

Locating the Position of Peasants under the “New Dispensation”

A Focus on Land Tenure Issues

Following political developments late last year and the coming in of a ‘new administration’ on 24 November 2017 in the country, strong affirmation has been made regarding the irreversibility of the programmes and policies relating to the land reforms of the 2000s and that the principle of repossessing the land remains unchallengeable. However, the country finds itself at a critical juncture going into the future, considering the economic aspirations of the “new dispensation”, vis-à-vis the land tenure security of smallholder farmers, including women, who got access to land during the Fast Track Land Reform Programme (FTLRP). Beneficiaries of the land reform have been exhorted to show their deservedness by demonstrating commitment to effective utilisation of agricultural land made available to them by the government.

A recent national survey by the Sam Moyo African Institute of Agrarian Studies (SMAIAS) indicates high underutilisation of agricultural land with percentages remaining below 20 percent in all the three land tenure models, namely, the A1 small-scale permit system, the A2 medium-scale leasehold system (these are FTLRP resettlement models) and the communal land tenure model. Among the identified factors constraining optimal agricultural land utilisation include: low access to agricultural inputs and credit which remains below twenty percent, low levels of mechanisation with tractor ownership below twenty percent, low utilisation of certified seed and fertiliser across all the land tenure models. Compounding this are gendered land administrative-related land conflicts and threats of eviction, particularly in the resettlement areas (SMAIAS, 2014). The new administration’s policy pronouncement highlighted complex issues of land tenure as an urgent policy priority to ensure finality and closure to the ownership and management of the resource for national stability and sustained economic recovery.

Concurrent with these policy pronouncements regarding land and agriculture is the “Zimbabwe is open for business” mantra of the “new dispensation”. Its thrust is meant to attract foreign direct investment to turn around the economic fortunes of the country. The lack of clarity on the sectors of the economy open to investors, both foreign and domestic, makes land tenure security and access by smallholders, including women farmers, critical considering most of the population derives their livelihoods from farming and related activities. Land policy developments within the region in the last two decades have seen many African countries adopting land law reforms aiming at individual registration and titling of land. To date, over two dozen African countries have proposed de jure land law reforms that are extending the possibility of access to formal freehold land tenure to millions of poor households (Ali et al 2014:1). Notable examples include Zambia in 1995, Uganda in 1998, Côte d’Ivoire in 1998 and 2015, Malawi in 2002, Kenya in 2012, Mozambique in 1997 and 2007 and Tanzania in 1999 and 2015. The objectives explicitly aim to clear the way for full privatisation and commoditisation of farmland. These land policy developments have implications on possible land policy trajectories for Zimbabwe going forward.

In the current quest to attract foreign investment by the new administration, it is important to be wary about how agricultural investments may interact with issues of land rights, power relations, social and economic entitlements and inequalities between large agribusiness and smallholders (West & Haug 2017:420). Important policy considerations include mechanisms by which the land tenure security of smallholders, particularly women farmers, can be protected going forward.

Policy recommendations

The state-based non-alienable permit system for A1 farmers and the leasehold system for the A2 farmers must remain the appropriate land tenure system to safeguard against land dispossessions of vulnerable groups such as women and smallholder farmers and land concentration by capital-rich actors through the market. Land privatisation would lead to distress sales and displacement of the peasantry.

Land registration officials must be legally empowered to enforce compulsory/mandatory, as opposed to the current optional, joint land registration/certification for married couples. Photographs of both spouses on certificates increase women’s perception of their tenure security, enhancing expectation of an equitable division of land upon divorce or the death of a spouse. For polygamous marriages, land certificates must be issued in the name of the head of the household and the first wife while subsequent wives receive certificates in their own names to ensure equitable access, security and use rights for them.

Synchronise statutory and customary land tenure laws to circumvent the current legal dualism in land governance and administration in both communal and resettlement areas to strengthen women’s land tenure security in the context of marriage, inheritance and divorce or separation. At the same time, encourage registration of marriages, divorces and deaths to reduce related land conflicts. The government must harmonise the Agricultural Lands Act and the Mineral Acts by developing guidelines on the rights of landowners and mineral rights holders to counter farmer/miner land use-related conflicts in resettlement areas.

On land tenure, it is recommended that the Government of Zimbabwe speedily finalises the implementation of its policy of issuing permits for A1 farms and 99-year leases for the A2 sector while also negotiating with the banking sector over the transferability of farm investments for use as collateral. The issue of permits and 99-year leases will make it difficult for peasants and small to middle-scale farmers to lose their land, thus scaling down land concentrations. On production, the Command Agriculture program that is currently catering for cattle, maize, soy bean and wheat must be expanded to include groundnuts and small grains such as rapoko, millet and sorghum. In terms of the farmer classes, the command agriculture program must also include more peasant farmers in the communal areas and those under the A1 resettlement model. Furthermore, establishment of a national land bank to provide agricultural funding should be prioritised. This land bank should be owned and controlled by the farmers themselves through a Central Cooperative Bank structure in order to curtail penetration of financial capitalism.

On compensation, the state needs to firstly develop a robust land investment evaluation model that takes into account issues such as unpaid labour costs, historical social injustices and state subsidies. Then source out funding from the UK and the USA in order to pay former white farmers for land improvements made.

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