

***Land Tenure Rights and Poverty Reduction in Mafela Resettlement Community
(Matobo District, Zimbabwe)***

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A mini-thesis submitted in partial fulfilment of the requirements for the degree of Master of Philosophy (Mphil) in Poverty, Land and Agrarian Studies in the Institute of Poverty, Land and Agrarian Studies, University of the Western Cape.

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Year: 2011

KEY WORDS

Zimbabwe

Mafela Resettlement

Tenure Rights

Private Rights

Communal/Collective Rights

Rights Governance

Poverty

Gender

Power

Livelihoods



ABSTRACT

Tenure Rights and Poverty Reduction in Mafela Resettlement

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In this research, I present critical facts about Land Tenure Systems and Poverty Reduction processes in Mafela Resettlement community. I focus mainly on the Post-Fast Track Land Reform (2004 – 2011) period and the interactive processes in this new resettlement area. The research - premised on the rights approach - sought to explore land tenure rights systems and poverty reduction mechanisms seen by the Mafela community to be improving their livelihoods; it also sought to find out if there is evidence linking tenure rights to poverty reduction and how land tenure rights governance systems affect their livelihoods. Suffice to say in both the animal kingdom and human world, territorial space and integrity, its demarcation as well as how resources are used within the space, given the area - calls for a - defined system of rights by the residents themselves. Whilst it is true that there is no one story about Zimbabwe's land reform (Scoones et al 2011), the contribution of this research towards insights emanating from the newly resettled farmers adds another invaluable contribution in the realm of rural development issues.

The oft rigidified perceptions about the land reform in Zimbabwe as having dismally failed draw contrasting findings from this research. The findings, themselves drawn mainly through interviews, seem to suggest that there are indeed improved livelihoods for resettled farmers more than what is

generally believed from a distance. The perception that secure tenure rights (among other myths) determines livelihoods improvement also revealed otherwise with Mafela community.

The resettlers' dynamic socio-economic milieu presents opportunities and challenges which only the resettled farmers can solve if given adequate support and empowerment in terms of decision making processes. The power basis wielded by the war veterans and the culture of top-down decision making processes as lamented by the resettled farmers suggest that the evolution of resettlements is still far from over. This research therefore hopes to challenge its readers and other stakeholders to engage with issues and recommendations raised here in order for a rethink about land tenure rights and poverty reduction initiatives associated with the new resettlement areas in Zimbabwe in general.



DECLARATION

I declare that *Land Tenure Rights and Poverty Reduction in Mafela Resettlement Community (Matobo District, Zimbabwe)* is my own work, that it has not been submitted for any degree or examination in any other university and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Richmond Ncube

May 2011

Signed



DEDICATION

To my beloved wife Christine Rosa, my one and only daughter Sifiso, the boys, Sibusiso and Siphiso whose moral support was invaluable throughout the writing of this mini-thesis.



ACKNOWLEDGEMENT

I wish to thank my supervisor, Dr. Moenieba Isaacs who patiently and expertly guided me throughout this research. Mr. Gift Dafuleya, Mr. Polycarp Matobo and Mr. Darlington Mushongera provided constant and unwavering support during this study. I also thank staff at the Department of Infrastructural Development (my work place) for their support and for carrying out some of my duties during my busy schedule with this research. Special thanks go to my late father (Return) and mother, who, in spite of their old age gave me encouragement to complete this research. My profound gratitude goes towards the University of the Western Cape' Library staff, the Programme for Land and Agrarian Studies Resource Centre for the relevant literature they provided towards this research. My other very special thanks go to Carla Henry whose timeous feedback/feed forward of information about my study was invaluable. The lecturers of the 6 modules that I completed at PLAAS through their expert presentations of tutorials gave me great inspiration for success. I thank you all.

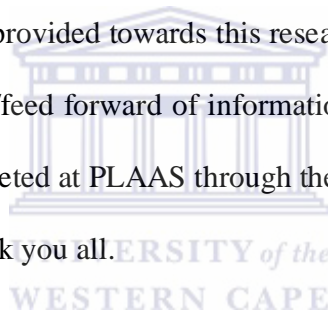


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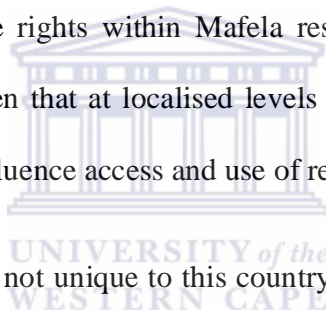
1. CHAPTER I: INTRODUCTORY CHAPTER

1.1. Introduction

Land tenure rights systems and poverty reduction have become increasingly topical issues in post-independence Zimbabwe. Historical evidence leading to Zimbabwe's independence portrays a systematic usurpation of black people's rights and dignity under the colonial rule. The Land Acquisition Act of 1996 sought to give back land to the black majority who were dispossessed of their land before 1980 (i.e. since 1890 when the white settlers colonised Zimbabwe). Not-with-standing its promulgation, the slow pace with which land was redistributed (Moyo 2006) meant increased clamour for improved tenure rights systems against protracted poverty. Thus this study sought to gain insight on Land Tenure Rights Systems and Poverty Reduction in Mafela Resettlement.

The struggle for land in Zimbabwe is categorised into three major phases. Initially, the first struggle for land, commonly known as the First *Chimurenga*, which was an uprising by the Matabele people in 1893 and joined later on by the Shona people in 1896/7 (Njaya and Mazuru 2010). The second struggle (Second *Chimurenga*) was the war of liberation that started in the early 1960s and lasted until 1980. Lastly is the third struggle (Third *Chimurenga*) which occurred between 1996/7 and 2004 to reclaim land from the white commercial farmers. Moyo (2006) refers to the latter phase of the struggle as 'Fast Track Land Reform' to depict the hastiness with which activities moved during this era. Ndlovu-Gatsheni (2009) refers to this period as '*Jambanja*' which also means turmoil. Mafela resettlement was born during this period and it is the sequel of this era that Land Tenure Rights and Poverty Reduction in Mafela were studied.

Land rights in Zimbabwe are highly insecure with residual few large scale commercial farmers fearing sudden occupations and evictions (IRIN 2009). Insecure still are those that have driven away the white commercial farmers as they seem to be worried about the legitimacy of their land tenure rights. Writing on 'Land Grabbing' Liversage (2010) informs us that intergovernmental organisations, have raised concerns about the negative impact that an upsurge in demand and competition for land and water is having on the land rights and food security of rural people in developing countries. Whether the community in the Mafela resettlement perceived themselves as such became of interest and the study endeavored to gain knowledge on the same. This was done with the intent of analysing such tenure rights systems against poverty reduction initiatives within the Mafela community. In addition, the need to highlight the governance of tenure rights within Mafela resettlement compelled the researcher to adopt a case study of this milieu given that at localised levels there seems to be customs, norms and courtesies between households that influence access and use of resources.



Land tenure reform in Zimbabwe was not unique to this country but has been common in the Southern African region and elsewhere in world. (Mutema 2003:63) agrees when he says, "Experience from other parts of the world have shown that despite earlier ambitious redistributive land reforms there has been a steady trend towards greater rural landlessness". The general wave of liberation movements in such countries as South Africa (under the African National Congress), Mozambique (Front for the Liberation of Independence of Mozambique), Angola (Movement for Peoples' Liberation of Angola) and Namibia (South West African Peoples' Organisation) - all on land reclamation and determination of land tenure rights- meant that such issues on land had ripple effects even at a regional scale. Kariuki (2009) agrees with this view and mentions that historical evidence to liberation struggles in Southern and Eastern Africa was premised on land as a critical political basis that precipitated the up-risings against the white

settlers. Surely the fast track land reform programme era also goes to suggest that even after independence the question on land rights was still not adequately addressed. Saruchera (2004) cautions against uneven access to land and resource rights and indicates that it is the strong cause of conflicts in such countries as Sudan, Nigeria and the Great Lakes region. Indeed in Africa's biggest country, the Sudan, land related conflict and persistent poverty resulted in the desire to secede the South Sudan from the mainstream Northerners.

Elsewhere in the world there was the Mexican Revolution (1917), Bolivian Revolution (2006), the Chinese Revolution (1952), and Mau-Mau Uprising in Kenya (1951-7). This historical evidence confirms that land rights have been subjected to many challenges mainly backed by force (Njaya and Mazuru 2010). The several decades long Israeli-Palestine conflict on land related issues also typify land challenges and the extent to which ill-defined tenure rights and pestilent poverty could result in clumsy confrontations. Recently, there has also been a revived conflict between England and Argentina over ownership and access of resources in the Falkland Islands.

Whilst there seem to be clear and well documented legislation on resource access and use at national, regional and global levels, there seem to be a need to understand how tenure rights are exercised given the complexity of the rights claims at both community and country levels. This study, however, will concentrate only at the community level in Mafela. The political dynamics that go with this settlement have been phenomenal over the years.

1.1.1. Political Dynamics - Pre-Settlement Period (1890 to 2000)

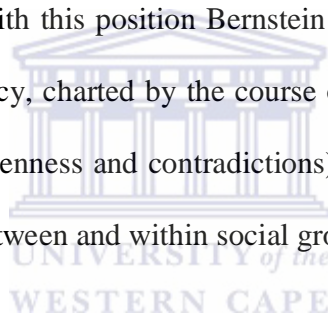
The dynamics of political land tenure rights systems in Zimbabwe may be traced back to 1890 when the country was still under British colonial rule. During this time various land Acts were passed which were

meant to give effect and shape the politics of the day. (Moyo and Yeros 2005) isolate some legislation that was passed over the years and these are; (1) The Land Husbandry Act of 1951 which streamlined land use according to racial considerations, (2) The 1930 Land Apportionment Act which categorised land into Tribal Trust Land for the blacks and this land was considered to be the reserve for government to which security of tenure was not guaranteed. Such reserves were barren and tsetse-infected. Other legislation governing land rights includes; the Protected Places and Areas Act 27 of 1959 which was enacted by the Rhodesian White minority government but is still in force; and the Immovable Property (prevention of discrimination) Act 19 of 1982 (Reynolds and Flores 2009).

The subsequent new political order that was ushered in 1980 in Zimbabwe saw the Zimbabwe African National Union-Patriotic Front (ZANU-PF) led government bringing democratic governance to rural areas (Chimhowu and Woodhouse 2008). This new political dispensation saw the passing of these legislative instruments; the Communal Land Act (1981), and the District Councils Act (1982) which transferred authority to allocate rural land from customary chiefs to Rural District Council. The new arrangement created by the Communal Land Act (1981) and the District Councils Act (1982) which hitherto transferred land allocation from chiefs to Chief Executive Officers through their district councils resulted in stiff resistance from the chiefs who had been given the land allocation rights by the Tribal Trust Lands legislation (1967) of the then Rhodesian government. Chimhowu and Woodhouse (ibid) further put it that the chiefs won the right to re-allocate rural land through the Traditional Leaders Act (1999). The provisions of the Traditional Leaders Act (1999) were just a cosmetic victory since land allocation approval was still to be granted by the Rural District Councils. Donors such as, the Women's Coalition, Women Land Lobby Group (GLLG) and Nyika Trust showed interest in granting funding for land acquisition through willing-seller and willing-buyer arrangement but they voiced concern about irregularities in land allocations (Moyo 2006). Their funds were conditioned on demonstration of a

transparent process of land acquisition, land allocation, and resettlement (Cousins and Scoones 2009; HRW 2002; Masiwa 2004).

The political jostling went on even after the passage of post-independence legislations because white commercial farmers still held large tracks of farms. The new political order in resettlement areas of Zimbabwe created challenges and opportunities which this research sought to dig more into (Scoones 2008). Thus the new potential available in the resettlement may enhance broad-based growth as well as permit permanent growth in ways that may surpass the old food production levels. Political dynamics in rights issues point to power and therefore class struggles with their culmination in restricted access to land-based resources. In agreement with this position Bernstein (2007:27) consolidates it further when he says, "...issues of power and agency, charted by the course of class and popular struggles (with all their specificities, and inevitable unevenness and contradictions), [are] at the centre of questions about land reform." Thus power interface between and within social groups is inevitable.



Inevitable too was that what seemed to be some cautious stance from the Ministry of Economic Planning and Development (1981) Government did not want haphazardly distributed as well as hastily unplanned settlements to come to pass. The land invaders had immediately allocated plots to each other accusing the land task force set by government of being slow (The Daily News, 2001). These defiant occupations were led by the all-powerful Zimbabwe War Veterans Association. In acknowledging the power interface within the political realm, Chambers (2004:27) conceptualises power in various ways and sees it as, "...power-over, implying control...power-to (which relates to) the unique potential to every person to shape his or her life and the world, power-with through collaboration, solidarity, collective action and

so on, and power-within through self-worth and confidence.” Power can therefore be obtained, claimed, usurped, lost or abandoned.

Whilst the types of power are exhaustively dealt with by Chambers (2004:27), here the researcher only used the concept to acknowledge its critical role in understanding and defining tenure rights and poverty reduction. What is cautious from Chambers’ elaboration of power is that when it is “...exercised crudely, [it] brings many disadvantages. It misleads ... lies ... inhibits or destroys trust. It deters initiative, creativity and local diversity.” Indeed misuse of power constrains participative relationships and may result in complex political upheavals.

The new political era ushered in by Zimbabwe African National Union Patriotic Front (ZANU-PF) in Zimbabwe was a result of land based political rivalry between the Blacks and the colonial White regime. In summarising the dynamics of politics Maguranyanga and Moyo (2006:6 Online) posit that, “Land and Tenure reforms are complex political, emotive and legally challenging processes. Land reform, allocation of land rights and granting of leases in Zimbabwe are essentially political processes and, therefore, the construction of exclusive rights remains contested terrain”. Access to land-based resources in most third world countries has increasingly become politicised to the extent that the selection and allocation of people to these resources commonly depend on political party affiliation. This position is acknowledged by Sachikonye (2003:51) who writes, “...redistribution of land, of course, followed contours of class and gender inequality, and political power and patronage, with relatively fewer gains by those who are most dispossessed and oppressed”. The political dynamics picture after the fast-track resettlement deserves a slot in this literature review too.

1.1.2. Post-Settlement Period (2004 to 2011)

The period after 2004 when the fast-track land resettlement was considered complete was characterised by increased political activity in the settlement areas of Zimbabwe. Chaumba et al (2003:538) agree and say that these settlements were not ‘neatly socially engineered’ but were a result of complex political eventualities that were brought about by the waning political grip of ZANU PF. Although the formal legal system continues to function in Zimbabwe, its legitimacy has been challenged internally and externally. The government operates under a series of laws, orders, and emergency presidential decrees of often dubious legal authority, as recognized by the 2008 SADC ruling against the government and in favour of commercial farmer rights. A 2007 assessment by an international team of legal professionals found that the rule of law was eroding in the country and Zimbabwe’s judiciary and its rulings were often ignored by the police and government officials (Reynolds and Flores 2009; IBA 2007; HRW 2002). Scoones (2009) also reiterates regulation against capture by elites or speculative investors to avoid inefficient and inequitable consolidation of land holdings and land disenfranchisement, especially of the poor and women (for example, the danger of mass sales and rapid speculative land accumulation by local or foreign elites/companies in times of economic hardship, and the reversal of redistributive gains).

There is uncertainty and confusion as to who really is really on the ground as the resettled farmer resulted in what Chaumba et al (2003) and Marongwe (2009) described as ‘absentee landlords’. Because of the flight of the donor community from Zimbabwe some resettled farmers who ended up being absentee landlords lacked financial and input support from government. Furthermore, Coultat (2008) estimates that the decline in Zimbabwe’s economy between 2000 and 2008 fell by 40%, and that 2008 was probably the melting point for both political and economic activity in the post fast-track period.

Such decline was attributed to failed policies and economic mismanagement. Politically the contested presidential and parliamentary elections increased tension between the two feuding parties, viz, ZANU-PF and MDCs.

The formation of the Global Political Agreement (GPA) government in February 2009 also adds another new dimension to Zimbabwe's land reform environment. The proposal of the new government that it intends to carry out a land audit seems to further suggest that there are still more issues to be uncovered in resettlement areas. Given this scenario it therefore becomes interesting to find out how the Mafela community itself was affected in the trust on land rights systems and poverty reduction mechanisms.

The other characteristic of the post-settlement period is what Scoones et al (2011) describes as the 'retrospective planning'. The desire by the majority black population to have more land meant that farm size and appropriate land use was to be adhered to. Davies (2005), on the other hand, doubts the sincerity of the political parties within the GPA regarding clear policy on the future of the status of land tenure in rural areas given that these parties barely agree on anything and that where agreement is made implementation remains elusive. Apart from political dynamics, economic phenomenon has much to do with shaping and influencing community rights systems.

