

**WOMEN'S LANDOWNERSHIP UNDER THE FAST TRACK LAND REFORM PROGRAMME
(FTLRP): A CASE STUDY OF SEKE DISTRICT, ZIMBABWE.**

By

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DECLARATION

WOMEN'S LANDOWNERSHIP UNDER THE FAST TRACK LAND REFORM PROGRAMME (FTLRP): A CASE STUDY OF SEKE DISTRICT, ZIMBABWE.

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I declare that the above dissertation is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

I further declare that I submitted the dissertation to the originality checking software and that it falls within the accepted requirements for originality.

I further declare that I have not previously submitted this work, or part of it, for examination at UNISA for another qualification or at any other higher education institution.

Charity Churu

28/02/2022

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ABSTRACT

Globally, women have less access to land and own less land than men. Women make up on average less than 20 per cent of the world's landholders but make up an estimated 43 per cent of the agricultural labour force (Facio 2017). Despite their important role in agriculture and food security, women have limited access to land compared to men. The Zimbabwean Fast Track Land Reform Programme (FTLRP), like previous land reform programmes such as Land Reform and Resettlement Programmes 1 and 2, has fallen short in ensuring gender equity in land redistribution, affecting women's livelihoods negatively. The aim of the study was to assess the extent to which the FTLRP has incorporated gender interests at policy level and in implementation practice by evaluating the provision made by the Inception Phase Framework Plan 1999–2000 and the Government Land Reform Policy Document of 2001 for women to access and own land in Zimbabwe. The study determined how the Inception Phase Framework Plan 1999–2000 and the Government Land Reform Policy Document of 2001 influence women's access to and control and use of land under the FTLRP in Zimbabwe; explored the socioeconomic impact of the limitations that Zimbabwean customary law imposes on women's landownership under the FTLRP; and determined the extent to which the FTLRP makes provision for women to acquire land and derive livelihoods from it. A qualitative research approach was adopted for the study. Secondary data on gender and the FTLRP, such as government policy documents, and international and regional legal frameworks on women's land rights, were used in the study. The data obtained in this way were complemented by field research undertaken in Seke District, Mashonaland East, Zimbabwe. Beneficiaries of the FTLRP at Dartmoor and Ellerdale farms and government officials involved in the land allocation process in Seke District were purposively selected as key informants in the study since they had information on how the FTLRP has been carried out and how women have accessed land in the district. A total of thirty participants from Dartmoor and Ellerdale farms, one government official of the Ministry of Lands, Agriculture and Rural Resettlement (Department of Lands) and one Agricultural Research Extension officer (AREX) officer from the Crop and Livestock Department were selected for interviews. The findings revealed that the FTLRP does not have a gender policy. The main policy focus of the FTLRP is equitable land redistribution between races; gender is not prioritised. It is recommended that the Zimbabwean government adopt an inclusive development policy that will ensure gender mainstreaming in the land reform process

to achieve meaningful and sustainable development. Legal policies on women's landownership should be fully implemented.

Key terms: Fast Track Land Reform Programme, Seke District, women, statutory laws, customary laws, livelihoods, land ownership, A1 model, inclusive development, gender policy.

