

Human – environment relations in Zimbabwe: the case of land – pre colonial, colonial, and post – independence periods.

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Abstract

This study uses mostly secondary data to investigate the land question in Zimbabwe. The findings show that while the pre-colonial period was relatively stable, the colonial period was characterised by the dispossession of native lands using various legal instruments to legitimize the process. At the Lancaster House Constitutional Conference of 1979, Britain agreed to fund Zimbabwe's resettlement program on a 'willing-seller willing buyer' basis to purchase land. Changes made to both the Constitution and the Land Acquisition Act in 1991 to allow government to 'designate' land for resettlement met opposition from white farmers, Britain and the donor communities leading to the exit from the program of the latter two in the late 90s. From then, government adopted the 'fast track' program to speed land acquisition by making amendments to the Constitution to obligate Britain, to pay compensation to farmers with designated land. Despite the violence precipitated by the approach, the process received the Zimbabwe Supreme Court seal of approval in 2001. The paper concludes by suggesting the way forward on the land reform program.

Keywords: Human-environment relations, communal areas, 'willing-seller willing-buyer', Zimbabwe land reform, resettlement schemes, Global Political Coalition.

Introduction

"In a very basic sense, the environment is what we think it is, and as its citizens and decision makers, we respond to it and deal with it as we conceive it to be." (Moore and Gollidge, 1976: 4.)

Zimbabwe's independence in 1980 had different meanings and significance to the country's pluralistic society. To the indigenous black people, it meant an end to the dehumanizing colonial period during which the indigenous people were dispossessed of their lands and subsequently impoverished by the contemporary standards of material-well-being (Roder, 1964; Ladley and Lan, 1985). Independence meant to them, among other things, access to productive land – a long cherished dream of the landless peasants. To the

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white colonial settlers, it meant the beginning of a period of uncertainty arising from fear of reprisals from the indigenous communities – a potential reversal of the material gains of the ninety years of colonialism (The Economist, 26/01/1991; 22/05/1993).

While a lot of research has been done on Zimbabwe's land issue, most of it tends to concentrate on post-independence implementation of the resettlement program (Rukuni, 1994; Masilela and Weiner, 1996; Kinsey, 2004). There is a dearth of longitudinal studies that capture the concerns and anxieties of both blacks and whites on the land issue and instruct policy on land reform in Zimbabwe. This is the gap that this study attempts to fill. Thus, given the country's history, the plurality of its society and the variety of users of its landscape, all of which mutually influence one another, what human-environment focused approach can Zimbabwe adopt for its land reform program?

To address this question, this paper utilizes the ecological framework loosely fused with the transactional perspective to analyze human-environment relationships as they relate to the land question in Zimbabwe. The approach hinges on the premise that an analysis of how people use space should not only include the description of what space is being used for what purpose but also a description of the broader context of this space including not just its physical properties but its social, organizational, and cultural properties as well. Thus, activities are better understood when apprehended in the setting of which they are part (Amedeo, 1993).

Since human action has a temporal dimension (Geertz, 1963), the objectives of this paper are to analyse the land case in Zimbabwe over three periods:

- Pre-colonial period human-environment relations (period prior to 1890);
- The colonial period (1890 to Zimbabwe's Independence in 1980); and,
- The post-colonial period (1980 to present).

The paper concludes by suggesting the way forward on the land question.

Thus, this study adopts the longitudinal approach as its research design. Sources of information for the study are mainly published journal articles, internet sources, books, and government reports on the subject, key informant interviews, memos and personal observations by the author especially during the post independence period.

The study is significant in that in analysing human-environment relations; we will be able to understand their essential nature and the processes by which these relations, in turn, operate to influence on-going activities in environments. In addition, besides attempting to guide policy on the land question in Zimbabwe, it contributes to the evolving debate on post-colonial land policies, especially in Southern Africa (Austin, 1975; Moyo, 1995; Akpan et al., 2006) and the geography of dispossession (Wishart, 1999).

Human-environment relations concepts

The simplistic looking definition of environment made by Moore and Golledge (1976) quoted at the beginning of this paper alludes to the fact that the term environment may refer to a multiplicity of meanings to different persons. The Oxford Advanced Learners' Dictionary by Hornby (2001: 389) defines environment as (among other things):

- The conditions that affect the behaviour and the development of somebody/something; the physical conditions that somebody/something exists in.
- The natural world in which people, animals and plants live.
- The social and cultural forces that shape the life of a person or a population”

More and Golledge (1976) further highlight that environment is conceived or imaged in different ways by different people as a result of different socio-cultural factors and varying life experiences. Thus, different individuals can obtain different information in a given perceptual situation. The sort of information that the individual obtains depends on the nature of the knowledge that he brings with him into the perceptual situation.

Rapoport (1982) draws to the attention that environments are more than physical features and that people react to environments in terms of the meanings the environments have for them based on environmental cues. Viewed from the perspectives of conducting human activities in them, environments are considered more like physical-socio-cultural systems – connected and not random elements with no relations to one another.

Evidence from sociology and social geography also indicates that different social cultural groups conceive of their environment and space in entirely different ways as these have different symbolic meanings for different groups. It is this symbolic quality of the environment that provides man with

that sense of place identity that helps to define the role he plays in society (More, 1979). Friedrickson and Anderson (1999) further highlight that the term sense of place loosely refers to the idea that people have some positive affective sentiment for specific places, be they social, natural, cultural, or historic resources.

What this all brings us to from an environmental planning point of view is the reality that decision makers and users are often very different in their reactions to environments, or even their preferences as their schemata varies. It is often the user's meaning that is important as it is the meaning of everyday environments (Rapoport, 1982). With regard to human-environment relations, or the manner in which individuals establish durable relations with the environment (Amedeo, 1993), it is noted that these evolve over time as a result from individuals carrying out their activities and having their experiences in and with reference to environmental contexts.