1.1.3. Economic Dynamics

The economic processes that may result in land utilisation becoming more individualised or collectivised seems to depend, among other things, on possible investment opportunities, the supply of land as well as the demand thereof. Matieus (2002:368) has this to say on the market for land, “Investment, growth of agricultural production, rural markets of factors of production and the future distribution of land assets are interlinked; economic, social and political processes not independent to

each other; any external intervention presents particular interest and can have specific consequences in these processes. If the demand for land largely exceeds supply in a socially as well as politically prioritised environment, the former usually remains deeply rooted in social relationships and may not be clearly visible as an economic practice. Writing on *Regional Linkages in the Era of Liberalisation* (Hart 1998:27-54) argues that agricultural growth may generate non-agricultural diversity of rural area through what she calls 'production and consumption linkages'. Scoones et al (2011) agrees and submit that prior to the resettlements several commercial farmers had small businesses that were ran parallel to support people who lived in their establishments and that these small businesses included grinding mills, grocery shops and butcheries. Closer to home in Masvingo, Scoones et al (2011:83) observed that one of the A1 businessmen had a thriving cattle fattening scheme that was supported by transport business. However, Hart (1998) goes on to argue that diversification of the rural economies does not per se emerge automatically from agricultural growth and market expansion, instead social organisation of production is necessary, access to resources as well as social logic of investment.

Whilst her observation was not specifically relating to the Zimbabwean scenario, resemblance of such views may also apply in Mafela as an emergent potential market for future economy. In Zimbabwe the post Economic Structural Adjustment Programme era which was characterised by negative growth, high inflation, low levels of employment and negative perceptions of the effects thereof meant that new answers were to be sought relating to land rights systems. Business people who were earlier keen to provide assistance in resettlement areas closed shop as they were unable to run their own businesses in the "crazy economic conditions of the time" (Scoones et al 2011:27).

Rights-based livelihoods embraces rural economic activities which seek to increase production capacity and employment as well as some degree of income generation, all within the scope of building strength

and priorities for communities. Thus households carry out a range of livelihood strategies based on their assets in relation to what they would want to achieve. The ability to access various combinations of assets helps to determine how vulnerable or robust a livelihood may be tackled (Shackleton et al 2000). The poor people's livelihoods are complex and dynamic and therefore require dynamic solutions that aim at their incomes, food security, economic synergies as well as cost saving initiatives. Since the advent of independence in Zimbabwe, most rural households have taken in a lot of activities and income sources that seek to minimize poverty.

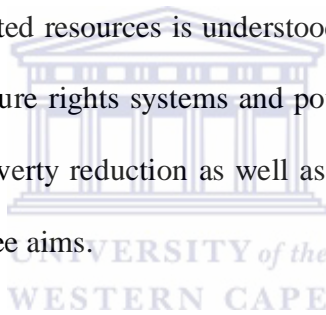
A gloomy and failure trail left by the Structural Economic Adjustment Programme (ESAP) put paid to resentment initially harboured by the civil society and the generality of the Zimbabweans (Kanyenze 2004:131). The succeeding programme, Zimbabwe Programme for Economic and Social Transformation (ZIMPREST) was introduced in 1998 when in fact it was supposed to have been launched in 1996 and run up to 2000. Like its predecessor this programme was meant to turn around the economy through poverty reduction, land reform, black empowerment and indigenization (Ndlela 2003). The failure of these programmes compelled Zimbabweans to indulge in new initiatives to sustain their living conditions. The participation in such initiatives and the strategic options available to each community differs with, among other things, social characteristics as well as the thrust with which household members align themselves to the changing economic circumstances both within and without their settings. Wild resource products, in most communal areas, for example, provide economic utility diversification towards poverty reduction. Such things as firewood instead of paraffin, hand craft materials, wild foods and wild medicines are utilized as close substitutes to very expensive modern medicines.

Some of these products may be harvested purely for income generation or as tradable inputs into other key production component in the broader economy. (Shackleton et al 2000) argues that such economic dynamic utilisation of these 'free' assets may lead to significant reduction in cash transactions, itself a powerful pro-poor strategy for enhanced livelihoods as well as poverty reduction measure. The poor people's livelihoods are complex and dynamic and therefore require dynamic solutions that aim at their incomes, food security, economic synergies as well as cost saving initiatives.

The participation in such activities and the strategic options available to each community differs with, among other things, social characteristics as well as the thrust with which household members align themselves to the changing economic circumstances both within and without their settings. Against this background therefore, it becomes important to define rights systems that may determine who gets what and how much of the free resources. Failure to do that may lead to negative impacts that relate to commercialisation of these 'free' resources since market opportunities may be presented for grab by outsiders as well as greedy internal people. This may be occurring at the expense of the poor. Under-valuation problems usually occurs when dealing with assets available in the community simply because of the failure to give due recognition to the informal as well as non-market products in the valuation of communal assets. Luckert and Campbell (2002) present the argument that valuation of such things as fruit trees planted by rural people in their back yards is difficult to assign value to. However, viewed from a broader perspective, the economic value of these planted trees is quite significant in livelihoods beneficiation since these trees are sources of food by and large.

The rights approach towards poverty reduction gained more fame in post-independence Zimbabwe. The promulgation of many instruments aimed at redressing land rights issues - though welcomed by many

people - fell short of delivering the land rights to most Zimbabweans. When rights based approach is mentioned, people generally think about rights of privately owned property holders and yet when poverty is to be addressed the unequal access to resources and opportunities need a rethink-hence the desire to investigate Mafela resettlement in terms of rights systems and poverty. Zimbabwe's struggle for land rights was conveniently categorised into the First, Second and Third *Chimurenga*. Mafela resettlement itself was born during the Third *Chimurenga*. Land rights issues are not only unique to Zimbabwe but to other regional and global countries too. Conflict of one form to another are abound in these countries. However whilst there is apparently well documented legislation on resource access and use at international, regional and national levels, there is strong and growing need to understand how local level access and use of land related resources is understood by the Mafela community. The study therefore aimed at exploring land tenure rights systems and poverty reduction mechanisms in Mafela; the evidence linking land rights to poverty reduction as well as rights governance. Research questions were then formulated against these three aims.



1.1.4 Aims of the Study

The study was carried out against the backdrop of the rights-based approach as one of the significant leverages of livelihoods improvement. There is general understanding that the insecure land rights systems for poor people need redefinition, protection and strengthening (Odhiambo 2004). Against this purview therefore, this study aimed at:

- Exploring the land tenure rights systems and poverty reduction mechanisms perceived by Mafela resettlement community as improving their livelihoods.
- Finding out if there is evidence linking land tenure rights systems and poverty reduction comprehension initiatives to livelihoods improvement in Mafela.

- Finding out how land rights governance systems affect community livelihoods

1.1.5 Research Questions

In trying to gain a bigger picture of the occurrences in this resettlement, the research was organised around the following thematic questions:

- What are the land rights systems and poverty reduction mechanisms/strategies understood by Mafela community to improving livelihoods?
- What evidence links tenure rights systems and poverty reduction comprehension to Mafela's livelihoods?
- How do the rights governance systems affect the living conditions in Mafela?

1.1.6 Assumptions of the Study

The following assumptions are made:



- Resettlements are semi-autonomous entities which are self-governed.
- Definition and comprehension of land rights systems and poverty reduction is contextually bound.
- A positive relationship exists between comprehension of land rights systems and improved livelihoods.
- Formal and informal tenure rights may co-exist.

1.1.7 Rationale and Significance of the Study

The rationale of this study lies on the fact that the Third *Chimurenga* resettlement schemes are a fairly new development in Zimbabwe. Diverse authority and decision making processes that emerged with the

advent of land committees consisting of politicians, liberation war veterans, and traditional institutions as well as elected councillors against *Fast Track* land redistribution seems to have spurred deep rooted implications on land rights systems and poverty reduction in the post Third *Chimurenga* era. Scoones et al (2011) admits that understanding the highly complex social dynamics of tenure systems and the underlying political dimensions is critical if complete land governance structures are to emerge. Not only should these institutions emerge, but they should be seen to be effective and their decisions binding.

After the expiry of the Lancaster House Constitution in 1990, legislation allowed land acquisition for resettlement with financial compensation. By late 1990s only 203 out of 6 571 farms had been taken since independence (Reynolds and Flores 2009:6). The Third *Chimurenga*- through Fast Track Programme- sought to take over white commercial farm land in order to redistribute it to the majority Blacks. However, this process for distributing seized land has been blamed for poverty in resettlements. Those that invaded and occupied the farms – notwithstanding their economic status - were among the pioneers to be given land under the Fast Track (Masiwa 2004). As such the resultant resettlements seem to be characterised by new and peculiar socio-economic interactive processes which need to be studied in order to understand how they deal with their land rights systems and poverty reduction challenges.

This study is significant in many ways. The findings of this research will give insight and significance to addressing land rights systems, the linkage of these to poverty reduction as well as governance systems that ensure fair and equitable access to and control over resources. It also serves as a door of entry for emergent and existing researchers to carry out similar studies in other resettlement communities in order to further understand complex social realities that obtain there. This study is significant again because it engaged with the rights of governance systems so as to assess the various levels of authority in as far as

these relate to poverty reduction initiatives in Mafela community. The resettlement beneficiaries themselves would benefit from this research by using information gained from this research to assert their land rights systems as a means of securing livelihoods through active participation in secure economic activities.

1.1.8 Research Methodology

The methodology employed in this research for the purpose of collecting data required to understand the lands rights systems and poverty reduction initiatives in Mafela includes research design, research techniques, data collection procedures, data presentation and analysis. A qualitative approach was used by the researcher to design, collect and analyze the data. The goal of this method is defined as describing and understanding rather than merely explaining and predicting human behaviour (Babbie, 2009:16).

1.1.9 Research Design

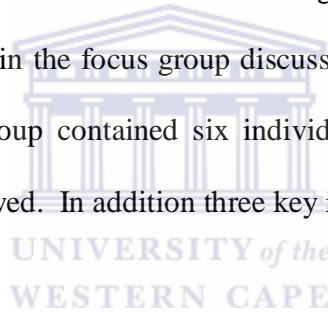
The case study design was employed for this research. It was preferred because it tries to build a detailed picture of the selected case – Mafela – by bringing out all the factors under consideration so as to make a well-informed judgment about issues being raised. The main issues proffered by this design include acquiring a detailed picture of land tenure right systems, poverty reduction mechanism and land rights governance systems within the context of communities aimed at hedging themselves against steep descent into chronic poverty.

Mafela being one such community, born in the Fast Track resettlement era, is positioned well to be used as a case which may almost be generalized in resettlements of like-nature. The logical structure of the enquiry within this research was categorized under three thematic questions. The first dealt with land rights systems *per se*, the second dealt with the link between rights systems and poverty reduction

initiatives, and the third was on the governance of the land rights systems within the case in question. This design was envisaged to bring to the fore all the salient features needed to answer the research questions.

1.1.10 Target Population

In order to understand the issues raised in this study, the entire adult population of Mafela resettlement which consists of 31 households was used. These people experience similar environmental conditions and circumstances by virtue of them living in this locality. They have a similar culture and they speak the same language thereby making it easy to understand each other. From each household two adults (male and female) were interviewed. In total 62 interviewees were engaged under the face-to-face interviews. Thirty-six respondents were involved in the focus group discussion, that is, 18 adult male and 18 adult females. Each group of the focus group contained six individuals which therefore meant that three groups in each category were interviewed. In addition three key informants' views were sought.



1.1.11 Research Techniques and Tools

Face to Face Interviews

In trying to answer the research questions in the study various methods and tools were used to collect data. Before the actual interview an appointment was made with each household head who was the main entry point of each household. The researcher was accompanied by a Mr. PCM (anonymous name) who is one of the known community members at Mafela. This was done so that confidence in the whole process was guaranteed. It was during this same period that the person accompanied and introduced the researcher to the community leadership who in turn laid the preparatory ground work for the researcher in terms of forewarning the community of when the process started. Convenient time was agreed upon between the researcher and the community leadership as to when the research started. The actual

interviews for the households were conducted over four days and approximately seven households were interviewed per day.

These interviews were conducted for approximately 40 minutes for both adult female and adult male within each household. Focus groups and key informants were interviewed over two days. A further two days were set aside for a follow-up activity because some respondents were not found in their homes for various reasons. The justification for this short time-frame was to keep the momentum as well as leave the community early enough before they were bored. The advantage of face-to-face interview lies in what Babbie and Mouton (2007:46) say that, "...it is essential in the study of people to know just how people define the situation in which they find themselves", in verbal utterances and observable cues that may allow the interviewer to gain reality from interviewees in a natural environment.

The main tool that was used to collect data during the interview was the interview guide. This guide was arranged in three sections which were in tandem with the main thematic questions of the study. Follow up questions which supported each main question of each section were designed. During the interview sessions individual adult males and females took turns to be interviewed separately in each household. This approach was meant to safeguard confidentiality and dignity of the interviewees. Where interviewees were unclear about certain points, their facial expression like frowning and drawing their upper body towards the researcher could be noted. Such behaviour tallied with Chiwara's (1989:81) justification of the interview method when he said, "Interviews involve much greater depth than other methods and permit greater clarity". The interview was also preferred since it served as both a descriptive and an analytical tool in evoking knowledge, attitudes, perceptions and convictions of the Mafela community towards their rights and poverty reduction initiatives. Where the interviewees' responses were not clear the researcher paraphrased or changed the wording of the question. For

example, sub-question (9) under Section (B) was merged with sub-question (8) after the first three household interviewees gave similar responses for both question and it was clear that one of the questions was to be dropped.

Life History Stories

Within the households, the life history method was used where interviewees gave historical evidence on their living conditions. This method proved effective because interviewees would divulge certain information that was also critical to the study. For example, such information as the part played by the interviewees during Zimbabwe's Liberation Struggle came out clearly and this enabled the researcher to understand their background although this was not initially openly asked in the interview guide.

It was also easy to see somebody's gestures from the interviewees that conveyed useful insights to the researcher. Where the researcher himself could not understand the gesture further clarity was sought. For example, in some cases the interviewees seemed uneasy when some questions were asked which showed that they did not understand what was asked. Of this added advantage Plummer (1983:19) sees in it the interviewees' full length book account of their personal life in their own words. Through this method, the researcher would easily set back and move through with the interviewee there by gaining the vivid picture of what the respondents experienced. In some cases the researcher himself ended up being carried away by the interview sessions as some stories told were really captivating. For example, stories to do with their experiences during the liberation struggle and how these vividly described their material losses to property thus leaving them very poor were quite interesting.

Focus Groups

This method was used to interview three groups of six adult females as well as another same number for adult males. The reason for separating interviewees was to allow each group freedom of expressing their

views without feeling intimidated by the presence of the other gender. On considering the size of each group the researcher was guided by Merton et al (1990:137) who suggest that, "the size of the group should manifestly be governed by two considerations...it should not be so large as to be unwieldy or to preclude adequate participation by most members nor should it be so small that it fails to provide substantially greater coverage than that of an interview with one individual". This number allowed for maximum participation from all members within each group. Each session started with introductions of everyone as a grand strategy of loosening up interviewees as well as creation of a friendly atmosphere in readiness of what was to come.

During interviews some interviewees wanted to dominate the session but the researcher quickly picked it up and ground rules were made with the consultation of the group. This was only a problem in the first group since the researcher had not initially planned for the ground rules. With successive groups interviews went on well since the ground rules were now in place. Morgan (1997:8) cites one of the advantages of focus group method as giving, "...the opportunity to observe a large amount of interaction on a topic in a limited time..." The other advantage is that group interviews also provided indications on resemblance and differences of the respondents' opinions and encounters instead of just mere extrapolations of single person analysis derived from each interviewee.

Key Informants

Apart from the methods used above, this research used key informants method. It targeted prominent people in the resettlement (the councillor and the village head) including the district lands officer. The choice for these people was based on the fact that they were privy to some critical information that relates to the research questions by virtue of their position in this community. Similar questions asked in the household interview and focus groups were used here. The reason for this was to compare and

contrast responses as a means of triangulating them across the whole resettlement interviewees in order to have a reliable and general position that answered research questions.

Documentation Archiving

In this method the researcher used documents such as letters, minutes for meetings, lease agreement and the community constitution as primary sources of information. In other instances these documents were used as authentic evidence to support certain claims raised during the interviews. The researcher only sought clarity from these document where certain things where not very clear. For example, the letter from a Mr. JJJ (anonymous name referring to a white man who leases land from Mafela community) on the transfer of three heifers to community members was ambiguous in that an outsider could not understand the terms and conditions under which this document was conceived and therefore enforceable in a court of law should each party breach it.

Data Presentation, Analysis and Interpretation

The vast data that was captured mainly through note taking and tape recording was collated, presented, analysed and interpreted in various ways. The reason for taping was to obtain respondents' views verbatim in order to avoid biasness. Equal responses at least at household level from both adult males and females were collected to ensure that gender equity was maintained. Interpretation of data was weighed against authoritative sources as well as the researcher's own inferences. Verbatim citations were captured in parenthesis and written in vernacular (IsiNdebele) as it occurred and then transliterated in English in order to clearly bring out what the respondents said themselves. For easy comprehension, data analysis was presented according to the three thematic sections earlier alluded to in the previous chapters. Comparison of responses from almost similar questions helped the researcher to see if indeed respondents logically presented their cases in ways that did not prejudice the research findings.