Isifinqo

Emhlabeni jikelele, abesifazane banokufinyelela okunacane kumhlaba futhi banomhlaba omncane kunabesilisa. Abesifazane ngokwesilinganiso bangaphansi kwamaphesenti angama-20 abanikazi bomhlaba emhlabeni kodwa balinganiselwa kumaphesenti angama-43 abantu abasebenza kwezolimo. Ngaphezu kweqhaza labo elibalulekile kwezolimo kanye nokuvikeleka kokudla, abesifazane banokuncane ukufinyelela emhlabeni uma kuqhathaniswa nabesilisa. Uhlelo Olusheshayo Lokuguqulwa Komhlaba lwaseZimbabwean, njengezinhlelo zangaphambilini zokubuyiswa komhlaba ezifana nezinhlelo zokubuyiswa komhlaba kanye nezinhlelo zokuhlaliswa kabusha zoku-1 nezese- 2, selwehlile ekuqinisekiseni ukulingana ngokobulili ekwabiweni kabusha komhlaba, okuthinta impilo yabesifazane kabi. Inhloso yocwaningo bekuwukuhlola ukuthi Uhlelo Olusheshayo Lokuguqulwa Komhlaba lifake kangakanani intshisekelo yobulili ezingeni lenqubomgomo nasekusetshenzisweni kokwenziwayo ngokuhlola ukuhlinzekwa okwenziwa Uhlelo Lokuqala Lohlaka Lwesigaba sonyaka we-1999–2000 kanye Nomqulu Kahulumeni Wokuguqulwa Komhlaba wonyaka wezi-2001 wabesifazane. ukufinyelela nokuba nobunikazi bomhlaba eZimbabwe. Ucwano lunqume ukuthi Uhlelo Lokuqala Lohlaka Lwesigaba sonyaka we-1999–2000 kanye Nomqulu Kahulumeni Wokuguqulwa Komhlaba wonyaka wezi-2001 zinethonya kanjani ekufinyeleleni nasekulawuleni nasekusetshenzisweni komhlaba ngaphansi koHlelo Olusheshayo Lokuguqulwa Komhlaba eZimbabwe; yahlola umthelela wenhlalakahle yezomnotho wemikhawulo ebekwa ngumthetho wesintu waseZimbabwe kubunikazi bomhlaba babesifazane ngaphansi koHlelo Olusheshayo Lokuguqulwa Komhlaba; futhi yanquma ukuthi Uhlelo Olusheshayo Lokuguqulwa Komhlaba yenza kangakanani ukuhlinzekela ukuthi abesifazane bathole umhlaba futhi bathole indlela yokuziphilisa kuwo. Kuye kwamukelwa indlela yocwaningo lwesimo kulesi sifundo. Iminingwane elandelayo engeyesibili yobulili noHlelo Olusheshayo Lokuguqulwa Komhlaba, efana nemibhalo yenqubomgomo kahulumeni, nezinhlelo zomthetho zamazwe ngamazwe nezesifunda ngamalungelo omhlaba wabesifazane, zisetshenziswe ocwaningweni. Iminingwane etholwe ngale ndlela ihambisane nocwaningo olwenziwe esiFundeni iSeke, Empumalanga neMashonaland, eZimbabwe. Abahlomuli boHlelo Olusheshayo Lokuguqulwa Komhlaba emapulazini ase-Dartmoor nase-Ellerdale kanye nezikhulu zikahulumeni ezibambe iqhaza ohlelweni lokwabiwa komhlaba esiFundeni saseSeke baqokwe ngenhloso njengabanolwazi olubalulekile ocwaningweni njengoba babanolwazi lokuthi Uhlelo

Olusheshayo Lokuguqulwa Komhlaba yenziwe kanjani nokuthi abesifazane bawuthole kanjani umhlaba kuyisifunda. Isamba sababambiqhaza abangamashumi amathathu abavela emapulazini ase-Dartmoor nase-Ellerdale, isikhulu sikahulumeni esisodwa soMnyango Wezemihlaba, EzoLimo Nokuhlaliswa Kabusha Kwezindawo Zasemakhaya (uMnyango Wezemihlaba) kanye nesikhulu esisodwa seSandiso Socwaningo Lwezolimo soMnyango Wezitshalo Nemfuyo bakhethelwe inhlolekhono. Okutholakele kuveze ukuthi Uhlelo Olusheshayo Lokuguqulwa Komhlaba alinawo umgomo wobulili. Okugxilwe kakhulu kwenqubomgomo yoHlelo Olusheshayo Lokuguqulwa Komhlaba ukwabiwa kabusha komhlaba ngokulinganayo phakathi kwezinhlanga; ubulili abubekwa phambili. Kunconywa ukuthi uhulumeni weZimbabwe athathe umthetho wentuthuko ogoqela abantu ozaqinisekisa ukuthi ubulili buqathekiswa kuhlelo lokubuyiswa komhlaba ukuze kube nentuthuko ezwakalayo njalo futhi eqhubekayo. Izinqubomgomo zomthetho mayelana nokuba nomhlaba kwabesifazane kufanele zisetshenziswe ngokugcwele.

Amagama abalulekile: Uhlelo Olusheshayo Lokuguqulwa Komhlaba , Isifunda saseSeke, abesifazane, imithetho yezomthetho, imithetho yesintu, indlela yokuziphilisa, ubunikazi bomhlaba, imodeli ye-A1, ukuthuthukiswa okubandakanyayo, inq

Opsomming

Vroue wêreldwyd het minder toegang tot grond en besit minder grond in vergelyking met mans. Vroue maak gemiddeld minder as 20 persent van die wêreld se grondeienaars uit, maar vorm na raming 43 persent van die landbou-arbeidsmag. Ten spyte van die belangrike rol wat hulle in landbou en voedselsekerheid speel, het vroue beperkte toegang tot grond, vergeleke met mans. Net soos vorige grondhervormingsprogramme soos die sogenaamde Land Reform and Resettlement Programmes (1 and 2), het die Zimbabwean Fast Track Land Reform Programme (FTLRP) nie aan die vereistes voldoen om geslagsgelykheid ten opsigte van die herverdeling van grond te verseker nie, en dit het 'n negatiewe uitwerking op vroue se bestaan gehad.

