors should come physically to assess any developments and are documented and entered in a database. It is at this stage that publication to the public is made concerning who has been allocated and the members of the public should raise concerns within 30 days of being publicized. Those that raise issues should submit their concerns to the land committee for review.

*Lease Agreement-* once lease agreement is granted the beneficiary should make a deposit \$20 per hectare which will be returned after **2 years, only if the farm is being utilized to its full potential.** The lease should state that after the 2<sup>nd</sup> year reassessment is made to report on current progress made.

If after two years the farm is still not utilized a tax should be paid after every 6 months of the 2<sup>nd</sup> year, failure to do so will result in repossession of the land.

NB- if an applicant feels that their application wasn't done adequately they can inform the central Land Committee their concerns and the application can be reviewed.

NB- Once beneficiary is allocated land it should be made a matter of public record to allow those that have any objections to raise their concerns before the beneficiary is given the official 99 year lease

### **5.4.3 Open Land Market model**

This model should ensure that a certain percentage of land should be up for sale in an open market for those that can purchase to make a purchase and then title deeds are given once purchase is complete. This land should be made strictly for agriculture and this should be binding even after the piece of land is sold. The structure should not allow multiple purchase of land by the same individual, one person per farm and that should be made binding.

The other percentage of the land should be distributed using the recommended model above

## **5.5 Analysis of recommended model**

The idea that drives this model is of getting the best and capable farmers to be allocated land. This model recommends that selection of farmers is centralized because it promotes accountability, part of the reason why there was corruption was because selection was done at Provincial level and sent to the minister for approval, from the minister. If land committee is centralized it means there is a select few that are responsible for allocation and that can be beneficial if done appropriately. On the costs associated with the lease agreement and the deposit it's a mechanism designed to make sure that those that are beneficiaries are fully committed to maximizing land for commercial purposes. Currently at \$5 a hectare it is too little and anyone with a farm can generate that income annually without fully utilizing the farms. So it not only has to be difficult but it should be a liability financially to be in possession of a farm that you are not using to generate income.

In this model if Applicants feels some form of unfairness was done, they should be able to contest and write directly to the central land committee and air their concerns and it will be reviewed, this is to cater for those that are not convinced and want to understand why they were not allocated.

## **5.7 Recommendations**

1. The current structure of Land committees at district level and provincial level have to be dissolved. There is need to create one that has qualified individuals on issues of land and land development as well as individuals who are capable to assess feasibility and practicality of applicants plans.
2. If the land committees are to be maintained district and provincial land committees should not make recommendations for allocation to the minister.

The allocation should not be decentralized but rather centralized in one location to ensure that a few players are involved.

3. Once allocation is done it should be made a matter of public record and those that have any objections should be given time to raise their concerns about the beneficiary, if they have issues they raise they should be heard by the committee.
4. There is need for an effective land audit to have a detailed account of the situation on the farms which areas are productive and the areas that are not so that policy makers can create effective solutions.
5. Land needs to be replanned and resurveyed in order to have an updated map of all the farms in the country. A lot of farms are not pegged properly and so this causes a series of challenges so the government needs to address these issues as a matter of urgency.
6. Before beneficiaries are allocated farms the Environmental Management Agency should have a look at what needs to be done to protect the land from degradation
7. There is need to separate agriculture and politics the government should not be directly involved in all issues to do with lands, there are many players in the current model, so there is need to allow the ministry to be in control in issues to do with land

8. Land should be allocated on the basis of merit ONLY and not any other reason this will enable only qualified farmers to be allocated land and this will help ensure increased production.
9. The ministry of lands has to come up with a tradable lease agreement so that Banks can feel secure to give loans for farmers to start farming, and there is need to ensure that loans are long term and not short term as it is in the current model.
10. The ministry should open up the land to the market so that a certain percentage of the farms are open for private players to purchase and own the land with title deeds and then a certain percentage of that land remains state land and is distributed using this model same model. This land that is available for purchase should be through policy be only for farming even after individual has full ownership.
11. Those that have multiple farms, the ministry should reposes that piece of land and allocate it to those that do not have any land
12. There is need to capacitate farmers on how to be productive on land

## **5.8 Conclusion**

Based on the issues that have been raised in this research, the current system of land redistribution because of its shortfalls is in direct breach to the constitution of Zimbabwe. Section 289 (c) land must be fair and equitable, for those that have multiple



farms and those that have large farms that they are not capable of effectively utilizing are in breach of this section of the constitution of Zimbabwe. Section 289 (d) states that land tenure system must promote increased productivity and investment, section 289 (e) the use of agricultural land should promote food security. All these provisions are being violated by having beneficiaries that cannot be effective in the land given to them. The short comings in this model allow for this violation to occur this has to be addressed.