Conceptual framework

Several frameworks or paradigms have been developed to study such relations (Aitken, 1991; Altman, 1990). More pertinent to this paper are those in keeping with the idea that all human-environment connections are part of a greater process that relates the individual's activities and surroundings into one scenario. An expanded ecological approach with borrowed ideas from the transactional perspective seems in part to be able to provide a suitable framework of analysis through which the nature and processes by which human-environment relations operate and influence on going activities in environments can be analyzed.

The ecological approach employs a systems perspective that brings together humans, animal, and plant worlds into a single framework, within which the mutual interaction between the components can be, analyzed (Stoddart, 1967; Mitchell, 1979). In this perspective, each person is part of a more complex network that connects people in a community with one another and with the external environment. Processes involved in such ecological adaptation include the operation of regulatory mechanisms and/or feedback adjustments. These regulate the resource demands with the capacity of an ecosystem so that extraction is balanced by generation. Critiques of the concept often highlight that it obscures the distinction between technical issues and value choices (Mitchell, 1979).

On the other hand, the transactional perspective shows how environments are experienced in individuals, and the manner in which individuals establish durable relations with their environments. It contends that activity and

experience in or with regard to the environment depend on availability of information and the way it is processed (Amedeo, 1993).

The above ideas in their combination, loosely fused into the ecological framework, can help us understand the essential nature and processes by which human-environment relations operate and influence on going activities in environments. These may help us understand the environment and perspectives that prevailed in the evolution of the land case in Zimbabwe and how to guide policy in this area – aspects of which are dealt in the next sections.

The pre-colonial period

European incursions into Zimbabwe began in the sixteenth century, when the Portuguese came into contact with the Shona people of the Mwene Mutapa kingdom of northeastern Zimbabwe. Ranger (1967: 6) notes that “hoe-cultivation and small scale industries like weaving, gold mining, pottery and production of ironware built up a surplus and also that trade in luxury goods enhanced the country’s wealth”.

Until the 1830s, there co-existed in the Central and Western part of Zimbabwe, another centralized system – the Rozvi confederation centered on the Great Zimbabwe. The Rozvi resisted Portuguese pressures, and governed an organized and prosperous people. Ranger (1967) quotes F.C. Selous, a famous hunter, writing in 1893 of the paramountcies of Zimbabwe:

The peaceful people inhabiting this part of Africa must then have been at the zenith of their prosperity. Herds of their small but beautiful cattle lowed in every valley and their rich and fertile country doubtless afforded them an abundance of vegetable food (Ranger, 1967: 10).

Such and similar writings by explorers and missionaries might have influenced European incursions into this part of the continent.

Regarding land tenure, the king or chief served as the trustee who allocated land. The traditional land tenure system also accepted that land rights were inalienable; that land belonged to the living and to the unborn as well as to the dead. “No member of a group could sell or transfer land to an outsider as land was considered a natural endowment in the same category as rain, sunlight, and the air we breathe” (Moyana, 1984: 13).

Similarly, Roder (1964) observes that land was open for use by followers of the chief who were entitled to portions of land for farming purposes for as long as they farmed them and kept active interest in the land allocated to them. They also had access to other resources such as grazing, timber, water and game. The various ethnic groups also practiced shifting cultivation and changed their lands periodically without necessarily moving their homes, aspects commonly practiced in the Southern African region then.

The above scenario gives a synopsis of the situation that prevailed prior to settler occupation of Zimbabwe. The next section details how the indigenous people were dispossessed of their lands during the colonial era.

The colonial period (1890-1980).

The first white settlers, under the Pioneer Column and Rhodes' British South Africa Company (BSAC) came to Zimbabwe's Mashonaland area in September 1890. These were mainly gold seekers who turned themselves into farmers when their fortunes did not materialize. According to Austin (1975: 23), "deception, collusion, and confusion of Company and Crown interests played a significant part in the establishment of European presence in the territory".

In 1891, the British government issued an Order in Council declaring a protectorate over Mashonaland and other areas. After 1892, the BSAC claimed that the Lippert Concession allowed them to dispose of land in Mashonaland and proceeded to do so. Ranger (1967: 83) notes that in 1919, the Privy Council, when considering the legal basis of the European presence in the country, ruled, "the Lippert Concession had not given the Company authority to dispose of land anywhere, so that even in terms of legal theory, their action was unfounded". Austin (1975) observes that Southern Rhodesia was thus one of the few cases in Africa of 'colonial acquisition by undisguised conquest'.

Austin (1975) further highlights the circumstances in which Rhodes, the BSAC and the settlers, granted permission only to exploit minerals by the Matabele King Lobengula, fermented war and took control of Matabeleland. With Mashonaland occupied, the agenda shifted to militarily takeover Matabeleland. This was achieved in 1893 when Dr. Jameson, with a combined force of settlers and the Imperial Bechuanaland Border Police raided the Ndebele. The operation was partly financed by Rhodes's personal funds and the promise of booty of Matabele land, gold claims and cattle as

reward for the volunteers. The Matabeleland Order in Council of 1894 later legitimized the invasion.

The Company honored its obligations to the volunteers. Ranger (1967:10) notes that land was “given out so lavishly not only to reward volunteers but also to give important sections of English society a stake in the success of the new Colony”. It is also noted that others received generous rewards in the shape of very extensive grants of land to the companies and syndicates, which they formed.