Die oogmerk van hierdie studie was om te bepaal in watter mate die FTLRP geslagsbelange op beleidsvlak en in implementeringspraktyk geïnkorporeer het, deur die bepaling te evalueer wat deur die Inception Phase Framework Plan 1999–2000 en die Government Land Reform Policy Document of 2001 daargestel is sodat vroue grond in Zimbabwe kan bekom en kan besit. Die studie het bepaal hoe die Inception Phase Framework Plan 1999–2000 en die Government Land Reform Policy Document of 2001 vroue se toegang tot grond en hul beheer oor en gebruik van grond onder die FTLRP in Zimbabwe beïnvloed. Verder het die studie die sosio-ekonomiese impak van die beperkings wat Zimbabwe se gewoontereg op vroue se grondbesit onder die FTLRP plaas, ondersoek; en die mate bepaal waarin die FTLRP voorsiening maak vir vroue om grond te bekom en 'n bestaan daaruit te maak. 'n Kwalitatiewe navorsingsbenadering is tydens die studie gevolg. Sekondêre data oor geslag en die FTLRP, soos regeringsbeleidsdokumente, en internasionale sowel as streekswetsraamwerke oor vroue se grondregte, is in die studie gebruik. Die data wat op hierdie wyse bekom is, is aangevul deur veldnavorsing wat onderneem is in die Seke-distrik, Mashonaland-Oos, Zimbabwe. Voordeeltrekkers van die FTLRP op die Dartmoor- en Ellerdale-plase, sowel as staatsamptenare wat by die grondtoewysingsproses in die Seke-distrik betrokke is, is doelbewus gekies as sleutelinformante in die studie, omdat hulle oor inligting beskik het van hoe die FTLRP uitgevoer is en hoe vroue grond in die distrik verkry het. Altesaam dertig deelnemers van die Dartmoor- en Ellerdale-plase, een staatsamptenaar van die Ministerie van Grond, Landbou en Landelike Hervestiging (Departement van Grond) en een Agricultural Research Extension (AREX)-beampte van die Gewasse- en Lewendehawe-departement is vir onderhoude gekies. Die bevindinge het getoon dat die FTLRP nie 'n

geslagsbeleid het nie. Die vernaamste beleidsfokus van die FTLRP is regverdige herverdeling van grond tussen rasse; geslag geniet nie voorkeur nie. Daar word aanbeveel dat die Zimbabwiese regering 'n inklusiewe ontwikkelingsbeleid volg, wat die hoofstroming van geslag in die grondhervormingsproses sal verseker, ten einde betekenisvolle en volhoubare ontwikkeling te bewerkstellig. Wetsbeleide oor vroue se grondbesit moet ten volle geïmplementeer word.

Slutelterme: Fast Track Land Reform Programme (FTLRP), Seke-distrik, vroue, landswette, gewoonteregte, bestaan, grondbesit, A1-model, inklusiewe ontwikkeling, geslagsbeleid.

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LIST OF ACRONYMS

AIAS	African Institute of Agrarian Studies
AREX	Agriculture Research Extension
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
DLC	District Land Committee
ESAP	Economic Structural Adjustment Programme
FTLRP	Fast Track Land Reform Programme
GAD	Gender and Development
GoZ	Government of Zimbabwe
HRW	Human Rights Watch
IPFP	Inception Phase Framework Plan
IMF	International Monetary Fund
LAA	Land Apportionment Act
LAMA	Legal Age of Majority Act
LRRP	Land Reform and Resettlement Programme
MDC	Movement for Democratic Change
NLHA	Native Land Husbandry Act
SADC	Southern African Development Community
UNDP	United Nations Development Programme
WID	Women in Development
ZANU-PF	Zimbabwe African National Union- Patriotic Front