Furthermore the use of the same interview guide in the household interviewees, focus groups and key informants and getting similar responses meant that the findings are credible. By and large data presentation was narrative in order to summarise and bring to the fore the salient arguments of the research. Data was also analysed from letters obtained from the village files. Samples of some letters were also presented as the responses from the interviewees were made in-text. This was done to buttress certain points and views raised by the respondents. In some instances the resettlement's constitution and minute book were used to corroborate certain responses. For instance, the frequency of village meetings as well as the ability to take notes on important issues raised in a meeting was easily evident from these records. From the records of meetings one is able to see how frequent these people meet as well as some topical issues that they usually discuss. It is from those topical issues that the research was then able to corroborate responses from the interviewees. In the letters as well as verbatim citations pseudo names were given to hide the identity of the respondents. This was critical because the committal letter signed by interviewees stressed on confidentiality and anonymity of respondents. Physically, the area is delimited by way of streamlining juxtaposed settlements.

1.1.12 The Mafela Resettlement

Physically, Mafela resettlement is located within Matabeleland South Province which is approximately 45km south of the city of Bulawayo. Further west of this resettlement lies the border town of Plumtree. Juxtaposed to this resettlement are Mqabuko (known before resettlement as Forwards Block Clifton), Sydney-Malunga (known then as Dhoop), Sargents Farm – itself popularly known as Maplanka. Jeqe (Ravenswood) is also another settlement bordering with Mafela. Amid such clustering therefore, the land rights systems and poverty reduction initiatives needs to be investigated in order to understand various social interactive processes. The Tenure Rights and Poverty Reduction in Mafela resettlement

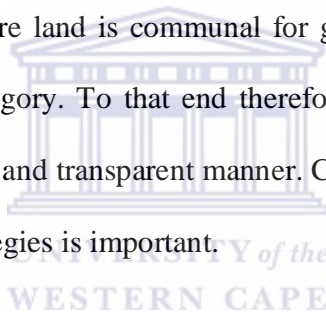
should not be understood as a mere academic exercise; rather it should be related to livelihoods improvement as its ultimate goal. For that reason the study heavily leaned on the Rights-Based approach towards that realisation. The logic for this approach which was carried out against a broader purview of the predominantly qualitative techniques is that it is appropriate in dealing with unpredictable and ever changing human behaviour. Figure 1 below shows Zimbabwe's administrative provinces wherein the location of Mafela resettlement is shown by an arrow on the map.





Figure 1
 Administrative Provinces of Zimbabwe
 Source: www. Google Earth [Browsed 24/02/2011]

The land tenure system in Zimbabwe dates back to colonial era with the arrival of the colonial settlers in 1890. All land belonged to and was administered by the Queen of England who stripped the indigenous people of their rights to land. Under the Crown's land tenure system the country was divided into freehold, state and tribal trust tenure (Moyo 2009). After the Second World War white soldiers were given fertile land, which land was owned by the black. Mafela resettlement itself was given to Major Errington (Oral history obtained from the interviews). The name '*KoMajor*' (another common but unofficial name for Mafela) is reminiscent of the assertion that indeed this settlement belonged to former military personnel who had the rank of a major by the time of demobilisation. At independence in 1980 Zimbabwe inherited some aspects of the old tenure system but this was altered to recent tenure models such as A1- a villagised concept where land is communal for grazing and residential but separate for cropping. Mafela falls under this category. To that end therefore, tenure rights administration system may be secure when it is done in a fair and transparent manner. Clarity on co-ordination and oversight of land rights and poverty reduction strategies is important.



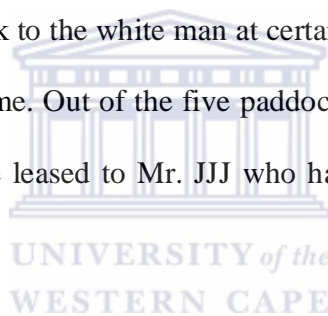
1.1.13 Climatic Conditions

Mafela resettlement lies within Zimbabwe's Natural Region four and has an average annual rainfall of 600mm. The rain fall in this area is erratic. Climatically the suitable agricultural activities here are cattle rearing and small grain crop farming.

1.1.12 Socio-Economic Activities

Generally speaking, the settlement is mono-cultural with a predominant influence of Ndebele culture given that most of the resettlement members come from Matabeleland South Province. The *induna* (chief) and village-head are still important and respected informal institutions in this community. These institutions exist parallel to formal developmental structures such as the village development committee

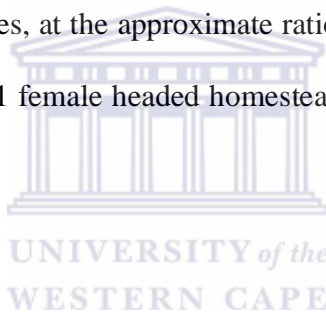
(vidco) and the ward development committee (wadco). Ritual practices like not-working on the fields on Wednesdays (*ilanga lokuzila ukusebenza*) tallies well with the general practice found in Matabeleland South Province. The rain-making ceremonies and other traditional dances of Ndebele traditional origin are a clear testimony of the strong cultural influence this resettlement has from the outlying region. Economically these people are generally farmers who depend on crop and livestock farming for their basic needs. As their major income generating activity, they run a cattle rearing scheme with Mr. JJJ (the same white man who leases part of Mafela land) which scheme is aimed at rebuilding their cattle head. This scheme started in 2005. Each homestead was initially given three cows to keep and the arrangement was that once the cows produced a heifer it was retained by the homestead but if the cattle were male it was raised and given back to the white man at certain times agreed upon between the white man and the beneficiaries of the scheme. Out of the five paddocks allocated to the community for their livestock grazing, two paddocks were leased to Mr. JJJ who had approximately 150 head of cattle in those two paddocks.



The scheme was only open to 13 homesteads at its inception up to date and only homesteads that existed then are still the beneficiaries of it. As a spin-off gesture the white man provides dipping and vaccination services to the entire resettlement head free of charge every Wednesdays. The average head of cattle per individual homestead in the 31 homesteads is nine against the total resettlement area of 2 585 hectares which is also meant for both arable and homestead use for the entire community. The other 18 majority homesteads of Mafela are not part of the income generating scheme alluded to above. This presents some interesting scenarios for such issues as resource access and governance of rights systems.

1.1.14 Education and Demographic Composition

Mafela resettlement community is generally made up of people whose educational level is basic primary, that is, grade one to seven as well as sporadic people holding secondary and professional qualifications here and there. The community is serviced by one primary school which is located at a near-by Sydney-Malunga resettlement. The only nearest secondary school attended by pupils from this resettlement is approximately 14km away and is found in Bazha communal lands south of Mafela resettlement. Demographically, the area consists of both the middle aged and elderly people whose average age lies within 40 to 65 year old age groups as well as children of school going age and the youths (Matobo Rural District Council Quarterly Household Baseline Survey 2010). The gender balance is generally heavily tilted towards males, at the approximate ratio of about three females to eight males, given that there are only four out of 31 female headed homesteads that benefitted from the inception of the land redistribution exercise.



1.1.15 Ethics

The research was guided by respect for individual contributions, openness and strictness on confidential information gathered, fairness and acknowledgement of intellectual property rights through in-text citations. Consent forms were signed by respondents acknowledging their participation in the research process.

1.1.16 Summary

Basic assumptions were made about the target population. The study is significant in that it tries to bring to the fore the land rights relationships obtaining in the new resettlement areas which themselves are a new development in Zimbabwe. This insight may also be used on these new resettlements strewn all over Zimbabwe in order to understand their similarities and dissimilarities in so far as they relate to

issues of rights systems and poverty reduction. Although the study is hinged on a rights based approach, it is buttressed by such concepts as livelihoods, poverty, access and user rights, power and Mafela community. Physical delimitation situates Mafela in Matabeleland South Province and Figtree relative to other notable places in the surroundings. In Chapter II which follows this, a review of related literature is done. Chapter III deals with research findings and analysis, whereas Chapter IV is on the discussion of findings and finally Chapter V covers summary, conclusions and recommendations of the study.



2. CHAPTER II: LITERATURE REVIEW

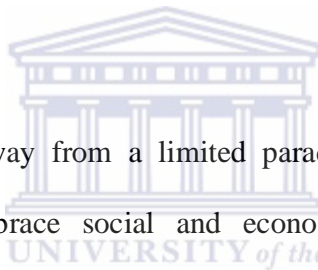
2.1 Introduction

The aim of this chapter is to provide prognosis of what other authors have said about land tenure rights systems and poverty reduction in the world of land reform. At the same time it seeks to amplify measures which Mafela community employs to reduce poverty on their localised environment. The desire for self-determination over land rights systems and poverty reduction seems to have taken centre stage in most developing countries and indeed in resettlement areas of Zimbabwe (Reynolds and Flores 2009). The behaviour of households however portrays dynamisms inherent in the communal tenure systems (Thebe 2010). The land rights systems and poverty reduction initiatives in Mafela are put under research microscope to see how these issues manifest themselves in this resettlement. Tenure rights reform becomes irrelevant if they do not enable people to utilize their resources for better food security (Wisborg and Rhode 2003). Thus the link between land rights systems and poverty reduction needs theoretical grounding. Tenure rights systems relate to how institutions define rules as well as allow people access to resources (Freeth 2010). Such institutional issues relate to governance of land rights, which this chapter also deals with. Conway et al (2002) see the discourse of international human rights as providing the potential for powerful approach to development issues and poverty reduction. Furthermore, Addison et al (2009) posit that to understand poverty reduction well there is need to apply cross-cutting issues or disciplines and methods.

This chapter sets off by giving the concepts that inform this research. It hence-forth lays out three thematic headings which form the core of the cross-cutting issues that are examined against literature which deals with same. Under each main thematic heading sub-themes are developed. Among some of

the building blocks to this literature review are; land right systems, tenure rights and user rights, private and collective rights using various authors. The rights systems are then linked to poverty reduction initiatives using theoretic literature and finally the governance of rights systems from different perspectives. Land tenure relations and poverty reduction have been a fiercely contested terrain as way back as the 1800s (Chinamasa 2001). The desire to own, use and have security of tenure by the generality of the Black people transcended post independence Zimbabwe. As such the debate on how tenure rights systems would assist in poverty reduction needed further research of Mafela resettlement's land beneficiaries themselves on how they understand the tenure rights systems and poverty reduction in their own context.

2.2 Conceptual Framework



Livelihoods analysis have moved away from a limited paradigm of mere production and income generation ventures to broadly embrace social and economic dimensions in reducing poverty (Shackleton et al. 2000). Poverty generally results from inequalities in access to land and other resource opportunities. The rights approach focuses on who does or does not have power over certain resources and therefore for a community to make substantive as well as effective claims on resource utilisation they need to define their circumstances; access information; display group cohesion; access fair arbitration on matters of dispute and have institutions that advocate and uphold rights.

Tenure rights systems generally define how access that is obtained could be used and control resources as well as specify responsibilities and obligations thereof (Freeth 2010). The rights systems also specify the person who uses the resources under conditions also defined therein while tenure itself connotes to rules, relationships as well as institutions that define rights systems and ownership to resources.

The concept also drew insights from the notion that possession of something (property) without evidence of that possession is meaningless (Sjaastad and Cousins 2008). However, even though there may be evidence of possession in the form of title deeds or some other official documentation there remains to be seen if these necessarily result in poverty reduction as well as security. Security of tenure essentially relates to certainty or assurance that a person's rights to resources would be acknowledged or respected by other people and hence protected whenever such rights are infringed upon. The way communities understand their circumstances and therefore actively participate in initiatives meant to make them access resources fairly as well as definitive to themselves may be a positive start towards poverty reduction thrust. The study was therefore premised on the rights-based approach in general but specifically focused on tenure rights systems and poverty reduction within Mafela community.

Also critical to this study is the concept of power which itself derives from authority. During and after the Fast Track Programme there emerged diverse authority and decision making bodies such as the institution of war veterans and the land committees (Njaya and Mazuru 2010). These diverse authorities brought with them new and complex procedures in terms of rights governance in resettlement communities. Whilst various scholars define 'community' (Mafela resettlement in this case) in different ways, in this study Matose's et al. (2006:3) definition guided this research and it states that, "A community is a group within [which it has] access to resources and [can] deny outsiders such access." By extension therefore what comes out clearly in this definition is that the community is a social institution serving the needs of its people through a shared sense of belonging and purpose. Thus a community serves as the epi-centre of "...conservation and management [of resources]", (Agrawal and Gibson 1999:633). In this case therefore Mafela community's rights systems, the link between these systems and poverty reduction as well as rights governance are all critical livelihoods issues.

Conceptually, poverty itself may be generally seen as a state of deprivation of basic necessities which include food, shelter as well as limited access to other material things like livestock. Whilst this term is relative and used in different contexts, in this research it will mainly be confined to limited food and shelter access as well as inadequate basic livestock. Yet another pivotal concept in this research which UK Department for International Development (DFID) defines in Isaacs (2006:3) is 'livelihoods' and is seen as, "... comprises the capabilities, assets (including both material and social) and activities required for a means of living." Livelihoods encompass the welfare of a people in its entirety and are a function of socio-economic as well as political interconnectivities.

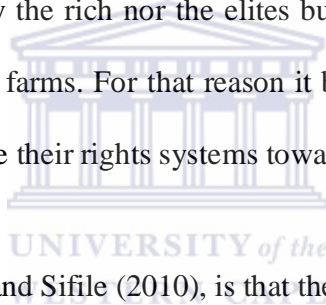
The study therefore concerns itself with resettlement/community as an area of focus since there has been serious debate on the efficacy of tenure reform and poverty reduction as a way of a grand strategy towards improving livelihoods in resettlement communities. The research locates itself on the period after the Third *Chimurenga*, that is, after 2004. The (USAID Country Profile 2010:6.) makes this period relevant in this study since it bemoans the Fast Track Land Reform Programme as having been generally blamed for poor livelihoods. Again what makes this period conceptually relevant is that most people in Zimbabwe obtain their livelihood directly from agriculture, therefore access to land ownership rights and user rights is very sensitive (Njaya and Mazuru 2010:164).

2.3 Rights Systems

Rights based approach to development has been advocated and widely adopted by many organisations such as the Non-Governmental Organisations (Chambers 2004). This approach places people at the epicentre of sustainable development. Toulmin and Quan (2000) writing on 'Myths and Conventional Wisdom' see land tenure as a field where there have been major changes in views regarding the best means to control access to land and other resources in order to promote development. A number of

challenges have pervaded the minds of those charged with management of the land rights systems to the effect that little or no room seems to be given to the beneficiaries of land resettlement to express and take charge of their own circumstances.

In a country such as Zimbabwe so divested economically, the question to ask would be whose rights? Chambers (2004: 6) provides an aptly answer by saying, "... the realities [rights in this case] of those who are poor and marginalised are ignored or misread" maybe because of lack of clear definition of the rights on the part of the holders thereof. The rights of the politically mighty and those of the weak stand diametrically opposed. In support of this view Scoones et al (2010:16), observe that the new resettlement areas are not occupied by the rich nor the elites but by the poor. The rich occupy the A2 farms as well as the large commercial farms. For that reason it becomes necessary to find out from the A1 (Mafela) farmers how they perceive their rights systems towards reducing poverty in their midst.



The challenge, as posed by Chimhete and Sifile (2010), is that the government unleashed war veterans to violently grab land from the white farmers as a direct cushion to the prospect of losing parliamentary elections in year 2000. This in a way, raised concerns as to how resettlers may secure tenure rights systems that may enhance their poverty reduction strategies and be beneficial to their livelihoods. The rights systems should not only be narrowly viewed in terms of civic and political dimensions but rather it should be understood economically and culturally too (Jacobs and Chavhunduka 2003:13). Platteau (1996:63) puts it succinctly by saying, "... land represents far more than a mere input into an agricultural enterprise and it is impossible to abstract it from all the social, ritual, affective and political meaning associated with it." Land tenure rights systems and poverty reduction are therefore construed against all these parameters.

2.4 Tenure Rights Systems

Tenure rights systems are ways in which individual communities try to form beneficiation relationships with their land related resources in order to meet the dire needs of their livelihoods. ‘The Zimbabwe Human Rights Forum’ (2010:7) views tenure rights as; “...the name given to the legal regime in which [an] individual owns land”. New rules, relationships and institutions tend to emerge at the same time as the new social order emerges in order to determine how the rights systems on land are allocated as much as how they are granted to users thereof. Arguably human circumstances always change with changing times and social order and therefore it stands to reason to examine these rights in Mafela against the new socio-political order inherent in the resettlements. Tenure rights may be viewed as consisting of a basket of prerogatives that may be claimed and asserted by a person(s) at various levels of societal stratification by virtue of them being the legal owner or temporary holder of such rights.