The Matabele were dispossessed of their lands, and allocated reserves, away from their ancestral homes and, in the opinion of the British Deputy Commissioner in 1897, “badly watered, sandy and unfit for settlement” (Austin, 1975:25). The loss of land and other possessions provided a Matabele parallel to the feelings of the Shona towards the settlers (Ranger, 1967). This resentment led to the First *Chimurenga* War of 1896/97. However, the Company and the settlers gradually suppressed the war.

Chigodora (1997) notes that by 1903, the colonial administration had set up 16 native reserves in Matabeleland and 80 in Mashonaland. Africans who still occupied what was now “European land” were forced to pay taxes by the colonial authorities as a way to force them into reserves. Roder (1964), basing on a Native Reserves Commission Report of 1915, captures the domineering attitude of the settlers on denial of the Ndebele from having access to fertile, darker and heavier soils. “[The Ndebele] are, however, showing signs of favor towards the lighter soils, and no doubt as their use of the heavier land outside their reserves becomes more restricted by white occupation, they will grow more reconciled to cultivating the granite sands” (Roder, 1967: 45).

On the rationale used to determine the size of land to be occupied by natives, Whaley (1975: 15) quotes a 1914 report by the Native Reserves Commission on the subject:

The Commission is of the opinion that it cannot be assumed that every unborn native is to enjoy an indefeasible right to live on the soil under tribal conditions and by the primitive and wasteful methods of cultivation practiced by their fore-fathers. cumulative effect of the available evidence goes on to show, in the view of the Commission, that the aggregate area of the Reserves in Southern Rhodesia is more than sufficient for the present and future needs of the Native Population.

Thus, legal administrative instruments such as these Commissions were used by the British, to justify the dispossession of natives of their lands.

In 1923, Britain granted Rhodesia's white settler community "responsible self-government". However, the country remained a British colony and Britain retained the right to veto any legislation affecting the black African majority. Subsequently, in 1925, another Commission – the Morris Carter Land Commission - was set up by the British Government to look into the desirability of defining separate areas for use and occupation by blacks and whites. The Commission approved the division of land and further recommended that points of contact between races be minimized. Africans, who wanted to purchase land, would only do so in areas designated for that purpose. These areas were to be adjoined to reserves so that the good farming practices of the purchase area farmers could "trickle down" into the native reserves (Whaley, 1975). One wonders whether security for the whites was not the main reason for the establishment of native purchase areas as they acted as buffer zones between settler farms and native reserves!

Bell and Hotchkiss (1991) note a series of repressive pieces of legislation that challenged customary practices of resource utilization and upset their traditional complementarities. Through the Land Apportionment Act (LAA) of 1930, land was segregated on racial lines and its ecological undertones restricted the use of wetland environment, an important fall back resource strategy for the local communities especially during dry periods. The LAA divided the land into White Land – 19.7 million hectares (50 %); Black Land – 11.7 million hectares (30 %); Native Purchase Areas – 1.8 million hectares (5 %); and, other – 5.8 million hectares (15 %) (Rukuni, 1994).

Of further interest is the location of settler lands in relation to Zimbabwe's Natural Regions (NRs). Zimbabwe is divided into five natural regions. NRs 1 and 2 are the most productive having good soils and high natural rainfall – above 700mm; NR 3 has good soils and moderate rainfall – 500-700mm; and NRs 4 and 5 generally have poor soils and erratic rainfall averaging about 450mm (Kay, 1970). Most of the White lands occupied the central and eastern highlands of the country which have fertile soils, high rainfall, moderate temperatures and a good road and rail transportation network, hence making them prime agricultural lands. On the other hand, the natives were mainly resettled in agriculturally marginal areas mostly with poor sandy soils, low rainfall, and at times very hot and tsetse fly infested as in the case of the northern part of the country. The majority of these lands lie in NRs 4 and 5 (Kay, 1970; Bell and Hotchkiss, 1991).

Besides having their best lands taken by settlers, natives also lost their lands to wildlife. The Game and Fish Preservation Act of 1929 paved way for the establishment of several game reserves and National Parks including the

Hwange Game Reserve and the Victoria Falls National Park in the north-west part of the country (Hill, 1996; Kay, 1970). The establishment of these conservation schemes involved the forced removal of the natives from their traditional lands and often relocating them to overcrowded areas that were less suitable to maintain their subsistence economy (Hitchcock, 1995). While one can argue that such removals were dictated by the imperatives of development, the issue here is that Britain ignored the dispossession of natives of their lands by failing to veto such legislation that directly affected the livelihoods of the natives as had been promulgated in 1923 “responsible self-government” grant to the white settler community.

Conservation interventions, intertwined with other State imperatives, often cut across African ecological ideas and practices because they often presupposed different assumptions about how land should be settled and used. Beinart (1989) offered interesting observations about the thinking of the time: “Africans were constructed as unscientific over exploiters of grazing, of trees, and land, who displayed an irresponsible attitude to future needs, either because their agrarian systems were inadequate in themselves or because old systems were inappropriate.” What became appropriate for Zimbabwe were colonial ideas, drawn from the developed countries, which stressed on the rigid spatial division between lands set aside for different purposes: forestry; game reserves; White land; and Native land. Such structures would be maintained through legislative Acts where Natives had little or no say.

In the 1950s, government policy shifted from that of settling more whites to removing blacks remaining in white areas, and enforcing freehold tenure through a Native Land Husbandry Act (NLHA) of 1951. Commissioners, who were White, replaced Native Commissioners and took over the role of traditional chiefs and became primary allocation authorities of both grazing and farming rights. The Act enforced de-stocking and mandatory conservation and cropping practices. Whaley (1975) notes that the Annual Report for 1957, by the Secretary of Native Affairs indicated that stiff opposition was experienced from those areas heavily populated and overstocked. In fact, the natives saw the Act as a vehicle of oppression, as it gave the Natural Resource Board strong police powers to evict people from their lands on the pretext of violating their laws. Consequently, many natives were driven off their lands under the auspices of the Act. This led to widespread opposition to the land policies by the natives that culminated in the early struggle for independence (Ranger, 1985). The Act was abolished in 1961.