ZWRCN Zimbabwe Women Resource Centre Network

CHAPTER 1

INTRODUCTION

1.1 Background to the study

Land is an important asset to rural women; their livelihoods depend on land-based activities yet they have limited access to land ownership. Women living in rural areas make up a quarter of the world's population and experience the harshest forms of poverty and marginalization; land is their basic and most life-giving asset, providing food, housing and income (Roberts 2019:1). Akinola (2018:3) argues that women are hit harder by land tenure insecurity than men, whether it is because of large-scale land acquisitions that evict communities without providing adequate compensation, the expansion of extractive industries onto Indigenous and communal lands, or the unplanned urbanization that evicts people living in informal settlements. The argument by Akinola (2018:3) finds support from Doss, Meinzen-Dick, Quisumbing and Theis (2018:7) who submits that women own less land than males do across the world, and their land rights are less secure. According to Facio (2017:1) on average, women own fewer than 20 percent of the world's farmland, while they make up an estimated 43 percent of the agricultural workforce. Akinola (2018:3) highlights that it is common for land and agricultural reform initiatives to focus on the household or to award ownership to the "head of home," most commonly a man. Hasanbasri, Kilic, Moylan and Koolwal (2021:12) on the hand suggests that it is common for women to be barred from extension and agricultural assistance programs and financial credit and loans that are important for the effective use of land because of their status as non-farmers. The preceding facts serve as the baseline upon which the present study seeks to explore provisions and challenges presented by the Zimbabwean statutory and customary laws towards securing women's livelihoods through access, control, and ownership of land under the Fast Track Land Reform Programme (FTLRP).

In the year 2000 the Zimbabwean government launched the Fast Track Land Reform Programme (FTLRP) which was radical, and land was successfully transferred from the white minority to the black majority without compensation (Mudau, Mukonza & Ntshangase 2018:18). The FTLRP phase alone officially benefitted 168.671 families on 9.2 million hectares of land (Moyo 2013:42). There were two basic resettlement models, model A1 and model A2. A1 model was intended to decongest rural areas and to provide the rural and urban poor with land to improve their standard of living (Ngarava 2020:33). Madebwe and Madebwe (2011:94) note that beneficiaries of the FTLRP got small farms of about 5 hectares in villages. A1 model was established for farmers that produce for self-sufficiency and possibly some surplus produce for the market (Mkodzongi & Lawrence 2019:17). The Presidential Land Review Committee Report (2003:25) states that women allocated land under A1 model constituted only 18 per cent. A2 model was for large commercial farms and allocation was through application which required proof of adequate financial resources, ownership of fixed and movable assets in applicant's name, experience, or training in agriculture (Mkodzongi & Lawrence 2019:17). Due to the application criteria for A2 model countrywide, only 11.6% of those allocated commercial farms were women compared to 76% men (Madebwe & Madebwe 2011:98). The literature presented here highlights an uneven distribution of land between men and women. This research focuses on women drawn from A1 model as most women who benefitted in the district from the FTLRP launched in 2000 are under this model.

It is essential to look at the tenets of the law in Zimbabwe to assess the degree of fairness in land redistribution. The constitution of Zimbabwe has provisions guaranteeing human dignity, equality and prohibiting discrimination based on gender (Jombo, Adam & Odindi 2017:12). The new constitution adopted in 2013 stipulates that all laws, customs, traditions, and cultural practices that infringe the rights of woman conferred by the constitution are invalid (Oliver 2014:3). Although the legal law is gender neutral, the customary law prevails. Under customary law, men are viewed as the head of households and rightfully should own the land (Kabonga 2020:23). It is important to note that in terms of redistribution of land in Zimbabwe, the constitution is clear on fairness and yet customary law has a bias. Gwekwerere, Mutasa and Chitofiri (2018:12) argue that most of the plots acquired under the FTLRP were registered under men and this was never questioned. The authors (Gwekwerere *et al* 2018:25) further suggest that women's lack of access to land is a violation of women's human rights as land is fundamental to

their livelihoods. The argument presented by Gwekwerere *et al* (2018:25) has a solid foundation in the argument presented by Kabonga (2020:12) who says that households headed by women are amongst the poorest in Zimbabwe as they have limited access to resources such as land, capital, and labour. In an attempt to explain the bias that resulted in women being awarded less land compared to men, Kabonga (2020:12) argues that the land committee responsible for A1 land allocations were composed of men thus women were not fully represented. Akinola (2018:5) notes that men's domination is not only prevalent within cultural institutions, but African cultural values also reinforce the domination of men in politics, and in key decision-making structures in the communities and family. The Government Land Reform Policy Document of 2001 had a provision for joint ownership but most women were not aware of this resulting in only a few women acquiring land. Although a number of studies have been conducted on the FTLRP and gender (Bhatasara 2001; Mutopo 2011; Chakaona 2012) few have distinctively focused on the extent to which the FTLRP has incorporated gender interests at policy level and implementation practice. The facts stated in this section warrant the study to assess women's land ownership under the FTLRP. This study seeks to fill the gap by evaluating the provisions of the Inception Phase Framework 1999-2000 and Government Land Reform Policy Document of 2001 for women to access and own land in Zimbabwe. The study also explores the impact of customary laws on women's landownership under the FTLRP. The study made use of desktop research and a case study on Seke District which is in Mashonaland East province to explore women's land ownership under the FTLRP.