It is my view that land should not be redistributed only on the basis of the need to allocate it to many Zimbabweans, this is not justice, and this will not serve distributive justice. Distributive justice is concerned with the nature of socially just allocation of resources, so based on the difference principle if a selected few can be beneficiaries and increase productivity which will benefit the nation is an ideal process.

Giving majority of people who cannot produce is not serving distributive justice it is merely addressing one component of it, which is arguably retributive justice on the issue of land redistribution. It is true majority of land beneficiaries in Zimbabwe using the current model are black farmers so the injustice of total white control of farm land has been addressed, however the economic aspect has been ignored and as a result the agriculture sector has collapsed.

Based on this regard empowerment of the black farmers on benefiting land has been done but what good is it if the beneficiaries cannot produce and this becomes problematic for the nation. There has to be a balance between distributing it to the people and ensuring that the beneficiaries can produce, for the greater good of the

nation there is a need for a shift and a new pragmatic approach needs to be created to truly address the issue of distributive justice. The researcher acknowledges that land has been distributed to the black population but this process is not complete until the farmers on that land can produce effectively for the benefit of the entire nation (difference principle).

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## **APPENDICES**

### **APPENDIX 1: Interview Guide**

To the ministry of Lands and Rural Resettlement, Commercial Farmers Union and  
Ministry of Agriculture


#### **Interview Questions**

1. Was the redistribution of land in Zimbabwe justified?
2. What is the current model use for Distribution of Farm land?
3. Are there standards required for candidates that intend to acquire Gazetted Land?
4. What are some of the conditions of allocation of Farm Land?
5. What assistance does government give to individuals who have acquired land?
6. What mechanisms (if any) are in place for farm owners that do not make use of Farm Land?
7. How can we legally take back land from those that are not making use of it for Agricultural purposes?

8. Are there any penalties for individual farmers that misuse government resources meant for Agriculture (support initiatives for example Farming resources such as fuel, fertilisers etc)
9. What is the future for Land Distribution in Zimbabwe?
10. Looking at the current mode of distribution, what are some of the Gaps that are there on the current model?
11. Any suggestions or recommendations on how we can make this current model better?

## APPENDIX 2: AUREC Approval letter

Vusani.pdf x

**AFRICA UNIVERSITY**  
RESEARCH ETHICS COMMITTEE (AUREC)

REF: AU027/17

May 5, 2017

Rangariri Michael Vusani  
College of Business, Peace, Leadership and Governance  
Africa University  
Mutare

**Re: A critic of Zimbabwe's current land redistribution programme.**

Thank you for the above titled proposal that you submitted to the Africa University Research Ethics Committee for review. Please be advised that AUREC has reviewed and **approved** your application to conduct the above research.

The approval is based on the following.


- a) Research proposal
- b) Questionnaires
- c) Informed consent form


- **APPROVAL NUMBER** AU027/17  
This number should be used on all correspondences, consent forms, and appropriate documents.
- **AUREC MEETING DATE** NA
- **APPROVAL DATE** May 5, 2017
- **EXPIRATION DATE** May 4, 2018
- **TYPE OF MEETING** Expedited

After the expiration date this research may only continue upon renewal. For purposes of renewal, a progress report on a standard AUREC form should be submitted a month before expiration date.

- **SERIOUS ADVERSE EVENTS** All serious problems having to do with subject safety must be reported to AUREC within 3 working days on standard AUREC form.
- **MODIFICATIONS** Prior AUREC approval is required before implementing any changes in the proposal (including changes in the consent documents)
- **TERMINATION OF STUDY** Upon termination of the study a report has to be submitted to AUREC using standard form obtained from AUREC.