On the political front, attempts by the United Federal Party in the early 1960s to address the land question and abolish the Land Apportionment Act of 1930, were defeated by the Rhodesian Front (RF) of Ian Smith, a white minority party whose election campaign hinged on preserving land segregation (Christopher, 1971). Smith subsequently declared the Unilateral Declaration of Independence (UDI) in November 1965 and severed ties with Britain.

When the RF regime declared Rhodesia a Republic in 1969, it promulgated a Republican Constitution along with a new Land Tenure Act (LTA) that replaced the LAA. The LTA redefined the land categories and allocated an almost equal amount of land between blacks and whites, or “parity” as the Rhodesian Front demanded. Christopher (1971) notes that the LTA classified all land (39 088 494 hectares) in Rhodesia into three areas: European Area 18 205 924 hectares (46.6%) (to be occupied by the then less than 200,000 whites); African Area 18 202 523 hectares (46.6%) of which the Tribal Trust Lands occupied 16 161 314 hectares (to be occupied by 7,500,000 natives); and, National Area 2,680,047 hectares (6.8%).

This Act was the final straw in the litany of the natives’ dispossession of their lands. The new dispensation literary saw 70 percent of the most productive land within the hands of about one percent of the population, mainly whites. Hence, the 1970s saw an exodus of blacks – men and women – to the rank-and-file of freedom fighters who had established bases in neighboring Zambia, Tanzania, and later Mozambique. The war reached its peak in the late 1970s forcing the settler regime to agree to a negotiated settlement. The Lancaster House Conference, held in Britain in 1979, paved way for Zimbabwe’s independence in 1980.

The Lancaster Agreement, included among other things: a constitution that was to guide the governance of the new independent nation. On the land issue, all parties agreed that there was to be land reform based on land reclamation by Government on a “willing-seller-willing-buyer” basis, with the British providing the necessary funds. In certain circumstances, the Zimbabwe Government could also acquire land compulsorily, but would have to pay fair, prompt and adequate compensation even in foreign currency. Also entrenched in the latter aspect were conditions that no changes were to be made to the new constitution before the lapse of ten years, unless there was a 100 percent agreement from the legislature to change it (Mubako, 2003). It was impossible to get a 100 percent agreement to change the constitution on the controversial issues such as land since whites were guaranteed a blocking 20 percent of the seats during the period.

At independence in 1980, about 6,000 white farmers owned about 15.4 million hectares of land of which most was in Regions 1 and 2 (Masilela and Weiner, 1996). With most of the prime land still owned by the few whites, there was considerable political pressure on the new government to redistribute white owned land for resettlement of both the landless and people from overcrowded communal areas.

Post – independence period (1980 to the present).

Three distinct periods can be identified when discussing the land issue during the post-independence eras and each of them is characterized by a different approach to land redistribution. During the first period - 1980 to 1990 - Zimbabwe observed the Lancaster House Constitutional requirements used the evolutionary approach which hinged on market forces of ‘willing-seller-willing buyer’ to facilitate land redistribution. The approach is similar to Kenya’s land reform program in the 1960s which was funded by Britain. In the second period 1991 to 2000, the government abandoned market based land purchases and adopted a quasi-revolutionary approach to designate land for resettlement, a similar path taken by Namibia in the mid 90s land reform². As for the last period 2000 to the present, it is characterized by the revolutionary approach to accelerate land redistribution.

The evolutionary approach to land redistribution (1980-1990).

In order to implement the land redistribution program, the Government of Zimbabwe created a new Ministry of Lands, Resettlement and Rural Development in 1981. Its target was to settle 162,000 families, most of who were displaced by the war, by 1985. The program was to be funded by the British government with the government of Zimbabwe providing the matching funds. It involved the settling of people selected by government on derelict farms or those willingly sold by commercial farmers. The latter would have to be paid fair, prompt and adequate compensation even in foreign currency (Zimbabwe, 1995).

According to Rukuni (1994), four pilot resettlement models were designed with a bearing on the agro-ecological regions of the country. Model A, the villagized approach, allowed for family farming; Model B was the cooperative mode; Model C involved individual farming centered on a core estate; while Model D focused on individual extensive ranching. The latter two models were common in Regions 4 and 5.

² <http://en.wikipedia.org/wiki/>, accessed on 6th October 2008.

The pilot resettlement schemes were provided with basic infrastructure such as roads, boreholes, schools, clinics, depots for seeds and fertilizer and dip tanks for cattle. In addition, in the initial year, households were provided with half-hectare free tractor tillage, inputs such as fertilizer and seed for half a hectare to enable them to take off. Cattle, farm inputs, and implement loans were also made available. Agricultural extension officers were also made available to advise farmers on good methods of farming.

Performance of the pilot resettlement exercise was affected by the vagaries of the weather. Kinsey (2004:1697) highlights that a three-year drought during the period 1982-84 negatively affected both agricultural activities and the settling of people. In 1985, the economy as a whole rebounded strongly due to a 30% jump in agricultural production³. Kinsey further notes that despite these droughts often reflected in the dramatic falls in savings, the new settlers in the pilot schemes made remarkable improvements in ownership of movable assets (farm equipment and implements); household durables and other assets such as vehicles, bicycles, grinding mills, and solar installations than their counterparts in the communal areas. Both, Rukuni (1994) and Hans Hoogeveen and Kinsey (2004) herald the success story of the small-scale holder farmers of the pilot resettlement program in the mid-1980s. The success possibly borne out of the support given to the pilot projects in the form of developmental packages highlighted earlier.