1.2 Problem Statement

The issue of women's status, vis-à-vis land, has been of concern to those rural development agents who have become aware of the vital role women play in agricultural development (Chimedza 1988). Women play a crucial role as farmers, labourers and in the marketing of their products, but they still lack ownership of land because of discriminatory customary laws and gender-blind policies (Stoneman 2018:23). Globally, women have less access and ownership of land than men. Women make up on average less than 20 per cent of the world's landholders but make up an estimated 43 per cent of agricultural labour force (Facio 2017:1).

Despite their significant role in agriculture and food security, women have limited access to land than men (Cliffe 2018:34). The Zimbabwean FTLRP just like the previous land reform programmes such as the Land Reform and Resettlement Programmes 1 and 2 fell short in ensuring gender equity in land redistribution affecting women's livelihoods negatively (Scoones & Murimbarimba 2021:50). No gender targets were set to ensure that women's rights to land are fully implemented (Thebe 2018:37). The Presidential Land Review Committee Report (2003:25) states that women allocated land under A1 model constituted only 18 per cent and those who benefitted under A2 model were 12 per cent. The allocation of land remains an issue of debate, years after the program was closed and the best that can be done to remedy the situation is to assess the extent to which the FTLRP has incorporated gender interests at policy level and implementation practice - by evaluating the provision of the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 for women to access and own land in Zimbabwe.

1.3 Aim and Objectives of the Study

The aim of the study is to assess the extent to which the FTLRP has incorporated gender interests at policy level and implementation practice by evaluating the provision of the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 for women to access and own land in Zimbabwe.

1.3.1 Objectives

The primary objectives of the study included the following:

- To determine how the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 influenced women's access and ownership of land under the FTLRP in Zimbabwe,

- To explore the impact of Zimbabwean customary law on women's access to land under the FTLRP,
- To determine the extent to which the FTLRP makes provision for women to acquire land and derive livelihoods from it,
- Explore the perceptions of other role players; particularly male beneficiaries and policymakers on women's access, control and ownership of land under the FTLRP,
- To establish recommendations on how to improve women's land ownership and their position in agriculture.

1.3.2 Research Questions

The general question for the research is to what extent have women accessed land under the FTLRP in Zimbabwe? The specific questions which guided the research are:

1. How did the provisions of Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 influence women's access, control, and use of land under the FTLRP in Zimbabwe?
2. What is the impact of Zimbabwean customary law on women's access to land?
3. To what extent does the FTLRP make provision for women to acquire land and derive livelihoods from it?
4. What are the perceptions of other role players; particularly male beneficiaries and policymakers on women's landownership under the FTLRP?
5. What evidence-based recommendations can be drawn on how to improve women's land ownership and their position in agriculture?

1.4 Significance of the Study

Land is a productive asset in poverty reduction yet women's access to this crucial resource is limited. Gender-disaggregated data on land reform is still lacking as Zimbabwe national statistics generally show total number of resettled households. The FTLRP saw approximately 180,000 families being resettled on 70% of the agricultural land previously held by about 4500 commercial white farmers (Machetu, 2019:iii). Female-headed households continue to increase, and it is important to ensure that women also benefit in terms of landownership (Kang *et al* 2020:14). Thus, there is need for inclusive development aimed at equal opportunities in land access between men and women. As such, this study is significant in addressing the gap in research on women land ownership under the FTLRP as it distinctively focuses on the extent to which the FTLRP has incorporated gender interests at policy level and implementation practice. The study contributes to the scholarly field of gender and land reform in Zimbabwe. The study is of importance as equitable access to land is a human rights issue. The United Nations Declaration on the Rights of Indigenous Peoples, the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in Context of National Food Security all stress the need to achieve equality in the enjoyment of land and property rights (OHCHR 2017:3). Thus, the study will provide recommendations for future policy matters aimed at equitable land redistribution.

1.5 Scope of the study

The study focused on Dartmoor and Ellerdale farms in Seke District of Mashonaland East province in Zimbabwe. Dartmoor farm lies approximately 30 km South-East of the capital city Harare (Maruve and Chitongo 2017:3). Most parts of Dartmoor farm is covered with arable lands. The area is mainly composed of white clay loam soils which is suitable for agricultural purposes (Maruve and Chitongo 2017:3). The area also has some streams running the gentle terrain. Prior to resettlement Dartmoor was owned by a white farmer who practiced commercial farming and mainly concerned with cattle ranching and tobacco and maize farming (Maruve and

Chitongo 2017:3). When the farm invasions started around 1999-2000, Dartmoor was occupied by war veterans and peasants who invaded the farm. Maruve and Chitongo (2017:3) note that the farm was later gazetted under A1 villagised model. The farm is subdivided into one hundred plots. Thirty-two of these plots are registered under joint ownership, five under female headed households who are widows and sixty- three of the plots are registered under men. At Dartmoor there are also about 40 illegal settlements in the grazing land which have been excluded from this study. Agriculture is the main source of livelihoods. Crop production includes maize, sweet potatoes, ground nuts; beans, millet and livestock production include cattle, goats and traditional chickens (Chivasa 2019:2).