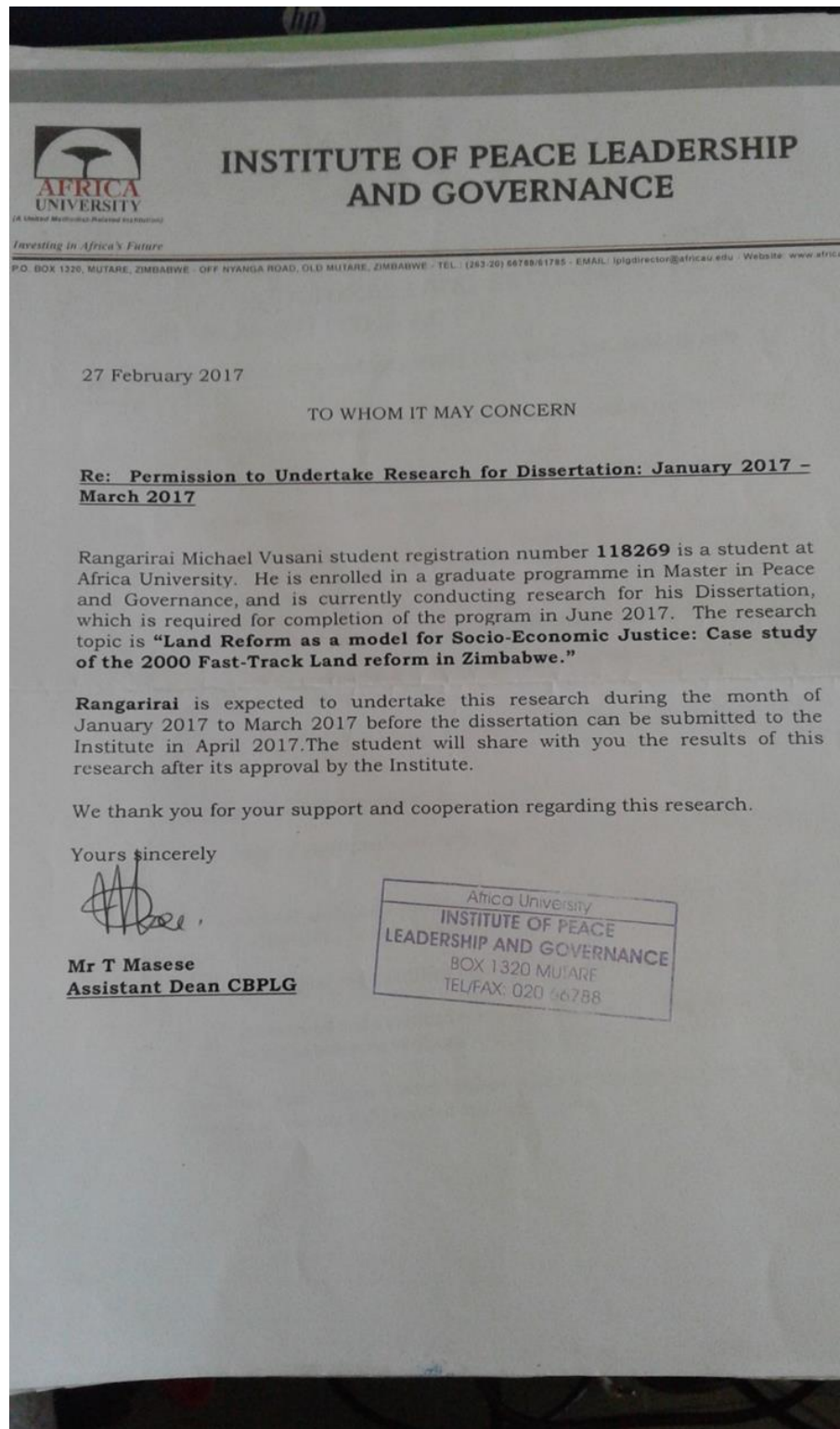
Yours Faithfully

  
MITIG.P. AUREC Administrator  
FOR CHAIRPERSON, AFRICA UNIVERSITY RESEARCH ETHICS COMMITTEE

  
AFRICA UNIVERSITY  
RESEARCH ETHICS COMMITTEE (AUREC)  
05 MAY 2017  
APPROVED  
P.O. BOX 500 MUTARE ZIMBABWE




### APPENDIX 3: Permission to undertake research



**APPENDIX 4: Letter from the Ministry of Lands and Rural  
Resettlement**

*All correspondences should be addressed to: The Secretary*  
TELEPHONE: 797325 and 706286  
FAX: 708315



Ministry of Lands and Rural  
Resettlement  
Private Bag 7779  
Causeway, Harare

**Ref: P/VUSANI R.M**

16 March 2017

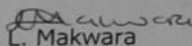
Mr. Rangarirai Michael Vusani  
16 Montangu Flats  
Chinamano Ave  
Harare

**REQUEST TO CARRYOUT A RESEARCH IN THE MINISTRY OF  
LANDS AND RURAL RESETTLEMENT: MR. RANGARIRAI MICHAEL  
VUSANI: STUDENT: AFRICA UNIVERSITY.**