The term ‘right’ as defined by Hornby (1988:731) refers to “proper authority or claim; the state of being justly entitled to something”. By extension therefore, tenure rights connote to legal or lawful justifiable claims by individuals or groups for things that they possess or are entitled to use. Given the forceful acquisition of this settlement, the idea is then to find out how Mafela residents themselves transact their activities legally to justifiably assert their rights on the resources that fall under them. (Paradzayi 2001) [online] gives an interpretation of what tenure rights security entails when he says, “...it is the individual’s perception of his/her rights to a piece of land on a continual basis, free from imposition or interference from outside sources, as well as the ability to reap the benefits of labour or capital invested in land, either in use or upon alienation.” The tenure is determined by a set of rights enjoyed by the holder as well as the duration for which the rights are valid. He further looks at the legal dimension as critical in defining composition and duration of rights in the bundle even if the tenure right is short.

Writing on the rights governance of the then Rhodesian government (Rhodesian Herald of 19th April 1895) had this to say:

For the Rhodesian it was absurd to take the untutored savage, accustomed as he is from time immemorial to superstitious and primitive ideas of law and injustice, and suddenly try to govern him by the same code of laws that govern people with many centuries of experience and enlightenment [the whites themselves].

What this meant was that all land belonged to and was administered by the Queen of England (the Crown) who stripped the indigenous people of their rights to land. Under the Crown's land tenure system the country was divided into freehold, state and tribal trust tenure. At independence in 1980 Zimbabwe inherited some aspects of the old tenure system but this was altered to recent tenure models such as A1- a villagised concept where land is communal for grazing and residential but separate for cropping. Clarity on co-ordination and oversight of land rights and poverty reduction strategies is important. In that regard rights governance and poverty reduction ought to take this into cognisance. The institutional arrangements and context of tenure rights governance have to be linked to the strategic posturing of the community to ensure that tenure rights and poverty reduction initiatives are upheld.

Bruce (1993:21) refers to indigenous tenure systems as traditional arrangements practiced on land under various uses. The tenure system evolves to meet the ever changing needs of the communities as they utilize resources and allocate the rights. Whilst these issues are unambiguously stated, tenure systems may overlap and can be made up of several other tenures which specify various obligations and prerogatives for using certain resources. However, in some cases the control over access to grazing, wild life hunting, fetching of thatch grass and firewood under communal tenure is not guaranteed (Mutema 2003). It is therefore interesting to see how Mafela resettlement community deals with these issues.

Issues of access and distribution are important in the context of land and people's power relationships with it (Bob 2011). Open Access as one of the tenure systems is where there is no exclusivity of ownership. There are no rules governing the utilisation of the resources, hence it may result in over-exploitation of the resources. It is a free-for-all system which is detested by most land users. On the other hand Communal Access system is where exclusivity of ownership is defined by group members but in traditional tenure systems individual or family rights may be assigned too. In private access the individual is the legal owner of the exclusive rights. Huggins et al. (2005:34) indicate that several studies demonstrate that changes in land use and land access have been significant factors in a number of high-intensity conflicts in Africa, but warn that they are not always the 'root causes'. Declining access to land, or rather to the returns from human uses of land, is seen as a key process that causes livelihood contraction and hence increases the risk that people will join armed groups (De Soysa et al. 1999, cited in Barnett and Adger 2007:644). Public access itself is where the government becomes the owner of exclusive rights. The nature of land utilization may directly give effect to the content and extent of the rights in land which consequently may determine whether or not the rights holder may transact all or part of the bundle of rights held (Bruce 1993). A number of challenges have pervaded the minds of those charged with management of the land rights systems to the effect that little or no room is given to the beneficiaries of land resettlement to express and take charge of their own circumstances.

Given the above scenario, land rights systems at any level probably call for their security. Security of tenure in land rights systems relate to the minimum safeguards which give assurance to the person or persons holding the land permission to use it subject to terms and conditions that it may be specified over a given period.

2.5 User Rights

These include rights to grow crops, trees, make permanent improvements/structures, harvest crops/trees and fruits. Van der Walt (1999) writing on 'Property Rights and Hierarchy of Power,' isolates ownership-oriented rights systems and user rights systems. He says that ownership rights are a bundle of rights which allows the rights holder to sell, bequest, donate or exchange the property whereas user rights are limited in that property may not be sold, inherited, or donated. Ownership rights are backed by title deeds which are registered through the deeds office and as such are called 'real rights' (Pienaar 2004:2). Tenure rights and land security, specifically in relation to ineffective land reform processes and forced migrations lead, as shown by Bob (2011), to civil unrest and instability.

In understanding these issues the question to pose right at the onset is, do individuals have to exercise their rights in ways that exert costs on other members of the community or do they have rights that compel other members to support them even where it is apparent that the individuals themselves have failed to make preliminary provisions to meet their own needs? Certainly both questions call for defined and comprehensive basket of tenure rights systems that can be related to poverty reduction. Whilst land rights granted to smallholders epitomised those existing under freehold tenure, Mutema (2003) asserts that they have some defects. For example, using a panel group discussion with participants in his study, he reported that when the scheme started the alienation of land to other people (transfer of land between members of the community) was not permissible, and although mortgaging of land was permitted it was strictly controlled. Modern land rights agenda may be seen in the light of international development targets which aim at poverty reduction and livelihoods improvement. To that end therefore comprehension of rights systems becomes a means-albeit not an end in itself- to development,

participation and elimination of segregation tendencies within a people in deliberate efforts targeting poverty reduction.

Rights may have a temporary dimension in that emergent and new rights can be created whilst the existing ones may be adapted to match the ever changing circumstances of the land utilization patterns. In Zimbabwe the emergence of new resettlement areas like Mafela brought new interactive processes and dynamics on how land rights systems and poverty reduction were organized (O'Flaherty:1998). Buttressing this point van der Walt (1999:7) says, "...rights in such a system will tend to absorb regulation and restrictions that are imposed in the public interest because of the spread of use rights and entitlements between several numbers of users." The same author further argues that title of tenure is not by any means key for security of tenure since security can be created and guaranteed by appropriate piece of legislation as and when it is necessary.

However, when user rights are not clearly defined and the rights incumbents are unable to exercise their rights such people may be at a risk of willy-nilly dispossession, corruption, cronyism, partisan allocation disruption of activities and expulsion from their plots (Njaya and Mazuru 2010). It may also lead to rights holder's failure to use and benefit fully from their plots as a result of resource depletion due to trespassing by other outside users. Rights beneficiations, by their very nature, have cost implications. If government is the ultimate bearer of those costs it means that an opportunity cost trade-off should be weighed between rights costs and other recurrent government expenditures. If the government is over laden with debt like the case is in Zimbabwe, then immediate fulfilment of such rights may not simply be an option. Private rights may therefore be an option.

2.6 Private (Individual) Rights

Platteau (1996:52) argues that the starting point in the evolutionary theory of land rights is that as land becomes scarce, the greater need arises for tenure security. As a result of this private land rights emerges and evolution towards individualisation occurs. Are the ordinary citizens gaining a large and legally supported role in managing their own rights? Alden-Wily (2003) asserts that rights over land manifest themselves through greater choices over the types of crops to grow; how to market them and how to exclude others from utilising designated resources. The argument is that individualisation (privatization) develops slowly by way of extended user rights, for example the right to cultivate the same piece of land over and over as well as the right to lend other people land as relationship reciprocity between traditional families. This may then lead to subletting or leasing the allocated land since the beneficiaries of such land may treat it as private property in due course (Thebe 2010).

The evolution towards individualism can be summed up as an all-of-a-sudden movement towards formalisation of land rights which unfold under the combined pressure of growing land scarcity and increasing marketisation of land activities. The flexibility with which indigenous tenure systems manifest themselves in most African countries against growing population and market dynamics has resulted in noticeable changes in tenure practices. In agreeing to this view Platteau (1996:53) says, “These [changes in tenure practices] have involved the enhanced individualisation of tenure, a higher incidence of land sales (first disguised, then increasingly in open), increased use of money in connection with land loans, and a shift from matrilineal to patrilineal inheritance patterns.”

The same author (Platteau 1996 *ibid*) contends that with the progression of time inheritance rules also evolve towards direct transmission of tenure rights from father to son and therefore this results in individualisation of land tenure rights. As individualisation of tenure unfolds the propensity of user

rights disputes over boundaries, secondary user claimants as well as disputes on grazing land tends to increase too. Such disputes may lead to increased costs of rights administration. Apart from individual rights systems, communal or collective rights systems are a common feature in most African countries.

2.7 Collective/Communal Rights Systems

Various problems have been associated with types of tenure systems purely because of reductionism and simplicity in accounting for real life complex communal rights systems (Kundhlande and Luckert 1998). For that reason, there seems to be no flexible framework capturing complex communal tenures. For example, the misconception over common/collective property and open access seem to be partly due to inability to acknowledge or recognise different levels of exclusive rights between tenures. Communal tenure systems are generally defined within a shared land tenure system which Cousins and Claassens (2004:139) view as, "...that rights to land and natural resources [which] are shared and relative, with flexible boundaries between a variety of social units..." That the boundaries are flexible brings in the complexity hitherto referred above which may be solved through rights holders understanding and defining their own circumstances, hence this study of Mafela. Migot-Adholla et al (1991:8) reiterate and say, "Indigenous African land rights systems have been incorrectly represented by most foreign anthropologists, colonial administrators and some nationalist ideologues who view these systems as static contrasts to Western property rights systems." African governments hold land on behalf of their people under indigenous customary tenure. Bruce et al (1993:21) argues that government accepts the defacto prevalence of customary tenure whilst they simultaneously maintain the de jure state ownership. In Zimbabwe all rural/communal land belongs to the president and Rural District Councils hold it in trust (Moyo 2006:6).

It is generally believed that government intervention in land rights systems is the major reason for farmers' insecurity Platteau (1996). He believes that village systems are mostly capable of evolving to meet emerging needs to the extent that their indigenous tenure arrangements can still play a role in dealing with collective tenure rights systems. What may perhaps be required for these indigenous systems to work are practical and steady approaches that capacitates institutions of indigenous tenure systems through a negotiated compromise with community.

Clarifying the communal tenure systems, Bruce et al (1993) cautions that the concept may be misconstrued to imply common ownership of all resources and collective production and yet this is barely the case. He further explains that communal generally means some certain degree of community control on who is allowed into a group and thus eligible for allocation of residential as well as cropping land. Communal also means qualification to access common property resources used by the group. Group members normally forbid outsiders from accessing land and use thereof so that they maintain their identity, unity and welfare of group members. Thus communal rights systems may be viewed as multidimensional tenures consisting of private, household and larger group rights and obligations relating to resource utilisation. In an African context communal tenure systems, "...are managed and protected by a social hierarchy...the family, the clan and lineage, and the communities...[and there] are decision-making levels designed to respond to issues regarding allocation, use and management of resources comprised within the Commons on the basis of scale, need, function and process." Okoth-Ogendo (1991:2)

In the new resettlement areas the clan and lineage may not per se apply given that residents of these places come from diverse locations. As such, communal tenure rights systems should therefore be

understood in diversity and in relation to social interconnectivities as well as the way rights holders define their circumstances in their daily interactive processes. Communal rights systems provide for clear determination on who uses which resources in terms of livestock grazing, cropping, firewood and water fetching as well as wildlife medicinal utilisation.

Mere identification of these rights systems is not at all sufficient to ensure their realization. Countries all over the world have national constitutions (their supreme law) that have not conclusively been translated to practice in so far as rights systems are concerned. For the poor people who are not collectively represented, formal rights do not really have any effect upon their welfare. Complimentary approaches such as the rights based ones are therefore required to make the poor people become aware of their rights. This may require that information be given to rights holders in order that critical decision on how to execute these rights is possible. It may as well mean that the group be cohesive in order to exude the necessary solidarity. Their skills and capacity development may as well be improved so that they understand missing link between their rights systems and initiatives required to reduce poverty. Whilst the above issues are quite critical in rights systems, access to resources may exhibit gender bias.

2.8 Gender Balance and Access to Resources

African Protocol to the African Charter on the Rights of Women in Africa adopted by the then Organization of African Unity called upon all African states to eliminate discrimination against women and to ensure women's rights as set in international declarations and conventions (OAU, 2003). In 1986 the United Nations Declaration on the Right to Development was declared. Earlier in 1979, the Convention on the elimination of All Forms of Discrimination Against Women was adopted, and it was ratified by the Government of Zimbabwe in 1991. Article 14(g) of the Convention states that the state should ensure that women have the right to have access to agricultural credit, marketing facilities, appropriate technology and

equal treatment in land and agrarian reform as well as in resettlement schemes (FAO 2006). Ellis (2000:139) define gender as, "...the social construction of roles and relationships between women and men." The same author further expands to say that these social constructions which define roles and responsibilities are usually skewed towards men in terms of power, decision-making, control, freedom of choice and ownership of resources. Fundamentally, gender is concerned with power basis; where it is resident, subordination of one group over the other and inequality of opportunities.

In the modern and progressive world, gender is about altering unacceptable ways by which women are treated towards securing greater opportunities in all socio-economic interactive processes and levels. It recognises the great differentiation of relationships between men and women across cultural divides but aims to minimize or eradicate all forms of inequalities suffered by women. Rural women, according to Ellis *ibid*, are poorer than men because of several reasons. It is partly as a result of unequal consumption distribution at household level and also that their incomes are relatively less than those of men in general. Women are therefore disadvantaged in terms of assets access as well as income generating activities.

This may expose them to loss of status in terms of their contribution in household assets that go with status. Chant (1997) argues that there is no evidence or logical association between women poverty and female headship of household, for example. Deere et al (2004:8) also caution that female-headed households do not necessarily mean there is absence of male neither does it mean that the principal, adult female of the household does not have a partner. Ellis (2000:143) further argues that sometimes women tend to diversify their income streams so much so that men may then "...interpret that as an opportunity to reduce or withdraw their financial contribution to the domestic budget."

This may result in exposure to poverty since single-person income may not be enough to cater for a wide range of domestic expenditure amid ever increasing cost of living.

(Boserup 1970) also argues that women participation in agricultural production in sub-Saharan Africa is phenomenal. She isolates the participation in the following ways; (1) High female participation combined with low technology, (2) Low female participation associated with animal draft technology, hired labour, and cultural proscriptions on their work outside the home and (3) Sharing of farm work between women and men associated with intensive cultivation where women make the greatest contribution. Women's roles in agriculture are by far more than the three categories isolated above in that they tend to be more heterogeneous. They vary with the type of farming as well as by ethnical group orientation and perceptions. Women's eminence in agriculture is sadly not complemented by ownership of resources, neither is it associated with their control over such resources. They do not even have much decision-making influence over the same but rather their male counterparts have.

Whilst both men and women have separate realms of competence in agricultural activities, such competence is culturally defined and tends to disfavour women themselves. Gender participation in the mainstream economic activities meant to address livelihoods is constrained within a hierarchy of governance systems. Having spoken about the rights systems, it seems inconceivable to ignore their link with poverty.

2.9 The Rights Systems and Poverty Link

Scoones (2008) observes that at the moment the overall net benefit of restructuring following Zimbabwe's land reform is not clear. The link between rights systems and poverty drawn from various scholars may amplify this connection in order to clarify activities in Mafela resettlement.

Generally speaking, poverty can be viewed as denial of basic human rights of one form or another. Addison et al (2009:29) define poverty as "...a state of deprivation, with a living standard below some minimal level." Poverty reduction strategies ought to target the socially excluded, the vulnerable, the marginalised and the disadvantaged. Human rights issues transcend beyond mere lack of income for the underprivileged. Integrating rights issues in poverty reduction strategies may well mean clarity on what it is that is to be done as much as how to do it as well as how the activities are undertaken through a commonly predetermined position.

Anderson and Pienaar (2003:15-16) writing on 'Municipal Commonage in South Africa' acknowledge that, "In large parts of the country, in small rural towns and settlements, poor people need to gain access to grazing land and small arable/garden areas in order to supplement their income and to enhance household food security." Wisborg and Rohde (2003:3) also agree no less when they underscore the importance of tenure reform in poverty reduction when they say, "Tenure reform becomes irrelevant when people cannot use their rights to enhance their productive capacities or when only a few are empowered to exploit the endowments of many." Although these authors are writing from a South African perspective, Zimbabwe has much in common with it so much that this literature is also relevant. Indeed to link rights to poverty is important since it makes it easy to understand how communities define their circumstances towards poverty reduction albeit in different settings. Tenure rights systems and poverty reduction should not be viewed in isolation outside social, political and economic dynamic fundamentals.

2.10 Dynamics of Poverty

Livelihoods issues that relate to poverty are not static but always in a state of flux. These issues follow a particular path with a history, current and future trend embodied in social, political and economic frame.

Acknowledging this fact Addison et al (2000:29) say,

As a consequence, to assess poverty over time for a particular individual or society, we could explore how we should assess different trajectories of the standard of living, rather than just focusing on the standard of living and poverty in each period, as if neither past nor future poverty experiences had any bearing on the meaning of present hardship.

Historical, current and future trends ought to inform how access to resources by a given community defines people's relations with their assets in ways that deal with the threat of poverty.