Ellerdale farm is situated in Beatrice farming community area under Seke District about 54 km south-west of Harare. The area lies in natural region 2a characterised by average temperature of about 18 to 20 degrees Celsius with annual rainfall of about 750mm to 1000mm (Muterere 2013:15) . The area has soils which range from red clay soil, black soils as well as silt loam soils. Just like Dartmoor farm, Ellerdale farm was previous owned by a white commercial farmer growing crops such as tobacco, wheat, and maize and livestock production. The farm was invaded by war veterans and peasants. When the occupations were legalised, the farm was divided into two sections one under A1 villagised model and the other one into A2 large commercial farming model. This study focused on Ellerdale A1 model which was further subdivided into eighteen A1 villagised plots under the FTLRP. The main crops grown are maize, wheat, soya beans and potatoes. Out of the eighteen A1 plots, sixteen are all registered under men with only two registered under widows.

1.6 Limitations of the study

Several scholars (Dzvimbo, Monga and Mashizha, 2018; Pindiriri, 2021; Mandizadza, 2009; Ncube, Mangwaya and Ogundeji, 2018) who have conducted research on land redistribution, land governance and food security in Zimbabwe all concur that the land reform programme is a political sensitive issue in Zimbabwe. According to Mandizadza (2009:9) the main limitation with conducting research on the land reform programme in Zimbabwe is fear for possible

victimization by ruling party agencies, thus respondents weigh up their responses in terms of how they think the answer will be interpreted. Undertaking research on land was a major challenge as some of the participants withheld information on the challenges they face under the FTLRP in fear that they might be victimised by the ruling ZANU PF party for exposing the failures of the programme.

Although the research was explained to participants as something of academic value, there was anxiety and mistrust that the researcher could be conducting farm audits for the government. The assumption of farm audits by study participants followed that the Finance Minister revealed in September 2020 that President Mnangagwa's government is set to seize some pieces of now black owned land to return some to white former commercial farmers (Tapfumaneyi 2020:1). This was also reiterated by Perrance Shiri, the late Minister of Lands, Agriculture, Water and Rural Resettlement that the government would be taking back all underutilized land and allocate it to potential users (Mhlanga & Ndhlovu 2021:195). Thus fear of losing their land resulted in some beneficiaries giving excuses not to take part in the study.

Due to the Covid-19 pandemic, interviews had to be conducted telephonically. Face to face interviews and group discussions which could have yielded more information could not be conducted as there was need to adhere to the lockdown regulations, such as social distancing and prohibition of gatherings. The technique for collecting key informant data could have compromised the quality of data collected. The research relied on telephone interviews and there is a lot that was probably missed in terms of physical gestures of the participants. FTLR is a sensitive topic in Zimbabwe and there is a lot that one can read from expressions of those they interview if the process is done physically.

1.7 Organisation of the research report

Chapter one introduces the research topic and gives an overview of the impact of the Zimbabwe's fast track land reform programme on women's land ownership. It also explains the research problem arguing that although FTLRP saw vast amounts of land being redistributed, it fell short in ensuring gender equity in land redistribution affecting women's livelihoods

negatively. The chapter explores the extent to which the FTLRP has incorporated gender interests at policy level. The chapter also discusses the scope and the study limitations.

Chapter two is a review of literature. The chapter presents concepts used in the study and defines the framework, inclusive development, as the theory guiding the study. Literature related to FTLRP, the legal and customary laws and how they impact on women's land ownership are reviewed and it highlights that the FTLRP legal framework had no gender policy in place to ensure women's access to land. The main aim of the FTLRP was addressing the racially skewed land ownership and issues relating to equity based on gender were not discussed.

Chapter three presents the methodology used in this study. The chapter discusses qualitative approach as the research design and methodology used in the study. Secondary sources such as books, journals, articles and government policy documents focusing on women's landownership, gender and livelihoods on land reform were used to gather information. In depth – telephone interviews were also conducted with FTLRP beneficiaries in Seke district and Government officers from AREX and Ministry of Lands, Agriculture, Fisheries, Water and Rural Development (Department of Lands) to complement the secondary data and to answer the research questions.