Despite adhering to the farm purchase stipulations of the Lancaster Agreement, government faced problems in getting suitable resettlement land to replicate the pilot schemes. In an attempt to give farmland-purchasing priority to the Government, a Land Acquisition Act again hinged on the “willing-buyer-willing-seller” philosophy was passed in parliament in 1985. Land targeted for purchase included derelict land, underutilized land and that adjacent to communal area. Government still had to pay the required fair, prompt and adequate compensation in foreign currency (Zimbabwe, 1995).

Response to changes to the Land Acquisition Act to allow government to purchase underutilized land from the white commercial farmers was that of indifference. The period saw a flurry of conversions by white farmers of underutilized prime land even in Regions 1 to 2 to game farming, an activity mostly carried out in Regions 4 and 5. Thus in a way, the farmers avoided having their land classified as underutilized and hence open for government purchase for resettlement purposes (Kinsey, 2004). Worth also noting here is

³ http://en.wikipedia.org/wiki/economy_of_zimbabwe, accessed on 26 March, 2008

that during the first ten years, both Zimbabwe and Britain honored their parts of the Lancaster House Conference undertakings. Britain provided a total of £47million for land reform: £20million as a specific Land Resettlement Grant and £27million in the form of budgetary support while Zimbabwe provided matching funds to acquire land on the willing-seller-willing buyer basis⁴.

The Land Resettlement Grant signed in 1981, came to an end in 1988 as the grant was virtually spent. An evaluation of the pilot land resettlement in 1988 by the then UK Overseas Development Administration (ODA) showed that on the whole, real progress had been made on the program. Although the rate of implementation of the program, which had a good take-off in the early 1980s dragged at a snail's pace in the late 80s, it proceeded peacefully and was 'completely in accordance with the law' (Mubako, 2003; Kinsey, 2004). In the Matabeleland provinces, the program was temporarily disrupted by political insurrections (Akpan et. al, 2006).

Faced with costly land, and poor infrastructure and access to water, and the unwillingness of commercial farmers to give a portion of their farmlands for resettlement purposes, only 52,000 families were resettled by 1990, far from the target of 162,000 families supposed to be settled by 1985 (Zimbabwe, 1995). The Ministry responsible for resettlement was abolished.

Reactions to the dismal performance of the resettlement program during the period were polarized along racial lines. Siso (1989) notes that when the country's largest circulation paper, *The Sunday Mail*, urged the government to embark on a wholesale takeover of the land from the white farmers, the Chairman of the white Commercial Farmers' Union (CFU) is said to have retorted: "To threaten farmers with wholesale takeover is highly irresponsible and is causing a loss of confidence at a time when the government had worked so hard to restore it. The fact that farmers seem reluctant to sell their land should be applauded in certain quarters as victory for the government since it shows how much confidence the white people, and farmers in particular, have in the government" (CFU, 1989: 32).

While in certain quarters this may have an element of truth in it, personal observations indicate that lack of cooperation, and arrogance and indispensability seem to define the attitude of some white commercial farmers to government's resettlement program during the first ten years. This seemed to strain the relationship between the two parties. On the other hand,

⁴ <http://www.fco.gov.uk>, accessed on 6 March 2008.

the “willing-buyer, willing seller” concept itself was seen in close government circles as a ploy to buy more time on land reform and eventually derail it as evidenced by the commercial farmers’ unwillingness to part off with their land. After all it had not succeeded in redistributing land in Kenya where it had been applied in the 1960s!

The quasi- revolutionary approach to land redistribution: 1990 – 2000.

When the Lancaster House Constitution expired at the tenth independence anniversary in 1990, and the willing-seller willing-buyer constitutional requirement expired, the Zimbabwe government embarked on a review of the land reform program. In 1991, it announced new proposals to resettle 100,000 families on 5 million hectares of land to be acquired from the Large Scale Farming Areas. To facilitate this program, government made a number of changes to both the Constitution and the Land Acquisition Act of 1985. According to the Constitution of Zimbabwe Amendment Bill No. 11 of 1991, government now had the right to acquire all land needed for the program, including fully utilized land and pay the owner in local currency. Such compensation only needed to be fair and paid within reasonable time. Previously, government had to make such payments in foreign currency (Rukuni, 1994).

In addition, under the Land Acquisition Act of 1992, government now had the power to ‘designate’ land needed for the program. Land targeted for designation included: derelict land; under-utilized land; land owned by absentee-landlords; land from farmers with more than one farm or with oversized farms; and land adjacent to communal areas. Farmers opposed to having their land designated were required to file written objections to government within 30 days of receiving the notice to compulsorily acquire the land.

The provision of ousting the jurisdiction of the courts was the subject of many criticisms on the Act. Human rights lawyers argued that any law that sought to exclude the courts from determining issues affecting the rights of individuals contradicts the concept of the ‘rule of the law’ (Rukuni, 1994).

The reaction of the white community to the Bill was that of anger and they accused the government of trading “collective ideology for private efficiency” (The Economist, 26/01/1991). On the statement that the government would buy half of the remaining commercial farmland, the Economist commented that the government’s “motive is political: to reward the peasants who fought [the] independence war against Ian Smith’s white

government' (Ibid: 40). It also reported that the CFU feelings were that too much resettlement could endanger Zimbabwe's special status as an African country that can feed itself, an aspect that later became true, though for the wrong reasons.