2.11 Social Dynamics

Societies, in time immemorial, have had ways and means of dealing with shocks such as poverty through what (Carney 1999:4-5) defines as Sustainable Rural livelihoods Framework. Some aspects of this framework such as the poverty (as a shock) locate itself within the vulnerability context. How this shock (poverty) is addressed then calls for social and financial assets. Depending on how effectively the social financial and physical assets are utilised would determine how reduced poverty outcome could be achieved. Cousins and Scoons (2009) reminds us that the emphasis on poverty reduction is in the improvement of livelihoods which itself lessens vulnerability of rural people through security and access to productive assets and resources. Transformation processes in Mafela would relate to how rules, regulations and customs are perceived here. For that reason, this framework is used in this research for analysing and interpreting the findings. It is important to note that the vulnerability content in which poverty as a societal shock interfaces with cultural norms and rituals that inhibit or promote community participation and access to part of the assets. These rituals and norms are socially defined in order to deliberately exclude members who fall outside the designated group(s). It is also worth noting that social

dynamics of poverty go beyond mere income related poverty. As Addison et al (2009:93) put it, “...examining non-income dimensions [of poverty] is the ability to study intra-household differences in well-being levels and trends.” These non-income dimensions may include lack of information vital to make informed decisions or when someone is educationally impoverished. Addison et al (2009:95) further talk of long term or intergenerational poverty which is not really directly related to income but poverty which is passed from one generation to another. Such poverty may be assessed by comparing the livelihoods for two or so generations in similar households, for example.

2.12 Rights Governance

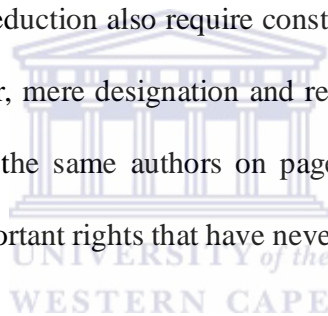
2.12.1 Levels of Rights Governance Systems

Levels of rights governance systems in Zimbabwe can be broadly divided into three and these are; (1) Micro level which is the village or ward level where people live (Mafela) in this case, (2) Lower Meso level which manages services and is at district level (Matobo district), (3) Upper Meso itself an intermediate supervisory level, and (4) Macro level whose main function is to spell out policy for the lower levels and is at national level (Carney 2006). Whilst all levels of governance have been outlined and they also highlight the hierarchical integration among themselves, the focus was on the micro-level where Mafela resettlement fell. It is also here that the governance processes were researched upon.

If land rights are understood and accepted by the community members themselves, the rights may be orally and informally institutionalized (Boserup 1965 in Bourguignon 2008: 6 [Online]). However as population grows relative scarcity and access to land resources may result in competition, therefore trespassing over boundaries and rights tend to increase. It becomes essential then to understand and define the rights if catastrophic scenarios of that nature are to be avoided. (Feder 1987 also [Online] in Bourguignon *ibid*) writing on land rights sees an almost universal institution for enforcing land rights as

a unified system of land registration and documentation which, through government, provides landowners with proof of ownership. Feder (ibid), further acknowledges the costliness of the exercise by alluding that western countries have struggled over the years to build an effective land administration system.

Rights analysis can provide insights into the distribution of power and can contribute to the identification of people who are disempowered as well as those who usurp other people's rights. This would require, as (Wisborg and Rohde 2003:1) put it, "...recording and mapping family and individual user rights [which] is essential but requires a high degree of transparency and community involvement." Tenure rights definition and poverty reduction also require constant administrative back up and publicly accessible records of rights. However, mere designation and recording of rights may not be an end in itself but just a means to an end as the same authors on page 4 state that, "countries already have national constitutions that specify important rights that have never been realised."

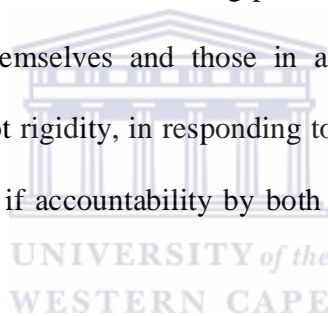


More often than not, conditions in communal areas are reminiscent of private rights regime systems so much that the concept of community-based governance may be lost. Thus, decisions about certain activities that relate to the disposal of products as well as use of farm or off-farm yields for example, could be at the mercy of powerful individuals. Such decisions surely affect the financial stream-flows of the entity and thus may impinge on beneficiation that otherwise would be gained.

When tenure rights systems are well defined at various levels of governance as global intervention to reduce poverty, it becomes easy to link diseases, vulnerability and poverty to rights reform initiatives. On the other hand, if bureaucratic culture within the governance system only emphasises top-down

interaction in determining what services and assets are accessed by individuals within the community rights is maintained, reform initiatives could come to naught. In bureaucratic systems the quality and type of services a community gets is inconsequential. Poor people, given a conducive-participatory environment, can equally define their rights systems and categorise their needs and wants in portion and proportions that are fair for everyone.

It may thus be argued that universal bureaucratic ways of group formation and mobilisation are inadmissible among the poor people in the progressive as well as democratic societies. The modern thrust in progressive societies is to provide villagers and those in rights governance authorities the opportunity to share knowledge and resources in crafting plans that achieve best practices between the needs and capacities of the poor themselves and those in authorities. Such an approach to right governance calls for flexibility, but not rigidity, in responding to the exigencies of the community. All these efforts would have no meaning if accountability by both informal and formal institutions is not guaranteed.



Various authors define accountability. Turner and Hulme (1997:122) cite (Paul 1991) who defines the term as, "...the driving force that generates the pressure for key actors involved to be responsible for and to ensure good public service performance." The definition is further qualified by that accountability should focus on regularity in execution of formal rules and regulations prevalent in a bureaucratic society. The same expectation is relevant even in informal institutions of rights governance. Both formal and informal governance systems are created and legitimatised by the communities themselves and as such, accountability bonds them.

Under the power-sharing agreement, USAID (2010) asserts that ZANU–PF and the two formations of MDC acknowledge the importance of addressing historical imbalances in land ownership and agree on the irreversibility of land takings that have occurred since 2000. The parties have agreed to: (1) conduct a land audit; (2) ensure that land is fairly allotted regardless of political affiliation, race, or gender; (3) ensure tenure security for all holders; (4) call on the Government of the United Kingdom to pay compensation for land acquired for resettlement; (5) secure international support and finance for the land reform both in terms of compensation for displaced farmers and support for new farmers; and (6) restore the full productivity of all agricultural land, (USAID 2008 - Online).

2.12.2 Formal and Informal Governance Structures

In contrast to rights systems held under formal private tenure, assets like wildlife, grazing land, dams or wildlife medicinal plants may not be privatised to any household or group. Such resources are common pool and as such they are conveniently governed under the watchful eye of the informal institutions. Traditional or informal institutions rely on unwritten codes of conduct that guide their access to and use of resources. Resources are normally not ring-fenced in terms of their free access, and therefore, households may not easily claim ownership to them. Assigning formal governance of common pool assets seem to be futile. (De Valk and Wekwete 1990) suggest that although at policy level the Rural District Council [part of the micro level environment] in Zimbabwe is taken as the formal co-owner of such assets, there seems to be a disjuncture between theory supporting that and practice of decentralisation of rural governance.

Numerous complaints on common pool resource governance in Tsholotsho, Zimbabwe, have also been noted; “We also heard complains about inadequate communication and decision-making channels between the Rural District Council and the wards, and between the councillors and communities

This is not a complaint confined to Tsholotsho and can be encountered in many communal lands”. (Murphree 1989:9) Such complaints go to show that there seems to be a competition of interests between the formal Rural District Councils and the informal institutions that they claim to be representing. To that end then, rights systems ought to transcend the formal structures of governance to incorporate the traditional or informal institutions for as long as such institutions are not at variance with the modern ideals of equitable as well as non-discriminatory access to the assets. Reform in both informal and formal governance rights systems seem to point to issues of rededication and development of effective systems on social change. Thus political and social equity as well as economic growth for poverty reduction detect that there be significant changes on how people are governed. This calls for a deliberate change in institutional bureaucracies in order to withstand rapid changes confronting them.

In agreeing with this view Turner and Hulme (1997:107) say, “... [governance] reform may sometimes be targeted at particular institutions but equally it may be dealing in system-wide innovation ... and may even be inseparable from them.” The same authors further advise that there be a restructuring process of the governance strategies in order to eradicate red tape through decentralisation of authority, be it that of informal or formal, so that institutions become responsive to the ever changing needs of the community. Formal and centralised institutions are characterised by concentrated decision-making processes resident within few individuals within the community. Such an arrangement deters organic participation as well as out-pouring of views from the other larger community members in issues that relate to rights governance systems. The general public, under such institutions are far removed from and have little or no influence over the management and governance systems.

Njaya and Mazuru (2010) provide evidence that the Provincial Lands Committee which guided the fast track method, comprised players such as the Provincial Governor, Provincial Administrator, Ministry of Lands, Agriculture and Rural Resettlement (Department of Agricultural Extension Services), District Development Fund, President's Office, Zimbabwe National Army, War Veterans Association, Chiefs and Councillors. They argue that such an unfastened structure was intended to craft and devolve decisions on the basis that local leaders could administer land redistribution in their local areas. However, senior government officials continued to use their influence and ended up with numerous farms and in most cases within the same district.

In traditional societies formal and informal institutions have a hierarchy of arrangements that are repository of the accountability process. The informal organs of patronage may be superimposed upon formal organs to perpetuate and replicate governance functions. Turner and Hulme (1997:123) argue that "In all political regimes, public servants are expected to be accountable to the country's leaders ... [and] that accountability will vary practice according to the nature of relationship between the political authority and public servants." In modern society's democratisation of governance systems detects that such accountability practices open up so as to create different ways through which public servants and their institutions may be monitored. For that reason, private sector participation on issues of rights governance is quickly finding relevance in most modern societies.

2.13 Summary

Rights based approach to development has been preferred and extensively used by many organisations (Chambers 2003). Land rights systems and poverty reduction was reviewed against existing literature in order to highlight concepts that informed this research. The conceptualisation was thus also meant to provide key theoretical perspectives against which arguments for this research is conceived.

The other issues dealt with in this chapter include the link between tenure systems and poverty as well as governance of land rights. Cross-cutting issues were discussed under three thematic headings; viz rights systems, their link with poverty and governance of land rights. Whilst existing literature has much on these themes, beneficiaries of the land reform in Mafela need to be given a platform to express how they deal with these issues given that resettlement communities are new in Zimbabwe. Again whilst it is also true that Mafela resettlement came about through a process of farm seizures, it is interesting to find out how the beneficiaries of this settlement understand their rights issues.

The challenge of tenure rights lie in their overlapping characteristics and that they are made up of other tenures which specify various obligations for resource access and use. It is therefore interesting to see how Mafela community juggles with this conundrum given its juxtaposition to *Goba* communal land as well as other resettlements. This chapter also discussed the types of tenure rights as well as user rights. Issues of gender balance and access to resources were highlighted since they are critical in this research. Also identified were the levels of rights governance systems as they obtain in Zimbabwe in general and Mafela specifically. Rights issues go beyond mere lack of income for the underprivileged. Thus the link between rights and poverty reduction as a broader picture was reviewed against several authorities. For that reason Wisborg and Rohde (2003) summarised the link of tenure reforms to poverty as relevant since they enable people to use rights to enhance productive capacities. The social and economic dynamics within which rights and poverty reduction occur was highlighted in order to gain a clearer picture on issues raised in this research. Rights governance review enabled this research to locate issues of power and authority as well as how such issues contribute towards understanding the Mafela community in its entirety. In Chapter III that follows, Research Findings are presented.

3. CHAPTER III: RESEARCH FINDINGS

3.1 Introduction

The aims of this research was to explore land rights systems and poverty reduction mechanisms perceived by Mafela community as improving their livelihoods; to find out if there was indeed any links between tenure rights systems and poverty reduction initiatives towards improving the community's livelihoods as well as to find out the effects of land rights governance systems on livelihoods improvement. Against these aims the thematic questions were developed in order to draw guiding sub-questions. This chapter presents the findings of the research at the same time as analysing and interpreting them. The research findings were presented in a narrative form and in some instances verbatim recordings were used as direct quotations from the respondent's views. This chapter focuses on the findings that relate to land tenure systems and poverty reduction in Mafela resettlement, which may be generalized for other resettlement communities in Zimbabwe.

3.2 Tenure Rights Systems

The interview on this section was carried out on seven guiding questions to which various responses came out. On 'the type of rights they had and those they preferred' both households and focus groups, generally preferred individual ownership where they said it would offer them greater control over their pieces of land. It was amazing that one middle aged interviewee remarked during the focus group session that *"yeh! yikho lokho okungasenza seboleke imali kuhle emabhenki sibambise ngazo indawo zethu kumali esiyebilekiweyo"*, meaning that they wanted this type of tenure right because they could use their pieces of land as collateral against bank loans.

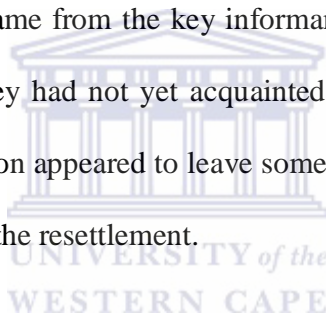
The same reason was repeated so frequently among adult females as well. Rugege et al. (2007) illustrate that ownership, like all real rights, consists primarily of a relationship between a legal subject and a thing or legal object, encompassing complete and absolute control over the thing concerned as well as possible rights and capacities over it. On the other hand many banks prefer lending loans only to collateralised land holders as they perceive non-collateralised smallholder farmers like Mafela as very risky. On the contrary however, Zumbika (2006) argues that past experience with agricultural loaning ventures in Zimbabwe shows a generally low rate of default. The fundamental argument about Zimbabwe is that land tenure is a key factor in its economy since it confers property rights and defines access to and control over land assets, including natural resources that exist in or on the land. Additionally, land tenure confers rights in relation to the manner in which people own, occupy and transact land. This also entails decisions pertaining to residential and business development, agricultural production and the use of other natural resources such as wild life and medicinal plants. This response from interviewees may suggest that these people have a deep-seated desire for financial resources that they need to improve their livelihoods.

3.3 Bundle of Rights

Their description of the bundle of current rights indicated that they had the rights to graze their livestock, till their plots, fetch firewood and fetch thatch grass as well as live in their homestead. They were also at liberty to join membership of various associations such as; the Zimbabwe Commercial Farmers' Association and Zimbabwe Farmers' Unions, Health Clubs where they sought professional advice from extension workers found in the resettlement area. The flip side of the guiding question sought the interviewees' knowledge about what they were not allowed to do in the resettlement. Most of them knew what is not supposed to be done in the resettlement that is, not selling their plots, not

subletting and not hiring out feeding lots to outsiders. What was worrisome is that although there were few respondents who were not aware of what they were not supposed to do, such scenarios could cause disharmony if those few people chose to do things that were not acceptable in Mafela.

The key informants who comprised the Village head, the Councillor and the District Lands Officer were quite clear on rules and regulations governing the resettled farmers. This response was similar to what the household interviewees gave. Such response from the key informants was indeed to be expected since these are community leaders who are conversant and regularly exposed to the rules and regulations governing resettlements. What seems worrisome is why some of the households were not privy to the same information. Clarification that came from the key informants on why this was so, was that some households were new and as such they had not yet acquainted themselves with rules and regulations guiding them. However, this explanation appeared to leave some grey areas given that the new resettlers were oriented when they first came to the resettlement.



Asked if they had any documents in their possession as proof of their tenancy, many interviewees from both the households and the focus groups had no proof. Two of the key informants who were part of Mafela resettlements had a letter obtained from the District land Office entitled 'To Whom It May Concern' (figure 2) as a form of proof of residence. The few people from the household interviewees who perceived themselves to be having proof of residence insisted that village register kept by the village head and the Matobo District Council as well as levy payment receipts were adequate documentation.



**‘All correspondence should be addressed to’
Ministry Of Special Affairs – Lands, Land Reform &
Resettlement
“The District Land Officer”
DA’s Office, Box 507 Kezi
Kezi**

Telephone: 082-352
Fax: 082 – 544

TO WHOM IT MAY CONCERN

This is to confirm that

.....
I.D Number was
allocated plot plot/subdivision 014 measuring 5 hectares at Forwards Block ‘A’ farm by the District
Lands Committee.

Thank you for your usual co operation

Yours faithfully

District Land Officer

For District Land Committee Chairperson

Figure 2: Confirmation Letter for Plot Allocation
Source: District Land Office, Kezi.

The name and identity document number for the owner of this letter was deliberately left out to maintain anonymity which was the guiding principle throughout this research. The legality of such letters was however not ascertained since the letters were not leases nor were they title deeds in nature. From the key informants, it also emerged that leases were only given to A2 model of resettled farmers and that title deeds were given to commercial farm owners only. This fact is also reiterated by the (OHCHR 1991:7 Online) which cites the then Minister for Special Affairs Mrs. Flora Buka as having said, “... let me emphasise that offer permits are given to

A1 farmers while leases are for A2 farmers”. The Councillor reiterated that all such resettlement land belonged to the Government of Zimbabwe and the Rural District Council holds and administers it in trust on behalf of government.