Chapter four discusses the findings of the study and gives a detailed analysis of the FTLRP. The impact of legal and customary laws on women's land ownership are analysed using both secondary and primary data. Desktop approach was used to evaluate policies while thematic data analysis approach was generally adopted as data analysis approach. The findings revealed women's access, control and ownership of land under the FTLRP is low. During the allocation process land was issued to those who applied or took part in the farm invasions without taking gender equality into consideration as there was no legal framework to address this. In some cases customary law prevailed where by land was allocated to the head of the household disadvantaging women. Men's perceptions that women should not be given land and of those in support of women's land ownership are discussed in this chapter. The chapter also discusses women's livelihoods and the challenges they face under the FTLRP such as lack of land ownership, access to inputs, capital and equipment.

Chapter five presents the conclusion and recommendations from the study. The stated objectives, literature review, theory, research methodology and main findings are summarised and discussed. A conclusion is drawn that women have not benefitted much under the FTLRP in terms of landownership and face challenges in accessing the required inputs even though their livelihoods have slightly improved. This chapter also provides recommendations for future policy considerations on how women's access to land can be improved by highlighting the need to integrate gender into agriculture and food security policies, programmes and projects for inclusive and sustainable development.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

This chapter provides a review of literature related to women's landownership under the FTLRP in Zimbabwe. The chapter aims to analyse and evaluate what has been researched in relation to the study by other scholars and practitioners. The discussion in this chapter demonstrates how the legal framework and the custom laws impact on gender and land ownership. Concepts that are used in this study are also defined to clarify the link between land reform, women, and law. The chapter explores the reasons for land reforms and this is done in a holistic manner, starting with land reform at a global stage coming down to reasons for land reform in Zimbabwe. The chapter further explores the link between land reform and women's land ownerships followed by status of women's land rights in Africa. Furthermore, the chapter discusses the theoretical framework that undergirds the study and introduces Inclusive Development as the relevant theory for this study.

2.2 Definition of key terms

There are words or terms that are used frequently in this research. Definitions of these words and terms have been compiled based on researcher's understanding and how they have been used in the research.

i. Land reforms

There are varying definitions of land reform as countries have different land systems. Land reform refers to the redistribution of land, usually to a limited group of beneficiaries and can comprise compulsory takeover of land, by the state, from the biggest landowners with partial

compensation (Jacobs 2013:863). Land reform and agrarian reform are sometimes used interchangeably but these are not the same. Land reform is narrower than agrarian reform which is broad. Land reforms involve the takeover of land by state from big landlords with partial compensation and transferring it to smaller farmers and landless workers (Mafa *et al* 2015:113). Agrarian reform is more encompassing and includes broader changes in rural agricultural relations, such as provision of extension services, marketing, inputs, research and development (Mafa *et al* 2015:113). This study also focuses on some aspects of agrarian reform so as to ascertain women's livelihoods under the FTLRP.

Zimbabwe's land reform programme represents the transfer of agricultural farmland formerly owned or run by large-scale white commercial farmers and corporate establishments to black farmers operating at all levels, small, medium, and large scale (Gonese, Marongwe, Mukora and Kinsey 2002:10).

ii. Fast Track Land Reform Programme (FTLRP)

In this study Fast Track Land Reform Programme (FTLRP) refers to the radicalisation of land expropriation from the white minority farmers to the black majority people in Zimbabwe which began in 2000 so as to ensure equitable income distribution. In policy documents, FTLRP entailed an accelerated implementation of existing government approaches on compulsory acquisition rather than focusing on land offered under willing seller-willing buyer principle (Government of Zimbabwe 2001). The FTLRP is also known as the *jambanja* phase which means *mayhem* and has been termed that due to the nature of violence and chaos during the invasions on white owned farms. Mkodzongi and Lawrence (2019:1) note that the Program redistributed land from white-owned farms and estates, as well as state lands, to more than 150,000 farmers under two models, A1 and A2. The A1 model allocated small plots for growing crops and grazing land to landless and poor farmers, while the A2 model allocated farms to new black commercial farmers who had skills and resources to farm profitably (Mkodzongi & Lawrence 2019:1).