While the war of words was going on over the Land Acquisition Act of 1992, Banks et al. (1997) note that on May 1, 1993, the government released a list of 70 commercial farms, encompassing approximately 190,000 hectares which it planned to purchase for the distribution under the authority of the new Act. The CFU denounced the government for violating its pledge to buy only "derelict and underutilized" properties. The Economist (22/05/1993) highlights white farmers' argument that "parceling out commercial farmland in small plots will reduce the productivity and so jeopardize the country's ability both to feed its people and export valuable crops" (Ibid, 54). The farmers went on to say that, unless well-trained black farmers who have ownership rights that give them the incentives to invest farm the new land, the resettlement program was bound to fail. Again, from government's point of view, such comments seemed aimed at derailing the land redistribution program.

On the international arena, Western donors, including the British reportedly warned the Zimbabwe government that it risked suspension of aid payments if it followed through its proposed acquisition (The Economist, 22/05/1993). The British did not disburse any further funds to Zimbabwe during this period and the UK Land Resettlement Grant finally closed in 1996 with £3million still unspent ⁵(Zimbabwe, 1995). Thus, the British's end of support to the program seems mainly to be due to the ideological differences on how to proceed with the resettlement exercise.

In early 1994, the government on its own set up the *Independent Commission of Inquiry into Appropriate Agricultural Land Tenure Systems* to investigate among other things, how Zimbabwe's land reform program could be carried out. Its report, submitted in October 1994, made seemingly feasible recommendations on how Zimbabwe's land reform program could be carried out. The Report identified seemingly feasible tools for land redistribution. These include land acquisition; incentives for voluntary sub-division; sub-leasing; progressive land taxes; land ceilings; and, restriction on the number of farms per individual entity (Table 1).

⁵ <http://www.fco.gov.uk>, accessed on 6 May 2008.

Table 1: Farm Sizes by Natural Region.

Natural Region	S-SCF (ha)	M-SCF (ha)	L-SCF (ha)
1	15-25	100	250
2a	25-40	200	350
2b	40-50	250	400
3	60-80	300	500
4	150-200	700	1,500
5	250-350	1500	2000

Key:

S-SCF = Small Scale Commercial Farms

M-SCF = Medium Scale Commercial Farms

L-SCF = Large Scale Commercial Farms

ha = hectare

Source: Adapted from Ministry of Lands, Agriculture and Rural Resettlement (2001).

The British government and some major multi-lateral organizations such as UNDP were not interested in the study as indicated by their failure to mention it in their documentation on Zimbabwe land reform⁶ (UNDP, 2002). Thus, the views contained in the study were contrary to their thinking.

After a three-year relative impasse on the land issue, in June 1997, the Government announced the Land Reform and Resettlement Program – Phase II in which it outlined a program aimed at acquiring 5 million hectares on which to settle 91,000 families based on the recommendations of 1994 Commission's Report. Zimbabwe's subsequent request for financial assistance from Britain to implement the resettlement program was turned down on the ground that the program lacked transparency. The Government proceeded with the accelerated land reform program and designated about 5 million hectares of commercial farmland. It argued that Britain was obliged to finance land reform, by compensating the white farmers as agreed at Lancaster (The Economist, 06/12/1997).

The Reserve Bank of Zimbabwe (2007) noted that during this period, major multi-lateral institutions gradually stopped doing business with Zimbabwe. African Development Bank (ADB) stopped supporting Zimbabwe by way of

⁶ <http://www.fco.gov.uk>, accessed 6 May 2008.

balance of payment support 1998. This was followed by the International Monetary Fund (IMF) in 1999, and the World Bank did the same in 2001.

With Zimbabwe perceived as a risky country to do business with, Zimbabwean companies subsequently were unable to access lines of credit and had to pay cash for strategic imports such as oil, agricultural plant and equipment. These measures not only affected the agricultural productivity of the country as a whole, but also affected the resettlement program. The success story of the resettlement program of the late 80s turned into a pathetic nightmare in the 90s when external assistance dried up and farmers could not access inputs. Farm production plummeted⁷.

Willems (2004) has this to say on what led to the strong decline of the Zimbabwe economy in the late 1990s:

In 1997, the government finally succumbed to the war veterans' demands when it announced an offer to them of pensions, although these had not been included in the government budget. The unbudgeted spending on the war veteran pensions, coupled with a decision in 1998 to intervene in the war in the Democratic Republic of the Congo and resultant decrease of donor funds, and the rapid devaluation of the Zimbabwean dollar as a result of declining investor confidence led to a strong decline of the economy (ibid, 1770-71).

What is evident from the above statements is the fact that there were other intertwining factors that led to the strong decline of Zimbabwe's economy other than those related to the land issue. Whether Britain had an influence in their interpretation is open for discussion.

However, Willem (2004) further notes that discontent by the civil society and the labor movement over the economy and the political climate, led in September 1999, to the formation of a new political party – the Movement for Democratic Change (MDC). Its neo-liberal market based land policies that had the support of the white commercial farmers and the donor community challenged the government's 'radical' land reform program. Thus, the land issue, which seemed to unite the natives of all persuasions since the first '*Chimurenga*' yielded to the new dispensation, a new reality that ushered the country into the 21st century.

In December, 1999, government implemented some recommendations of the *Independent Commission of Inquiry into Appropriate Agricultural Land*

⁷ http://en.wikipedia.org/wiki/economy_of_zimbabwe, accessed 26 March 2008.

Tenure Systems, especially the legislated the ceilings on farm sizes though with some slight modifications on the sizes⁸.

The revolutionary approach to land redistribution: 2000 to present.

In 2000, government resolved to implement Phase II at an accelerated pace – “Fast Track” - as abandoning the land reform would certainly ferment unrest by the landless. The target of the program was to redistribute 9 million hectares to 160,000 beneficiaries from among the poor and 51,000 small-to-medium scale indigenous commercial farmers based on the new land ceilings (Ibid). This move was seen in opposition circles as an electioneering gimmick as parliamentary elections were due to be held that year 2000.