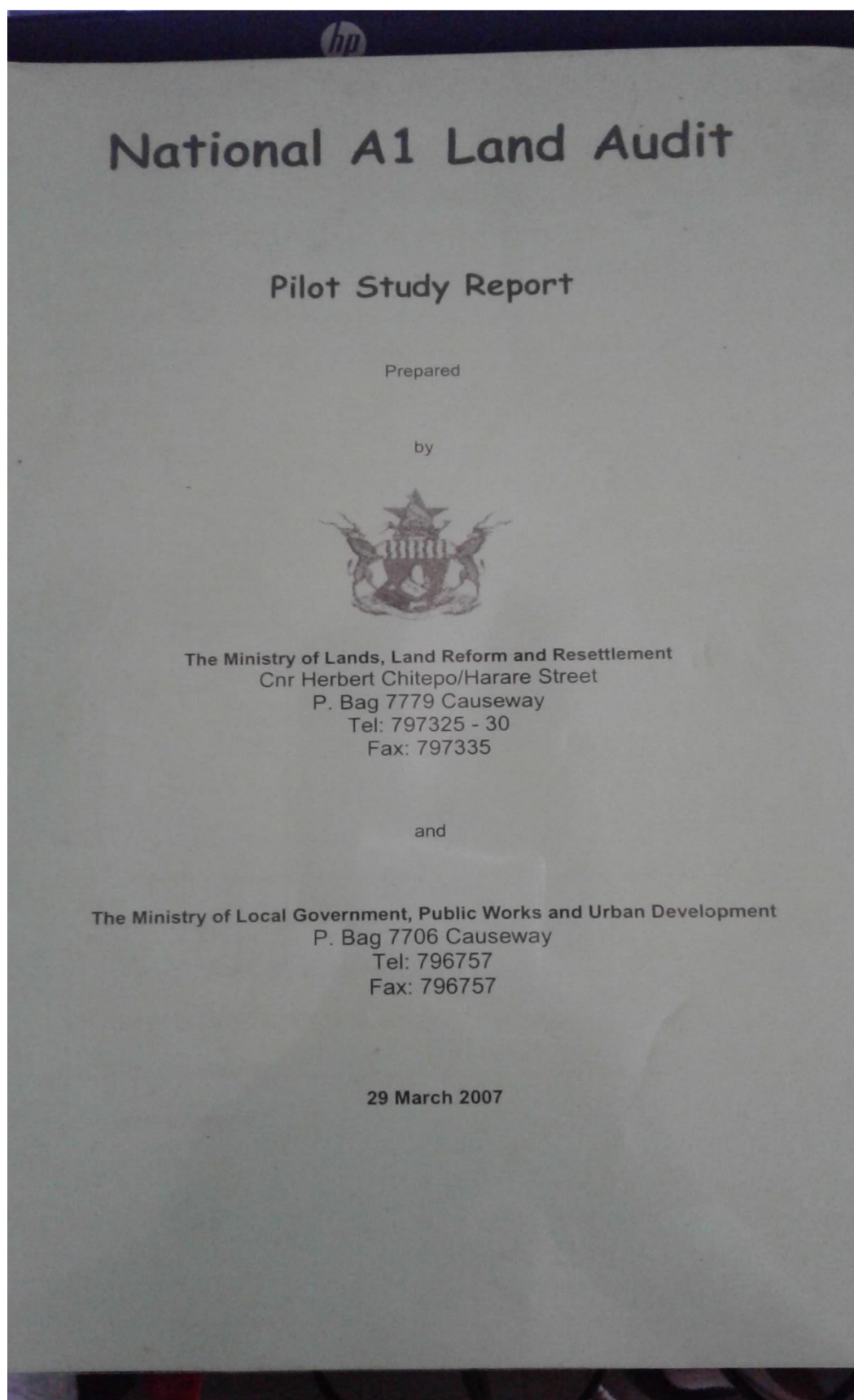
Reference is made to the above subject matter.

This letter serves to inform you that the Secretary for Lands and Rural Resettlement has approved your application to carry out a research in the Ministry of Lands and Rural Resettlement.

Furthermore you are advised to use the information that you are going to obtain for the research project only and avail a copy of the same to the Ministry upon completion.

  
L. Makwara  
**FOR SECRETARY FOR LANDS AND RURAL RESETTLEMENT**

## APPENDIX 5: A1 Land Audit Report





## APPENDIX 6: Application form for Land

OFFICE COPY !!!