3.4 Pre-and Post-Settlement Conditions

The description of their living conditions before and after resettlement received wide ranging responses. Interviewees from both focus groups and households portrayed a very gloomy pre-settlement period. They cited such things as overcrowding in their previous places, low and inadequate crop yields as well as fewer numbers of stocks. One old man had this to say in describing their previous experiences, “*Mfana wami kwakunzima, sasingelayo ngitsho leyodwa inkomo yokudla umuthi*”, meaning that life was difficult and they did not have any cattle to talk about. As such they said that they depended on food hand-outs from Non-Governmental Organisations and in some cases from government. They added that the hand-outs they received were very erratic as well as inadequate to the extent that some families that were run by old people and child headed ones severely starved.

Respondents saw their lives changed after settling in Mafela. One woman said, “*Ah! Njengalapha emaresettlement iZANU yasanceda sibili, asiboni kuzakuba lomunye uhulumende ozasiphucula ngenjalo*”. This meant that in resettlement areas their livelihoods had improved through the effort of Zimbabwe African National Union-Patriotic Front (ZANU-PF) government and that they don’t think any other government would develop them this way. As the old woman said this almost all the other women in the focus group nodded and yelled in unison, “*Sibili MaSibindi!* [not real name]”, acknowledging that Mrs. Sibindi was right. On this note the researcher asked the interviewees not to respond in unison but rather give each other opportunity to talk one in turn. This was done in order to discourage chorus answers that may not have been the views of other members of the group.

Some members in the focus group wanted to dominate the group responses by frequently raising up their hands to be given more chances. To this the researcher reminded the group about the ground rules among which there was stipulation that everyone was going to be given equal opportunity to talk.

Notwithstanding such incidents, the general response to giving their life experience after settlement at Mafela gave a bright picture. They said they now had spacious living environment, good grazing paddocks for their livestock, improved crop yields and dip tank where they dipped their cattle regularly. Respondents also said they are now able to use part of their surplus crop produce to pay in kind workers they employed to assist in their plots during ploughing and harvesting seasons. Some of the surplus produce were said to be sold in Bulawayo so that some cash they received was used for paying their children's school fees and levies.

3.4.1 Leasing of Resettlement

On how the respondents fed, clothed and took care of their living conditions, they gave such answers as; selling of surplus crops and livestock, leasing three of their paddocks to Mr. JJJ. From the focused discussions it emerged that only 13 out of 31 households benefited out of the lease. It therefore means that the majority households are left out yet the paddocks leased belonged to everyone in the resettlement. There were also some people within the focus group who thought that the leasing practice was unfair and should be stopped if they were continuously left out of it. Asked if there was any document that buttressed the lease agreement between the lessor and the lessees, the village head produced the agreement letter whose sample is shown below as Figure 3.

Oasis Ranching (Pvt) Ltd
58 Matopos Rd
Famona
Bulawayo
31st October 2007

To Whom It May Concern

This is to certify that Oasis Ranching Pvt (Ltd) has transferred (3) Three Heifer/s
To:

NAME

.....
ID NO.

By

Mr. JJJ

Director

Figure 3 Sample Letter for Leasing Heifers

Source: Village Head File



When the researcher checked consistence by triangulating the response given on the leasing of paddocks with what they were not allowed to do question asked early, the key informants actual said the term leasing was out placed since they were not allowed to lease land in resettlements. They explained to say this so-called leasing was just a restocking exercise between Mafela community and Mr. JJJ and also that it was merely falling under private-public partnership initiative arranged at a localised scale. However, in essence, the features of this scheme seemed no different from the leasing proper although the lease price is in kind (heifers given to those households who kept the cattle). Thebe (2010) saw the behaviour of households with respect to leasing as a portrayal of the dynamism inherent in communal tenure systems. Chimhowu and Woodhouse (2010) see the ‘vernacular land’ sales as operational in communally owned tenure systems. This vernacular land concept is the perception by the household that the land thus allocated to them is individual property and hence entices them to lease or reallocate it to

yet other people without permission from the headman - himself also powerless to redistribute it. Some of the land that was passed on to relatives belonged to initial land 'owners' (here only refers to land allocated to farmers but not titled) who are currently resident in big cities such as Bulawayo and they were reported to have borrowed their pieces of plots to their relatives with the hope of reclaiming it later. Such practice had no legal force nor was it an arrangement with the local village head. It was just done surreptitiously by the concerned households with their relatives.

The households were asked to compare effort rendered when doing community work to the one done for themselves as individuals. The majority preferred individual to group effort. In the focus groups the majority indicated that they preferred group effort. The reasons given by those that prefer individualism was that when people work as groups they tend to count on other members of the resettlement to do work for them and thus less work is done. Some were said to absent themselves, particularly when such activities like mending paddock fence, building school and road repair was concerned.

While this may be true, one wonders whether these really are the problems or the problem is just enforcement of standing rules and regulations adherence given that the resettlement had a constitution where some of the issues were dealt with. Those that favoured group work cited the collective power that brings immediate and fast results compared to individualism. These latter interviewees seemed to drown the individualism proponents to the extent that some respondents in the group seemed to be just taken by mob psychology. Be that as it may, the reflection was that no consensus was reached by both groups on this matter as almost equal responses favoured either individual or group work effort.

3.5 Gender - Access to Land

Gender balance with respect to ownership and access to resources was described by all groups as fair. In the households women owned cattle and had their own specific portions within the main fields where they ploughed. They had total control over these portions in terms of what to do with the produce gotten from here. However, finding out more about these issues from the focus group discussions, an anomaly in terms of the number of females who benefitted as heads of households, initially, from the land redistribution emerged. All but four out of 31 households were given to males during the land redistribution.

From the female focus group some women remarked that, *“Esikweni lethu thina abantu abamnyama kuvele ubaba nguye inhloko yomuzi, kukathezi nje esesisizwa ukuthi omama labo sebengabazinhloko. Lanxa kunjalo umuzi kamazakhela awuhlonitshwa”*. This remark meant that from their Ndebele culture no woman was supposed to be the head of the household. It is only now that women are assuming that role, but still their homes are not respected. The women’s remarks echo what COHRE (2004) regards as pronouncement against gender which permits discrimination against women in land matters and are normally deferred to customary law where issues of adoption, marriage, divorce and inheritance are concerned. Such discrimination is irrespective of the legislation providing protection for spousal interest in Zimbabwe’s constitution. Where rationality is not entertained, patriarchal minded people seem to retreat to cultural or traditional scapegoats. Goebels (2005) also laments on women discrimination and remarks that the pattern of land access as well as authority thereof is still skewed against women although there are no significant complaints regarding this state of affairs. Yet ‘The Global Land Tool Network’ (2008) advises that there is an unshakeable positive correlation between women’s land rights and poverty reduction simply because of women’s control over land assets which could enhance

household welfare, women's income generation capacity and spending on food, as well as addressing their children's health and education needs. In other areas such as leadership positions a fair distribution of gender balance existed, for example, there were women chairpersons to local development subcommittees as well as in the Village Water Supply and Hygiene (VWASH) subcommittee.

3.6 Tenure Rights and Poverty Reduction Link

Four guiding questions comprised this section and the first question found out about how tenure rights affected the interviewees' food productivity. More people said that if their land rights were backed by title deeds, they would have bought farm implements such as planters, harrows and tractors through loans from the bank. They cited poor draft power as one major reason why some people had low yields. In order to till their land, those who had no draft power waited for their neighbours to till their plots considerably before they could take turns with them to till their own, as one old man remarked,

“Lokho kuyasibisela emuva mntanami, ngabe silezinto ezaneleyo zokulimisa ngabe siseCanaan lapha”

This meant that if only they had adequate implements their place would be like the Biblical Canaan- the land of milk and honey.

3.7 Food Security

The general responses from the interviewees' comparison of their food security to that of their old places showed that the resettled farmers are now better off than they used to be in their old communal areas. Now they said they are producing an average of one and a half to two tons of grain crops every season compared to only five bags they got in their old settlements. They also said that their livestock have increased owing to improved grazing. Asked to qualify how they got their inputs to achieve such yields, the respondents registered themselves with the village head and paid for both transport together with the

subsidised cost of inputs (i.e. fertilisers and maize seed.) “*Kufanele uhambe emihlanganweni njalo ungabophikisana labadala*” was what ‘Y’ interviewee said and he meant that they were expected to attend meetings (be they political or developmental) , as well as never to argue with local leadership. Some interviewees said “*Ungazakala ukuthi ungowe opposition lokuxotshwa esigabeni ungaxotshwa, kumele ube ngumuntu osekela uhlelo lokuthathwa komhlabathi*”- for this they meant that if someone was known to belong to the opposition (Movement for the Democratic Change) they would even be expelled from the resettlement. They also mentioned another requirement that one should be seen to defend the concept behind land redistribution programme. These politically charged responses only came out during individualised interviews but did not come from focus group interviews or from the key informants. It became apparent that no one wanted to be heard mentioning these latter issues in public.

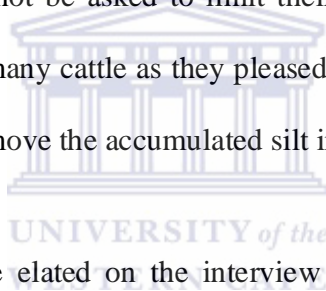
3.8 Prioritisation of Assets

On what assets the interviewees, both households and focus groups, considered important they gave priority to; paddock fence, dip tank, dam and grazing land. Other infrastructure such as roads, farm house and school were mentioned as an afterthought. This may suggest that these people are more interested in cattle rearing and that they see these as their major source of livelihood. Certainly also, in Ndebele culture cattle occupy a central position in their lives hence this trust by these people too. By the way, they are of predominantly Ndebele cultural origin as well.

Respondents gave suggestions on how the assets could be preserved. They said that paddocks could have its fence mended regularly whilst the dip tank’s used water could be scooped. The farm house was to be guarded by a full time night watch to prevent vandalism. Elaborating on the state of vandalism that occurred in such resettlements as Masvingo and Mwenezi which emerged at the same time as Mafela,

Chaumba et al (2003) talk of fences that were pulled down, trees indiscriminately chopped, cart tracks and foot paths created. Such practices create problems in resettlements.

They suggested that the metal gates were to be regularly painted and never to be removed for any reason. The road leading to the main tarred road was to have the damaged spots repaired using carts and wheel burrows to fetch repairing material whilst the grazing land was to be protected through creation of fire guard as well as rotation of animals properly into different paddocks. In the focus group for men some people suggested that stock limit should be adhered to and to that effect some people opposed and said, “*ukufuya inkomo ezinengi yikho esakulwela umhlabathi lo lamaKhiwa ukuze sizifuye lezi inkomo santando*”- meaning that they could not be asked to limit their herd because they fought against the White colonizers in order to keep as many cattle as they pleased. For the dam they suggested that it be scooped at least every sixth year to remove the accumulated silt in it.



To show that respondents were quite elated on the interview sessions, female ‘X’ said, “*Yikho nje ngobunengi bethu besivele sathi sifanele ukusebenza njengeqembu ezintweni lezi eziphathelane lesigaba sethu,*” equivalently translated as ‘this is why we earlier on during the interview (Section A Question 6) suggested that group effort was preferred in the resettlement activities’. Such remark was probably aimed at winning even those interviewees who had earlier on had reservations on group work effort given that on that particular question there was almost a fifty-fifty preference.

3.9 Land Rights Governance Systems - how it affects Livelihoods

This last section of the interview guide had three questions and the first question sought to find out about institutions that safeguarded their living conditions. The respondents in both household and focus groups named the Mafela Village Assembly, the Matobo Rural District Council, the Figtree Police and in some

isolated cases they also named the Parliament of Zimbabwe. “*Phela okuyizintwana konke lokhu kuvele kusungula kiyo iPhalamende*”, one of the focus group interviewee’s retorted, translated as ‘all the institutions originate from Parliament’. Another isolated institution they referred to was the Ward Assembly. From these responses most of the households seem to be conversant with the Mafela Village Assembly and the Matobo Rural District Council as institutions of rights governance. This probably goes to show that these people interact more with the institutions named most.

The Ward Assembly which was named from the focus groups and key informants was regarded by these groups as critical since this structure is made up of various villages represented by village heads and presided over by the chief. Key decisions are passed within this institution and some of the decisions directly affect Mafela resettlement given that Mafela falls under the same Ward chief. They also mentioned the Village Development Committee and the Ward Development Committee as critical institutions that deal with developmental issues in Mafela. The latter institutions are chaired by the village head and the councillor respectively.

3.10 Dispute Resolution – Role of War Veterans

On issues of dispute in the resettlement, both the focus group and the household heads were agreed that certainly there have been issues of that nature. The narration was that there was a dispute (still pending when this research was carried out) between Mafela resettlers and two A2 war veteran farmers who just trespassed into Mafela in 2006. The war veterans made claim of one of the resettlement’s large paddock which included the big dam where the resettled farmers water their cattle. While the war veterans’ offer letter gave them land rights outside Mafela, they deliberately tampered with the fence boundary so that the disputed paddock was co-opted into their farm. The war veterans are said to have used their political

muscle to drag the resolution of the issue for a long time. The following letter, Figure 4, from the Village (Mafela) was obtained showing the magnitude of the dispute.

Forwards Block A. Resettlement Farm
Mafela Village
PO Box 21
Figtree
22 January 2010

The District Land Officer
Kezi.
Matobo District.

Dear Sir

This letter serves to inform you that we, the residents of the above mentioned resettlement would like to inform you of our displeasure on the continued illegal stay on our property by X and Y (Not real names).

These people are supposed to move to their A2 farm in Forwards Clifton.

They continue to plunder our resources, i.e. grazing their large herd of cattle on our land, snaring wild life, fetching firewood and stealing our paddock fence.

As you know we have taken this matter to the Figtree police twice now but nothing has materialized so far. We therefore ask you to solve this dispute once and for all.

Yours Faithfully

Secretary: F Muntu (Not real name)
Village Head: T Boy (Not real name)

Figure 4 Complaint Letter from Mafela Resettlement Community
Source: Translation of a Complaint Letter from Mafela Resettlement File.

From the letter though strongly worded, it remains to be seen for how long this dispute will take given that it involves war veterans whose political power was said to be very great. One individual interviewee

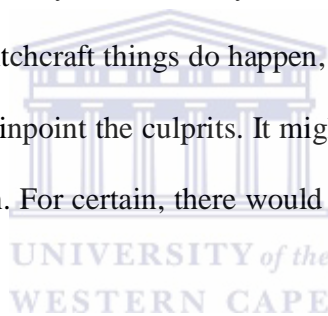
had this to say, albeit in low tone, “*Mfowethu labo abaqalwa, singazi kumbe yona ilands committee izabenzani.*” This respondent meant that the war veterans are untouchable and he did not think that anything would be done to them. Moyo (2006) agrees that war veterans are a special interest group in the land reform process in that they are regarded as having spearheaded the armed struggle and farm occupations that spurred the implementation of the fast track land reform. Not that withstanding, what is significant is that the matter has been referred to higher authority outside the resettlement. Toulmin (2006) bemoans lack of updated and inaccessible land records as well as ineffective record keeping as a major source of dispute in most African countries which makes it impossible to check who is claiming which piece of land. The interviewees also said that matters that involve war veterans were not easy to deal with given that they were held with credit to have brought the land back to the indigenous black people. However in such issues of wanton violation of boundaries, it remains to be seen how the matter will be finalized this time at the awaited higher authority. Failure to deal with this issue conclusively may as well set a bad precedence that may haunt the resettlement for years to come.

3.11 The Weapons of the Weak

The other cases of disputes cited by the respondents were that there were outsiders, people from *Bazha* and *Goba* communal lands, who poached thatching grass and fish in Mafela. In some cases some of Mafela’s unruly residents connive with outsiders to plunder resources here. For example, some resettlers were said to secretly arrange some kind of leases where outsiders bring their cattle for grazing under various guises. Some were also said to be making arrangements for fish poaching from the big dam. As a result some resettlers are said to ‘own’ very large heads of cattle through this arrangement. Such resistance to planned settlement and development by outsiders in collaboration with some insiders seems to be out of sync with what the resettled farmers stood for. Scott (1998) highlights this contradiction

when he describes it as that land invaders were to be seen by the government portraying state values and therefore they were to be the caricatures of the state, both in behavior and action. In retaliation, the disgruntled weak/poor may use any survival strategies including disobedience to conventional rules and regulations in order to express their displeasure against exclusion from using what otherwise they regard as their God-given resources which maybe juxtaposed to them.

What sounded interesting about this issue is that no one ever wanted to point out who the culprits really were. People chose to be anonymous about it. Asked why they did not reveal who the culprits were, one villager said, *“Into zabantu azikhulunywa, uyafa ungagulanga.”* The villager meant that one cannot pinpoint the culprits because if they did so they would die mysteriously- an apparent reference to witchcraft induced death. Whether or not such witchcraft things do happen, one wonders how then this dispute was to be resolved if people are afraid to pinpoint the culprits. It might well be that the whole thing was just meant to scare resettlers to submission. For certain, there would be no resolution of this issue if there is no complainant as the case was.