To facilitate this, government proposed changing the constitution to allow flexibility in effecting compulsory land acquisition. Although the new constitution was rejected in a referendum in February 2000, the government pushed changes related to land through parliament separately. The government introduced the same land clause as an amendment to the old constitution that was duly passed by parliament. The clause obligated Britain as the former colonial power “to pay compensation for agricultural land compulsorily acquired for resettlement, through an adequate fund established for the purpose, and if the former colonial power fails to pay compensation through such a fund, the Government of Zimbabwe has no obligation to pay compensation for agricultural land compulsorily acquired for resettlement” (Mubako, 2003: 6). On its part, the Government of Zimbabwe would pay for improvements made on the farms.

Mubako (2003) notes that simultaneously as changes were being made to the constitution, war veterans moved on to some commercial farms in different parts of the country until 1,800 farms were occupied by ex-combatants and landless villagers. At the same time, legal battles took place between the white farmers and the ex-combatants. The position remained the same until June 2001 when government finished regularizing the occupation and moving illegal occupiers to land acquired by the government. Despite strong objections from the CFU, Britain, and other donor institutions, UNDP (2002) notes that by mid-November, 2001, about 160,000 families had been resettled on 3,074 previously large-scale commercial farms covering an area of about 7.3 million hectares.

⁸ www.talkzimbabwe.com. Accessed on 17March, 2008.

In late 2001, the Zimbabwe Supreme Court gave its seal of approval of the resettlement program. In arriving at its decision, it was guided by principles of social justice for all concerned and not by “narrow legalism” (Mubako, 2003). The decision did not go down well with the white farmers and some sections of the donor community as they labeled it partisan, in support of the government. Anyway, by August 2002, government announced that the resettlement program had arrived at its official conclusion, although some follow up operations remained.

During this period, complementary initiatives were also mooted by the private sector to boost the resettlement program. One such initiative is the Zimbabwe Joint Resettlement Initiative (ZJRI) mooted by the CFU in March 2001. Key features of ZJRI included an offer of 1 million hectares of uncontested land; settlement for small-scale commercial farmers; 1 hectare of free tillage for each of the new families; a grant of Z\$60 million for agricultural inputs; among other things. Government accepted the initiative in September 2001. However, the lack of immediate cash to provide full lump-sum compensation for land derailed the program⁹.

The ‘Fast Track’ resettlement program was heavily criticized from all quarters. The white commercial farmers were split on how to deal with the government. The CFU adopted a non-confrontational approach while its splinter – Justice for Agriculture – adopted a confrontational one and encouraged its members to remain on farms acquired by government for resettlement. In fact, violent confrontations became a common feature throughout the country between the white farmers and farm workers on one hand, and the war veterans and the ‘landless’ people on the other. These confrontations often resulted in the loss of human life, property, and disrupted farming activities (EIU, 2002; Willem, 2004).

The Zimbabwe government was accused of lacking democracy and good governance, trampling on the rule of law and engaging in human rights abuses. The media blitz on the government was unprecedented but aptly expressed the inner feelings of those negatively affected by the program: “Land reform chaotic”, “Zanu thugs invade the farms”, “Rogue war vets evict white farmers”, “Land reform to benefit Mugabe’s cronies” (The Sunday Mail, 18 April 2004; Willems, 2004).

Britain dragged Zimbabwe’s land issue to the Commonwealth Prime Ministers’ Conference in 2001 in Australia without success. Some members

⁹ www.talkzimbabwe.com, accessed on 17 March 2008.

felt that the colonial power was unnecessarily involving the Commonwealth into a bilateral dispute between itself and Zimbabwe over the latter's decision to acquire land from white farmers mostly of British origin to resettle the landless majority. Zimbabwe subsequently left the Commonwealth (Mubako, 2003).

The American government, seemingly concerned with the human rights issues, and government's inability to protect private property and uphold the rule of law, also equally built pressure on Zimbabwe. The Zimbabwe Democracy and Recovery Act was passed through the Senate in July 2001. The Bill called for targeted sanctions on President Mugabe and his cabinet members (EIU, 06/2001). The Bill, thinly veiled as delivering 'targeted sanctions', virtually throttled Zimbabwe from doing business with the 'international community', thus forcing it to adapt to its current 'look east' policy. The policy seems to be yielding some desirable results as evidenced by the recent investment moves by countries such as China and Malaysia.

The resettlement program was froth with anomalies: issues of multiple farm ownership; issuance of more than one letter offer for a single farm; the returning of land to white former commercial farmers; and slow farm take-up by settler beneficiaries. To address some of these issues, in 2003, a Presidential Land Review Committee was established. Its Report cited 5 key areas that needed the government's attention: framework for agricultural service provision, human capacity and skills development, agricultural research and technology transfer, agricultural inputs and financial services and domestic and international markets for agricultural products to which government promised to look into (The Herald, 15/4/2004).

However, it is the author's observation that the Report failed to give due weight to the humanitarian crisis resulting from the evictions of former farm workers by the new settlers. It also paid lip service to the vandalism purportedly perpetrated by both the ruling party and opposition party 'thugs' that disturbed farming operations.

On the issue of tenure of resettlement schemes, in June 2004, government announced that all land from crop fields to wildlife conservancies, would become state property. Farmland deeds would be replaced with 99-year leases, while leases for wildlife conservancies would be limited to 25 years. This position infuriated the main opposition party and its leader, Morgan Tsvangirai was quoted as saying: "- - - Today Mugabe is talking of wholesale nationalization, converting our land into dead capital - - - This is an act of recklessness. The constitution respects private property rights.