MINISTRY OF LANDS AND RURAL RESETTLEMENT

LAND REFORM AND RESETTLEMENT PROGRAMME  
(PHASE II, MODEL A2)

COMMERCIAL FARM SETTLEMENT SCHEME (SMALL, MEDIUM AND LARGE SCALE  
COMMERCIAL FARMS)

*In terms of the Agricultural Land Settlement Act (Chapter 20:01)*

**Notes**

1. This form must be completed in duplicate by the applicant and its contents will be treated as confidential.
2. The Scheme is open to all citizens of Zimbabwe, be they in public or private sector including women, war veterans, former detainees and restrictees and disabled persons.
3. Applicants who provide proof of availability and/or ability to mobilise adequate resources to support the proposed farming programme will have an added advantage.
4. A choice of only one land holding is permitted per application form. Schedule I details the recommended farm sizes.
5. Sections A, B and C must be completed in full by the applicant.
6. Sections D, E, F and G are for office use only.
7. Where the space provided in this application form is insufficient, particulars should be given on separate sheet(s) of paper and attached to the form.
8. The completed application forms and attachments must be sent to the applicant's Provincial Chief Land Officer, Ministry of Lands, and Rural Resettlement.

## APPENDIX 7: Application for Lease Agreement



### APPLICATION FOR LEASE IN TERMS OF SECTION 9 OF THE AGRICULTURAL LAND SETTLEMENT ACT [CHAPTER 20:01] ("THE ACT")

APPLICATION FOR LEASE AGREEMENT NUMBER ...ME /0055 OF 2009  
NOTES:

1. This form must be completed by the Applicant and its contents will be treated as Confidential.
2. The application should be handed to the Applicant's Local District Land Inspector (District Land Officer – Estate Management) after completion.
3. When giving an Application Number to an Application, the District Land Inspector should insert in brackets the District Code Number as the one applicable to NIDs and then insert the Application Number and the year. eg; Lease Application Number 12 of 2005 in the District of Nyanga in Manicaland should be written as follows: Application for Lease Agreement Number (34) 12 of 2005
4. Where the space provided is insufficient particulars should be given on a separate sheet of paper and attached thereto.
5. Section A, B, C, E, F; G must be completed in full by the Applicant where applicable.
6. Applicants must attach to this application to following:
  - a. Proof of Applicant's and farm manager's farming credentials (see Section E.)
  - b. Proof of applicant's previous (up to 5 years) Farm/Plot produce supplies to GMB, CMB, Tobacco Auction Floors, Pig Industry Board, CSC etc.
  - c. An original and a certified true copy of a valid offer letter.
  - d. An original and a certified true copy of applicant's National ID.  
\*Originals are for verification on submission purposes only
7. Applicant must attach his/her colour passport size photograph on the space provided on the top right hand of this Application.



## APPENDIX 8: Offer Letter

### CONDITIONS APPLYING TO THE OFFER OF LAND UNDER THE ZIMBABWE LAND REFORM AND RESETTLEMENT PROGRAMME (PHASE II, MODEL A2 SCHEME)

**1. The offer is subject to the following conditions:-**

- a) (i) that you take up personal and permanent residence on the holding upon your acceptance of this offer which should be communicated to this office within 30 days of receipt

**OR**

- (ii) you appoint a manager who shall personally and permanently take up residence on the holding within three months of your acceptance of this offer, and
- b) That you undertake to initiate development on the holding in accordance with the five year development plan you submitted with your application. In the event of your plan not being specific to the farm that you are now offered, you shall be required to submit a new land use plan to this office for approval before it is implemented within one month of your acceptance of the offer.
- c) (i) that you shall not cede, assign or make over any right or obligation or sublet or part with possession or grant any form of right of occupation in respect of this farm or part thereof without the prior written consent of the Minister; and
- (ii) that in the event of death of the Lessee, the rightful heir shall apply for succession;
- (iii) that in the event of the Lessee not being able to continue farming operations because of physical or mental factors, he/she can apply for cession or surrender his rights to the Ministry of Lands and Rural Resettlement.
- d) That you comply with all the provisions of the Agricultural Land Settlement Act [Chapter 20:01] pertaining to the leasing of state land and, in addition, any special conditions which may be imposed by the Minister and
- e) That you shall comply with any laws requiring the grant of any servitudes over the holding should you be required to do so by the Minister.

**2. You are further advised as follows:-**

- a) The onus of notifying this office of any change of address shall lie with you and your failure to do so shall absolve this office from responsibility for misdirected correspondence;
- b) (i) when it is established that you have occupied and you are developing the offered land holding, an Agreement of Lease shall be prepared and forwarded to you for signature.
- (ii) the lease shall be up to 99 years (renewable).