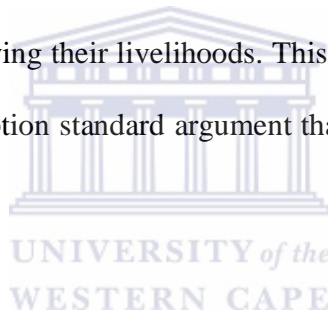


3.12 Decision-Making Structures

The question on how decisions are made in Mafela was also asked to the households as well as focus groups. Here the responses were that varied decisions were made from: Mafela Village Assembly, Ward Meetings, Political Meetings, to imposition of some decisions from outside bodies such as the Rural District Council. Asked to elaborate what they meant with imposition of decisions from outside, the interviewees were agreed that such things as levies were just pushed down to them without them being consulted. They also mentioned the issue of the Jatropher plantation concept which was also pushed down to them and they had to plant the trees merely to comply with the order.

As a result of this, they argued that the Rural District Council has found it difficult to collect levies as some people did not pay. They also said that the Jatropha fields were not cared for as much as it should be. It remained untouched for most part of the year with residents busy with their own things. The only time they would attend to it was when some major national event like the National Tree Planting Day was commemorated every first week of December.

The striking observation made by the researcher was that almost in every household there were some fruit trees planted, maybe suggestive of the latent appreciation of the concept of tree planting which the Zimbabwean government has made an annual commemoration event. On top of that merely building houses, clearing plots for cultivation and accumulation of cattle by these resettled farmers may indeed be viewed as investment aimed at improving their livelihoods. This practice is opposed to what Scoones et al (2011) refer to as the oft misconception standard argument that investment into non-titled tenure like in Mafela is not possible.



The interview rounded up with the question on any other comment the interviewees had on their living conditions. They said that if they had their way they would have reserved space for their children's homesteads as well. They also lamented over veldt fires that seemed to break out every summer. They attributed most of the fire to be caused by the nearby communities whom they said were jealousy of their resettlement. When they were further asked to elaborate on the issue, it turned out that the resettlement residents were also guilty of causing the fires. It remains to be seen how this issue would be solved since denying its causality would not help the situation.

3.13 Summary

This Chapter reiterated the aims behind the findings. Thematic questions drawn from the research aims were used as guidelines for directing what respondents aired out. Overall, the findings were structured and presented in three broad categories, viz, tenure rights systems, link between tenure rights and poverty reduction as well as effects of rights governance to livelihoods improvements. Findings on tenure rights were further presented under such sub-titles as bundle of rights, pre-and post-settlement conditions, leasing of resettlement and gender access to land. Under the category of link between tenure rights and poverty, sub-titles of food security as well as prioritisation of assets were reflected. On governance of rights dispute resolution, the weapon of the weak allegory and decision-making structures formed part of the findings. Chapter IV which follows discusses the research findings.



4 CHAPTER IV: DISCUSSION OF THE FINDINGS

4.1 Introduction

The general perception about Zimbabwe's land rights reform after the fast track programme is that the country has slid towards a state of anarchy and that this has led to wanton rights violations. As such Richardson (2005) submits that Zimbabwe provides a typical case study of the consequences of ignoring the rule of law and property rights when enacting (often well-intentioned) land reforms. Other critics to the aftermaths of this programme attribute the failure by Article 16 of the Lancaster House Agreement of 1979 to adhere to the provisioning of funds to address land rights issues as the major cause of problems that befell the country. Against this somewhat negative view about the sequel of the fast track, this discussion seeks to dig deeper into some issues that arose from the findings. This discussion is structured in three subtitles which relate to the aims of this research and these are: exploration of tenure rights system; tenure systems and poverty reduction linkages as well as rights governance effects on livelihoods.

4.2 Exploration of Tenure Rights systems

From a contemporary view point, tenure rights portray a formal, in other words, registered title as a legal requirement in order for anyone to claim possession of property or land. Pienaar (2004) argues for titling of tenure as leverage to livelihoods development in land reform. Evidence from Mafela resettlement points out that the resettlement farmer's care less about formal title registration. This view by the Mafela community also contradicts de Soto's (2001) proposal that titling of property/assets would enhance development and distribution of land in the same manner the Western countries did during the Industrial Revolution. In Third World countries, to which Mafela community falls, economic infrastructure is

indeed slowly taking a formal character, but the informal sector is still substantially large. The argument is that even if there could be desire to formalise land title in Mafela there still remains fierce contestations on who the owners of such resettlements are. The Southern African Development Community (SADC) Tribunal judgment passed in Windhoek 2010 (although never recognised by Zimbabwe) still goes to show that the land counter claims are still with us (Scoones et al 2011).

4.3 Local Based Solutions

Community based solutions towards land rights development seem to be the most ideal thing but landholdings in most African countries is generally viewed as fragmented. Besides, most government in the content – though they participate in land issues – are generally bankrupt, thus Bruce (1993) proposes a community-based solution to tenure insecurity where the state plays just a facilitatory role. He argues further to say direct state involvement in land issues is the major reason for resettlers' insecurity. The state takes long to finalise on land issues due partly to bureaucratic slope prevalent in government structures and in the case of Zimbabwe, political considerations. Local systems, villages in this case, tend to have adaptive and evolutionary means or strategies to meet their own livelihoods concerns. What may only be required from government is a pragmatic and steady approach that institutionalises traditional land tenure systems, encourage their adaptability as well as adhering to their informal processes and procedures at a localised milieu, (Migot-Adholla et al 1991).

The advantage of this approach is that the socio-cultural component of community interactive processes at this level makes sure that its entire members participate in arising opportunities. The cultural-customary inclination towards consensus on key norms and value systems allow community members to make justifiable claims on land, such claims are normally not contestable at these levels. Such a

paradigm shift is ideally based on trust, co-operation instead of confrontation and by implication, involves local capacity building on issues of management as well as a proper dispute resolution.

4.3.1 Equity and Access Issues in Tenure Rights

The process towards registered tenure rights opens itself to examination of fairness and access to land as well as other resources available to the resettled farmers. Boserup (1965), as early as that, recognised that each new attempt towards registration of title may create less and not more security of tenure and this may lead to an obvious case of increased litigations. It may be the case that complex bundles of rights associated with resettlement areas become excessively hard to separate, particularly where land rights are held communally as the situation is like in Mafela. This makes it difficult to determine where the right of each person starts and end in as much as where the other people's rights begin.

The result for this has been a situation where there is trespassing like the case is with *Goba* and *Bazha* communal lands who are believed to think that the adjacent resettlement area (Mafela) is part of their grazing and hunting land. Barrows and Roth (1990:265-97) sums up the problem of ensuring land equity and access by saying that when traditional group rights and community controls are taken over by a process of compromised government formalization intervention, there becomes a shift in land transaction cost from the local land authorities to government.

It then becomes the inability of the government to shoulder these costs that results in failure to preside over and register all rights under the customary system. Besides, bureaucratic processes in government are faced with more of an information and knowledge gap of the land tenure history of rural areas than what the communities themselves probably know about it.

The issue of equity and access is also practically compromised by differential rural educational levels and access to land administration. The fear by government that the rich and politically advantaged groups from the underlying urban areas may have an unfair advantage over their rural counterparts should the land rights be titled probably makes it difficult for the government to open up the flood gates. Cousins (2009) acknowledges this point when he warns that experience with land titling schemes has shown that it is the well informed and, educated as well as the powerful individuals who often get the best out of the process while the rural people generally are unaware of the implications of land registration. Findings from Mafela just proved this.

4.4 The Role of War Veterans - their Power and Influence

This group of people, though insignificantly small in Mafela, is still wielding massive power and influence in so far as land rights issues are concerned. War Veterans are generally credited by Zimbabwe African National Union, Patriotic Front (ZANU-PF) for having played an effective role in ensuring that land was forcefully grabbed from the whites and that through intimidation resettlement areas continued to be a ZANU-PF stronghold. The UNDP (2008) lends credence to ZANU-PF - War Veterans strong bond of association by reminding us of the now oft called 'Black Friday', 14 November 1997 when the war veterans were given Z\$50 000 as gratuity for taking part in the second *Chimurenga*.

The appeasement of this group went beyond financial gains as they were also granted 20% of land in resettlement areas. Whilst there could have been moral grounds to do so, economic fundamentals were adversely affected as the gratuity was not planned. Though this gratuity was paid 7 years before the end of the fast track, its effects on resettlement seem to have snowballed. Since that period war veterans have acted and behaved with impunity, this is why even in Mafela the wrangle between two of them

pitied against the rest of the community has not been solved in spite the fact that the dispute has been on the cards for quite some time now. Political expediency as well as political accommodation seen elsewhere in Zimbabwe (Masvingo) as observed by Scoones et al (2011:205-6) seems to be a culture that engulfs Mafela too. The way inputs are indiscriminately distributed as well as the general culture of intolerance to other political parties in resettlements point to the stranglehold of power by this group of people. Resettlement farmers are constantly reminded that they owe it to ZANU-PF to remain in the resettlement area and therefore this means that these farmers have even accepted that status quo to the extent that they themselves see no other party that may improve their livelihoods any better than what they have done presently.

The strategy used by this group of people is that should any other party win the election in Zimbabwe the resettled farmers will be evicted seems to have worked to maintain ZANU-PF dominance in resettlement areas. Evidence from this research shows that people here are content with ZANU-PF as they perceived it to have made meaningful contributions to their livelihoods. The mere fact that these resettled farmers have accessed the pieces of land means that they have been thrown a lifeline through which to tap other socio-economic benefits that go with land 'ownership'. The issue of whether such land is secure through registration of title seems to be neither here nor there with them. Such behaviour by the resettled farmers seems to contradict Pienaar (2004) who argues for titling of tenure as leverage to livelihoods development in land reform. Not-with-standing the apparently positive portrayal resettled farmers hold over their pieces of land, the glaring observation was on the issue of leasing.

4.5 Paddock Leasing

The fact that resettled farmers still give away part of their paddock for leasing to Mr. JJJ raises interest. Whilst there could be some economic justification for doing this, the contradiction is that giving away

land which these people claim is not even enough for them suggests that there could be some deep seated reasons for doing so. Surely if the lives of these people have improved as they purport, they could not justifiably give away their land. In some cases some resettled farmers even surreptitiously lease their own pieces by allowing outsiders to use them for feeding cattle or ploughing their plots. This latter 'lease' is not even formalized, as such it may be open to long term squabbles which may result in those resettled farmers losing their plots since in law they are not supposed to lease their land.

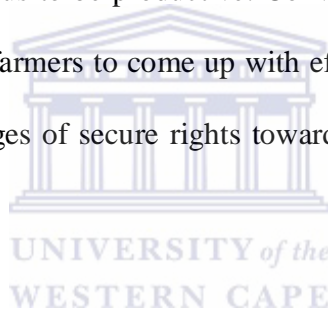
The bottom line to such activities is that maybe these farmers see leasing as an investment opportunity since judging from their capital investment into buildings, well digging and stumped fields as well as head accumulation, investment does occur. This observation also was made Scoones et al (2011) where plot holders in Masvingo were seen to be doing the same irrespective of tenure arrangement. These authors acknowledged that more such investment was happening in A1 than A2 which is the reverse of what would otherwise be anticipated if tenure insecurity was the major consideration in investment decisions.

As was seen from these research findings, most farmers felt that their tenure is secure (even if they do not hold titles) and therefore did not believe that they could be arbitrarily moved from their plots. Such a conviction by the resettled farmers may be justifiable since the current Zimbabwean Global Political Agreement (GPA) government has also committed itself to land reform and that no dispossessions would ever take place. Another dimension associated with the lease was to do with some few adult males and females (workers) who were entrusted with keeping the homes of absentee farmers. These absent farmers come regularly to supervise the workers and some come as far afield as South Africa where there are employed, some commute from Bulawayo. This suggests that such farmers do not solely depend for their livelihoods from what they gain from Mafela but from elsewhere too. For that reason

resettled farmers still rely on other sources of livelihood. Tenure rights are not divorced from poverty reduction measures. The next section discusses the link implications revealed by the findings.

4.6 Tenure Rights Systems and Poverty Reduction Linkages

Tenure rights enable individuals or groups to be identifiable with that which they claim possession. The Evolution Theory of Land Rights as described by Platteau (1996) posits that as land becomes scarce the demand for its formalisation as a way of assuming greater tenure security increases. The question as to whether indeed secure land rights lead to poverty reduction seems still to be a contested terrain. It was clear from the findings at Mafela that the resettled farmers need not to necessarily have a registered title for them to work on their plots and thus to be productive. Conversely, the mere user rights seem to be enough to have induced resettlement farmers to come up with efforts of poverty reduction initiatives in Mafela. Whilst this is so the advantages of secure rights towards poverty reduction may still be stand out.



4.6.1.1 Collateralisation

The issue of collateral in finance lending is critical when it comes to investment decisions. Poor people, it is argued, may take advantage of accessing investment loans through registering their land. Whilst Mafela community is now able to feed itself through improved food production, collateral may enable it to move beyond mere subsistence to commercial agriculture. They may also improve on their conservation practices through capital injection. Collateralisation may still lead to dispossession in case farmers fail to pay back their loans. This may create a sad scenario where the very people who benefitted from the land reform may revert to landlessness. To avoid this, instead of going full out registered title, informal individualisation can be the option (Cousins 2009). For example a community could be allowed to borrow each other's land this land could also be bequeathed to the descendent in the case where people from the same lineage are involved. Migot-Adholla et al (1991) argues that under these circumstances, social synergies between members of the rural set up guarantee land rights to every villager. To that effect there becomes no need for the government to interfere through its centralised procedures to do with formalising of land rights therefore. Also associated with this point is the myth of absence of investment in resettlements.

4.7 The Myth of Absent Investment in Resettlements

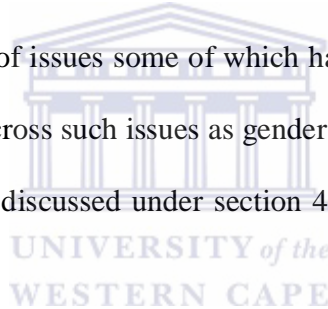
Writing on Masvingo resettlements – the ones that come at the same time as Mafela – Scoones et al (2011) dispels the notion that in post fast track resettlement there is no investment. A similar observation was made in Mafela that there has indeed been noticeable investment in the form of beautiful houses, accumulation of stock head as well as farm implements. Variations however exist within Mafela where some homes resemble shacks with make-shift structures. The latter homes had sizable stock head and well prepared fields, this also lent credence that some investment does happen overall.

4.8 The Myth that Agriculture is in Tatters and this has led to Food Insecurity

Whilst it is a fact that Zimbabwe as a country went through a patchy agricultural road in the past years due to various reasons, it is also true that in some resettlement areas like Gutu cluster in Masvingo A1 farmers produced more than a tone of maize in the wet season of 2005-06 and 2008-09, Scoones et al (2011). Similar findings were observed in Mafela where most people boasted of bumper harvests that were far better than what they normally produced from their old settlements before they came to Mafela. The question now is whether such success stories can be maintained and sustained for any longer in order that poverty can indeed be totally eradicated in such settlements.

4.9 Rights Governance - Effect on Livelihoods

Right governance includes a plethora of issues some of which have been discussed earlier in chapter II. The effects of rights governance cut across such issues as gender as well as how people are administered at a localized place. These issues are discussed under section 4.10 and 4.11 in so far as they apply to Mafela resettlement area.



4.10 Gender

Whilst there is legislation providing for women emancipation and empowerment to the extent that a Ministry of Women Affairs, Gender and Community Development was created in Zimbabwe, there still remains grey areas in so far as women issues are dealt with. Disenfranchisement of widowed and divorced women seems to stretch from stigmatisation and false accusation often disguised as traditions as well as cultural practices that exclude and deny them of their rights. In Mwenezi district of Masvingo where a similar study was conducted, Scoones et al (2011) observed that although women got land in their accord with their names on the offer letters, it was later established that they were in fact wives of polygamous men and that they were only used as fronts for a speculative strategy to secure land for the

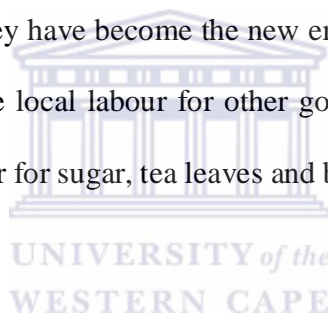
male heirs. The Inheritance Law under the Customary Act puts it in no uncertain terms that the male heir takes over his parents' estate in the event of their death. In Mafela too though issues of gender discrimination were down played by most respondents as adequately balanced the mere ownership/head of household structure was skewed in favour of males.