Where does he plan to take this country? Nationalization is a nationalistic concept that the world abandoned a long time ago for obvious reasons” (The Herald, 14/06/2004).

The above sentiments illustrate the polarization of views on the land redistribution issue. While one can argue that similar post-colonial nationalization of land took place in other African countries such as Nigeria, Zambia, Mozambique, Tanzania – to name some, such moves were orderly and not characterized by violence as has been in the Zimbabwe case.

Parliament subsequently passed a constitutional amendment, signed into law on September 12, 2005, that nationalized Zimbabwe’s farmland accordingly. Thus, landowners no longer have any legal right to challenge in court the government’s decision to expropriate their land.

On the economic front, the country as a whole was in doldrums during the period. Between 2000 and 2007, the country’s economy contracted by as much as 40%; inflation was 66,000%; unemployment hovered around 80%; and there was persistent shortage of foreign exchange, local currency, fuel, inputs (seeds, fertilizer, and pesticides), medicine, and food. GDP per capita is said to have dropped by 40%, agricultural output by 51% and industrial production by 47%. The absence of balance of payments support, declining capital inflows, recurrent droughts and global rising oil prices certainly undermined the country’s productive capacity as well as the land reform program. The impact of these issues on the populace was devastating and saw the government for the first time lose both the presidential and parliamentary elections held on 29 March 2008.

After a political debacle, and a re-run of the presidential elections which were boycotted by the main opposition party, political maneuvers mainly from the Southern Africa Development Community (SADC) and the African Union (AU) resulted in the formation of the government of National Unity – a coalition government formed on 13 February, 2009 following the inaugurations of Morgan Tsvangirai as Prime Minister, and Arthur Mutambara and Thokozani Khupe as Deputy Prime Ministers. This Global Political Coalition (GPA) is guaranteed by South Africa, SADC, and the AU (Bell, 2009).

Even under such an arrangement, the efforts seem not enough to reassure commercial farmers of their security as expressed by Deon Theron “ ... it does not change the reality that farm invasions have not stopped ... things are incredibly difficult for the farmers right now and morale is very low”

(Bell, 2009). However, of late, the South African President Jacob Zuma expressed optimism that Zimbabwe's leadership has made significant strides in resolving contentious issues and the country is on an irreversible path to finally resolving its problems (Mutema, 2010). It is anticipated that Theron's pessimism in the GPA will soon be a thing of the past.

The way forward.

What this study has demonstrated is that while the issue of land is essentially a political one, land reform needs to be tackled from a holistic approach which looks at the intertwined historical, socio-economic, political, cultural factors of a people. In Zimbabwe, land reforms carried out during the colonial era, no doubt, were crafted on gross injustice though they followed acceptable constitutional forms. The evolution of the land issue discussed earlier amply demonstrates this. On the other hand, the post-independence land reform, also followed recognizable constitutional forms. The British Government agreed to fund the land reform program and did so jointly with the Zimbabwean government and according to the law.

Hi-cups developed in the mid-90s when Britain stopped participating in the program purportedly due to lack of transparency, though it is quite clear that ideological differences especially relating to the 'willing-seller, willing-buyer' concept negatively affected the resettlement exercise. Worth noting here is that Zimbabwe's frustrating experience with the 'willing-seller-willing-buyer' concept to purchase land for resettlement is not unique in the region. South Africa and Namibia have also been implementing similar post-independence land reform programs hinged on the 'willing-seller-willing-buyer' and face similar problems (Malefane, 2008). Thus, the historical narratives on how the natives were dispossessed of their lands and the subsequent Lancaster Constitutional Conference agreement all indicate that Britain has an obligation to facilitate the purchase of land for resettlement. Modalities on how the cooperation can be resuscitated can be re-negotiated amicably by the two parties.

What this study further illustrates is the need for pragmatism in addressing the land issue. Governments of sovereign states should be given the latitude to do what is best for the majority of their people as per the Zimbabwe Supreme Court ruling of 2001 which legitimized the land reform program. However, scenarios of land grabbing, and multiple land ownership highlighted in the Presidential Land Review Committee of 2003 spoil what probably are well meant programs. This calls for a land audit by all the major players - The British Government, Zimbabwe Government, representatives

from the opposition parties and commercial farms unions to establish the status quo on the land reform. The Audit Commission can then recommend the way forward on the program.

There is also a need for a re-look at the current land ceilings legislated in 1999. Ceilings of up to 2,000 hectares per farm for Regions 4 and 5 are too generous considering the current population dynamics of Zimbabwe; hence the need to reduce them further to about 1,000 hectares. High annual population growth rates of about 3.1 percent will mean that in 10 to 20 years to come, there is bound to be a shortage of land for new household formations. If government is satisfied that communal people in Region 5 can attain their well-being on 15-20 hectares of land, why should experienced commercial farmers be expected not to survive on 1,000 hectares? What is required in these areas are not the 2,000 hectares per farmer as legislated, but the necessary infrastructure such as dams for irrigation, electricity, which facilitate farmers to realize their full potential on smaller areas.

Another aspect not addressed with the resettlement exercise is the creation of land trusts. The land resettlement program should go hand in hand with the creation of land trusts for future generations. Even in developed countries such as the United States – the citadels of market rationalizations – the Federal Government is still actively establishing land trusts to cater for future generations as per my personal experiences there. Thus, such proactive approaches need to be integrated into Zimbabwe's land redistribution program.

Lastly, there is need to engage the international community to support the resettlement program. It should be acknowledge that mistakes have been made in the implementation of the exercise of which corrective measures have been recommended. However, the international community should go ahead and provide Zimbabwe with the necessary moral, financial, material and technical support to facilitate the resettlement program and avert the looming humanitarian disaster of chronic food shortages.

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