4.11 The local Governance Structures

The governance authority in Mafela rests with mainly the village development committee (vidco) which is chaired by the village head as well as other structures such the village assembly. The former is composed of seven members who are; the chairperson, the vice chairperson; the secretary and the vice; the treasurer and two committee members. These people (vidco) are the technical arm of the village assembly, itself composed of all adult males and females who are above the age of majority. It is therefore such that any issues relating to Mafela is deliberated and adjudicated by this committee. However from the findings, it emerged that the committee does not have power to deal with the challenge of all-powerful war veterans on land boundary issues.

Another challenge which the local governance structure faces is the issue of absentee homestead owners. These absentee farmers tend to hire other people to look after their homes and sometimes the hired people do not get paid in time. They then develop rowdy stealing tendencies and become a nuisance to the neighbourhood. In some cases these hired people dissent and leave the absentee farmer's livestock roaming about, and if it is cropping time the animal's cause a threat to the other farmers' fields. The biggest challenge is that the governance structure does not have authority to fire anyone nor does it have the right to replace homestead owners who have dissented their plot. Such authority only rests with the District Lands Committee which is also has to seek permission to do so from the Provincial Lands Committee. Such bureaucratic slope has tended to portray the local governance

structure as nothing more than a bull dog without teeth to bite. Such a loophole, if left unplugged, may lead to anarchy and ungovernable resettlements. What also was a noteworthy point was the kind of latent tension within the resettled farmers; those that originally took active part in the land invasions and those that were later resettled as new plots emerged after the formal pegging of the stands. The latter group is considered by the former as liberal and therefore ungovernable considering that they spend most of their time out of the resettlement at their places of work. These latter farmers seemed to be relatively better off in terms of wealth possessions and as such the animosity may really be out of jealousy more than anything else. Be that as it may be, it was quite evident in that class variations exist in resettlement areas. The absentee farmers' class constitutes relatively financially sound people who can at least hire labour and as such they have become the new employers who have taken over from the white person. They can also exchange local labour for other goods that they are privy to get from the urban set up such as exchanging labour for sugar, tea leaves and bars of soap.



4.12 Summary

Although the general perception of Zimbabwe's land rights reform has been overly negative from various quarters, the discussion of the findings from Mafela lends credence to the English adage that in every heap of hay stacks there is a shred of gold in it. From the contemporary point of view registered title was taken to mean that it is the only leverage towards livelihood improvement. Evidence from Mafela resettlement contradicts that. Without secure tenure resettled farmers still had improved livelihoods. Local based solutions towards rights development systems tend to offer opportunities for adaptation to meet own concerns of livelihoods. The process towards registration of tenure rights opens itself up for examination in terms of equity and access to resources.

Complex bundles of rights in resettlements are difficult to separate, particularly in that these rights are held communally. Trespassing is rampant in resettlement because of overlapping rights claims. The role of war veterans and their influence in resettlements were put under discussion and it was found that they contribute in making governance of resettlement difficult. Although resettled farmers purported that their livelihoods had improved by virtue of them accessing land, the leasing habit seems to contradict this. The absence of secure tenure rights does not necessarily mean that farmers cannot utilise land in initiatives that are aimed at reducing poverty. The myth of absent investment as well as that agriculture is in shambles and therefore there is no food security in resettlements was discussed and it was seen that it is not correct.

Under the effects of rights governance gender issues and local governance structure were discussed. Although legislation is available governing women's emancipation and empowerment in Zimbabwe, it is the case that these people are still disenfranchised by way of traditional and cultural scapegoats. Inheritance rules still are skewed towards their male counterparts. In Chapter V that follows this, summary, conclusions and recommendations are presented.

5 CHAPTER V: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The purpose of this chapter is to provide a summative picture of the research findings, make conclusions on them as well as recommend to other interested parties insights gained from this research. The study sought to find out land tenure rights and poverty reduction initiatives in Mafela resettlement to which various conclusions were drawn. The summary, conclusions and recommendations is dealt with in three subheadings viz - tenure rights systems, tenure rights and poverty links as well as land rights governance systems and their effect on livelihoods.

5.2 Tenure Rights systems

The rights based approach seems to be the preferred way in the contemporary human development and eradication of poverty endeavour world-over. Casting eyes on the United Nations Development Goals (2008), lends credence to the view that the eight goals relate more to rights based approach towards poverty reduction. As such the residents of Mafela resettlement were interviewed to understand how they deal with issues of land rights systems. Many respondents did not have proof of residence other than relying on their names from the village head register. Offer letters were available at the District Lands Office but only few people had it in their possession. Residents of Mafela generally felt that their living conditions had improved compared to those which they lived under before they came to this resettlement. From their description on how they took care of their livelihoods it emerged that these people depend on agriculture as their major source of income. Toulmin (2006:4-6) qualifies most rural people's dependence on agriculture by saying that land is the pivot of socio-political and economic life

in most of Africa in so far as it relates to natural resource use and other land-based activities for livelihood improvement as well as employment creation. Their constraint in agricultural production was identified as draft power and lack of credit facility. This seems to tally with Mutema's (2003:51) observation of Svosve resettlement where security of tenure was not a major problem but draft power, AIDS and inadequate credit were. On the issue of gender balance, the research found out that as far as initial land allocation was concerned females were greatly marginalized as very few got land as heads of households. For that reason Alden-Wily (2003) cautions that new national constitutions should widely craft new principles upon which the rights of women, children and minority land interests should be accorded respect and to which new land policies and laws must be adhere to.

The conclusions drawn from this section are quite interesting. Mafela people understand their tenure rights and therefore prefer individual ownership system. One may therefore conclude that these people are becoming capitalistically oriented. This may not altogether be surprising given that the ZANU-PF led government which immediately after independence pursued socialism where collectivism was the cliché for development abandoned that philosophy in the late 1980s. Such deviation increased clamour for individualism particularly under the ESAP era. Besides, Cousins (2010:18) sees such capitalist tendency as 'accumulation from below' which implies that the taken over agrarian structures are radically put together so that an increased number of people begin to want to be involved in the agricultural sector in order to increase their beneficiation. For them to 'accumulate from below' the envisaged criterion is that they have to produce more than or at least to the levels of the large-scale commercial farmers in order that they supply both local and international markets. Whether such a feat will be possible in Mafela can only be left to time to tell.

The rights of other people seem to be threatened by the few people who do not know what it is that they are allowed to do in the resettlement. Whilst it is true that the size of people who do not know is few, their very existence may be fertile for a simmering conflict. One of the reasons advanced by Kariuki (2009:9-10) in the failure to successfully implement the Communal Land Reform Act is that many people holding customary land rights are unaware of their rights in terms of the Act, and therefore they cannot claim these rights. Bob (2011) also reiterates on the issue of conflicts in the manner concluded in this study.

The majority of Mafela people do not perceive security of their tenure as a threat as evidenced by lack of documentation as proof thereof. It can then be concluded that tenure security is not an issue with them but rather it is the rights to use these plots that are at stake. Unfortunately in the event of dispute and that the dispute could be taken to courts of law, it is apparent that documents supporting tenure rights become necessary as they are clearly specific about various issues around the dispute. Some form of leasing is practised as evidenced by Mr. JJJ's heifer scheme and other unofficial leasing of cattle for relatives who live outside this settlement.

Under the guise of culture some suppression and discrimination still exists and is tolerated in terms of household headship. People here generally do not respect female headed households. The conclusion drawn for this is that some cultural traits take away women rights. The fear to pin-point those who surreptitiously lease out their plots because of witchcraft consideration mean that the people in Mafela believe in supernatural forces. This is common practice in most African countries and in most cases it is counterproductive to development.

It is recommended that a proof of residence document be compulsorily issued to every resettled farmer and that no farmer would be resettled without it. This would discourage arbitrary relocations and at the same time minimise boundary disputes since such disputes could then be determined based on formal documentation. Toulmin (2006) sees conflict as widespread in many parts of Africa. People's land rights security and property are pivotal to real prospects for development and poverty reduction. Whilst it may be true that land may not always be at the core of all conflicts, competition for the use and control of land related resources often exacerbates tensions between people and politicians usually exploit the ensuing misunderstandings for easy manipulation of the poor people so that land seizures, evictions, and ethnic wars have characterized a number of conflicts world-over.

There should be a deliberate gender policy to address skewedness of man headed households. It could be such that the wife or the daughter for that matter, instead of the male heir, takes over headship from her deceased husband/father. This will entail amendments to the customary law in the Zimbabwean constitution so that nothing is left optional or to the whims of cultural institutions.

5.3 Tenure Rights and Poverty Link

Whilst Mafela community has been able to access land, though not collateralised, this land is recognised as a genuine settlement by the current government. The argument is that whilst these people have also been provided with this land, legislation providing adequate tenure rights to address poverty may not be guaranteed. Meinzen-Dick (2009:2-5) argues that policies that do not acknowledge the complexity of tenure rights have backslidden thus reducing poor people's livelihoods prospects. Understanding the link between tenure rights systems and poverty may lead to more effective strategies and interactive processes that strengthen poor people's control over their assets.

Mafela community generally understands that there is a link between tenure rights and food production, hence the indication that they have improved their livelihoods here. Their desire to be given legal titles was explained to mean that if they are given these, they would be able to secure funds for investment in their plots. Access to tenure rights is arguably a fundamental thrust for human shelter, food production and natural resource users of all kinds (Global Land Tool Network 2008 online). What seemed contradictory was that the majority of the people in Mafela did not bother to get the offer letters which are available at the district lands office. One may then conclude that by them not getting the offer letters means that they do not have faith in the offer letters as they stand since these letters cannot be used to secure loans from the banks.

Farm inputs distribution is based on unfair and partisan practice (research based finding). Commenting on similar circumstances about resettlements in Zimbabwe, Scoones et al (2011:30) attributes such practice to prevarications of agricultural policy that kept on switching priorities, levels of support and axes of authority. However, people are not willing to talk about it openly as they thought it was politically sensitive to do so. The conclusion for this is that resettlement farmers in Mafela are disempowered in terms of freedom to openly articulate some issues relating to their livelihoods. Disempowerment goes against Kariuki's (2009:9-10) observation that in most African countries the struggle over land was fundamentally that for rights ownership, control, access and use thereof. Once freedom of expression is threatened it therefore means that control of land and other resources may also be threatened. The community wanted controlled access over their resources and that they themselves should benefit more than the outsiders. Thus their interest was more on agriculture based activities since they saw such activities as directly linked to poverty reduction. Their individual contribution towards farm inputs suggests that they are serious farmers who do not only want to rely on input hand-outs from

government. Alden-Wily (2006:16-17) reiterates people driven initiatives of this nature and says “In agrarian states this cannot be better put into operation than by taking control of land relations; determining exactly who may use the land and how and with what degree of security”.

Whilst there is this determination on the part of the resettled farmers to provide for themselves, it is recommended that delivery of tenure systems that link with poverty should be opened up to civic organisations too. Once this is so these organisations may provide checks and balances on government policy and implementation modalities guiding Mafela resettlement. Marimira (2010:4-5) agrees with this recommendation and says that due to declining government funding, service provision has been compromised within the newly resettled farmers. Some of the services here referred to range from agriculturally related, to social and economic ones. The resettlement farmers need agriculture support services such as research and extension services, tillage, input support, credit and marketing of farm produce. This intervention is important as it may further increase productivity by way of transferring agricultural knowledge and technologies to the newly resettled farmers.

5.4 Governance

Post-fast track and indeed other post conflict-like settings are usually encumbered with overlapping sets of land claims. These sets of rights come to the fore as Scoones et al (2011:203) argue that as new territories open up through land reform, new forms of authority also emerge. The result of the new settlements and the commensurate authority has been contestation over the legitimacy and control thereof. Forms of power and authority as well as the centre thereof have been shifting since the fast track, during farm occupations until the restoration of state authority through its various organs. To that end therefore, tenure rights cannot be disassociated from governance of land, natural resources and processes occurring thereon (Global Land Tool Network 2008). Land governance enables Mafela

community to put in place processes leading to decision-making regarding access to, and use of land, the kind of decisions that are implemented as well as the way disagreement in land interests are acquiescence. Alden-Wily (2003:6-7) submits that as a matter of principle, enhanced tenure governance in modern society means that people are empowered to make decisions in order that they determine how their society is managed and by whom. From the findings of the study much as they are localised governance structures such as the village assembly, there is no guarantee that this community can - through these structures - address land related conflict without recourse to the district land committee. This is particularly so where conflict involving war veterans and the community is concerned.

It can therefore be concluded that Mafela community is powerless in determining land conflicts where war veteran are involved. Besides, the enforcement conundrum is made worse by what Marimira (2010:12-13) sees as the limited roles played by the traditional leaders since land disputes are dealt with by the district land committee. Furthermore, enforcement of social/cultural rules and regulations as well as acceptance thereof is problematic given that the resettlement farmers come from different areas – though mainly from Matabeleland South Province - they were previously under different set-ups altogether.

Reference of land related disputes to district land committee suggest that there is top-down dispute resolution. Such practice is seen by Alden-Wily (2006:16-18) as rooted in colonialist inertia of centralised institutions that fear to let-go power of control there by disabling the local indigenous systems. Whilst there is no doubt that government influence through these top structures may not entirely be wished away, excessive control by same may reduce resettlement farmers to pawns that would for ever look forward to government to do things for them. Government should only play a fundamental role of facilitation.

Turner and Hulme (1997:105-114) argue for cooperation of public sector and private sector in such fields as social welfare which has been phenomenal. In many countries where the rights governance extends to education and health services for the communities means that rights to public utilities remain important and therefore the need for funding to finance such expenditures may be addressed through private-public partnership. Such expenditures, if taken wholly by government, tend to burden it and impose dire stress on service quality and delivery. Toulmin and Quan (2000:15-18) do agree that land reform can be a very expensive business. It involves a lengthy consultative process in such major programmes as institution building, staff training, and awareness-raising. What remains critical in this relationship is that governance structures ought to focus on facilitating access to an environment that is conducive to every stakeholder to participate effectively in efforts aimed at poverty reduction.

Issues of rights advocacy reformation for communities ought to be allowed to be excised by a wider social spectrum if the views of different people are to be heard. This way it would be easy to influence policy-making institutions to come up with relevant pieces of legislation governing both formal and informal rights governance. Yet, as Toulmin and Quan (2000:18) again put it, “Many of the challenges arising from land reform in Sub-Saharan Africa stem from the plurality of systems of authority related to land.” Such plurality arises as a result of duality of statutory and customary laws. In some cases the ambiguity and contradiction that abounds between the two legislations result in competition of interests in rights management and the other avenues for redressing land grievances and disputes. However, there is also argument that such decentralised boards only save the interests of the elites as well as pursue the interests of government. This leaves poor communities with few avenues to express their views with regards to how they relate to their own resources as well as insufficient checks and balances on decision making processes. A systematic unawareness of tenure rights systems by formal institutions on the

articulation of rules and regulations governing access to such resources as common pool grazing rights as well as other common property management seem to present problems in communities. Toulmin (2006) advises that facilitation is best done in a decentralised way in partnership with local institutions which can check and validate claims on the ground. The top-down scenario if left to dominate is likely to create a receiving syndrome that grips rural areas such as those where the resettled farmers came from.

This research recommends that current governance structures be strengthened by way of giving them the necessary authority and power to adjudicate over, as well as resolve, disputes within their community. Such traditional institutions incorporated into the Village Development Committees (Vidcos) should be the ones responsible for advising the upper levels of government structures how they would want their issues dealt with. This approach dove-tails with IIED's (2001) illustration of the Pastoral Codes in Mali, Guinea, Mauritania and Burkina Faso, which help pastoralists secure land access at the same time as using these developments to lay down framework for improved pasture management. Thus these revamped institutions would then fight hard through rights and tenure systems to eradicate gender discrimination, social exclusion of vulnerable groups such as orphaned children in order to achieve socio-economic equalities linked to equitable and secure land rights. A para-legal advisor should be seconded to the dispute resolution committees at village level in order to make sure that basic legal tenets are taken into account during dispute hearings.

Infrastructure such as, roads, needs commitment by both government and private sector resources to improve small but important feeder road infrastructure within the resettlement as access to this resettlement may be rendered impossible by the current bad roads. Access to financial capital through micro credit schemes deliberately created for resettlements may go a long way in improving liquidity

provisions for funding clean water and hygiene infrastructure (Bush pumps and Blair toilets as approved rural water and sanitation technologies in Zimbabwe). Development of legal framework governing the partnerships with private sector-community relationships may go a long way in fostering mutual beneficiation.

Government programmes for resettlement areas such as Mafela should go beyond mere agricultural support. For example, introduction of access toll fees for commercial individuals and companies who come to exploit resources like in the case of JJJ scheme as well as others who cut feedlot grass and firewood could be used as revenue for resettlement development towards poverty reduction. Re-valuing land based livelihoods to provide greater levels of tenure security within democratised forms of communal tenure could be another option by policy makers. This may result in significant economic benefit through effective resource management by the local people themselves. Lack of clarity on common pool resources, as has been observed in Mafela, seem to contribute towards inappropriate resource use and management as well as ineffective/inefficient resettlement governance.

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