iii. Women

The term woman is used in this study to address black women and how they are disadvantaged in comparison to men due to patriarchal and legal systems in most African countries. Mafa *et al* (2015:113) notes that the majority of female headed households in Zimbabwe are the poorest of the poor due to limited access to and control of resources such as land and limited benefits. However, this is not to say women are a homogeneous group as they differ in terms of their socio-economic status, age, race, and marital status. In this study access to landownership by African married, single, divorced, and widowed women settled under the FTLRP A1 model is discussed. Although the study focuses on women's access to landownership, the goal is to ensure that there is gender equality in accessing land and agricultural resources. Gender equality denotes women having the same opportunities in life as men, including participating in the public sphere (Douglas 2007:3). As such, interventions meant to reduce poverty such as the land reform should consider factors such as culture, tradition and legal framework as they may hinder gender equity and inclusive development in terms of access to resources.

iv. Laws

Another term which is important to this study is that of law. Law can be defined as a coherent and unified system of rules enforced through the state court machinery, uniform for all persons, exclusive of other law and administered by a single set of institutions (Griffiths 1997:8). Whittington (2012) defines law as an essential tool of government action, an instrument with which government tries to influence society. In Zimbabwe the officially recognised categories of laws are statutory law, common law and customary law. Statutory law refers to laws validly enacted by legislative authority of Zimbabwe in Parliament and assented to by the President of Zimbabwe. The method of passing legislation is entrenched in the Constitution of Zimbabwe which is the supreme law of the country. The constitution is the parent Act of every other legislation (Saki & Chiware 2007:1). The agrarian legal framework in Zimbabwe includes the acquisition of land rights which this report focuses on. Acquisition of land rights includes the rights to own land, rights to lease land and rights to occupy and use land. Common law of Zimbabwe refers to the non- statutory law adopted at colonization. This is primarily the Roman-Dutch law. Common law is unwritten and is generally applied directly or indirectly to influence the judicial system (Saki & Chiware 2007:1).

Customary law has been defined as the rules and regulations imbedded in cultural norms that govern the behaviour of societies (Mgugu & Chimonyo 2004:49). Thus, customary land tenure is the ideological life form that expresses a range of internal and external power relations. Most African states have a patrilineal system whereby traditional authorities are custodians of land and are responsible for allocating it (Mafa et al 2015:115). In this study cultural rules and regulations are examined in relation to how they influence land tenure systems in terms of gender. Under customary law, land is not privately owned but communally owned and individually worked in order to plant food crops for the family (Mafa *et al* 2015:123).

2.3 Reasons for land reforms

Land reforms have been carried out in many countries to ensure equitable transfer of land ownership rights by the state from the biggest landowners to small cultivators, landless people and social marginalised groups and ensuring secured tenure for various reasons (Chipenda 2018:13). Most land reforms are governed by broad and basic motives which are social equity, political and economic motives. These motives can at times be complementary and at sometimes conflict especially social equity and economic objectives (Rukuni 2018:27). The following subsections explore in detail the distinct reasons behind land reforms. These reasons are inclusive of social equity, economic motive, and political motive.

2.3.1 Social Equity

Stoneman (2018:33) sees social equity as an important objective for land reforms as it is also closely related to political motives. Thebe (2018:54) on the other hand suggest that inequality and exploitation are ethically unacceptable hence unfair land distribution and unresolved land issues have frequently resulted in civil unrests, violence or civil wars resulting in political instability. Advocates of social land reform see it as a way of providing security and subsistence to a large unemployed rural labour force and expect little overall economic gain (Binswangner-

Mkhize 2009:15). Land reforms are an essential measure in cases of great disparities in wealth, income, and political power in the agricultural sector and in society in general (Rakolojane 2013:27).

A review of case studies on landlessness documented by scholars, such as Milton Esman of Cornell University published between 1975 and 1979 covering India, Guatemala, El Salvador, Bangladesh, Brazil, Peru, Mexico, Colombia, and Bolivia, indicated the magnitude of landlessness in those countries and the need for land reform to quell peasant discontent and unequal patterns of land ownership (Chibwanda 2016:2). To correct the skewed agrarian structures, in El Salvador, 27.9% of arable land was redistributed while Bolivia redistributed 32.3% and Mexico, 13.5% (Chibwanda 2016:2). As such, land reforms are aimed at achieving social justice and equitable distribution of assets by enhancing the livelihood of those who work the land. In Central and Eastern Europe (CEE) most of the land reforms were conducted as restitution and later as a transition from centrally planned economy to a market economy after the two World Wars and the fall of the Berlin Wall in 1989 (Hartvigsen 2015:2).

African countries such as Kenya, Mozambique, Namibia, South Africa, and Zimbabwe also embarked on land reforms to ensure equity in land distribution. Most African states inherited a racially skewed land distribution due to colonisation which took place in the 1890s (Mudau *et al* 2018:33). Peters (2003:343) notes that settler colonialism and agricultural development in Southern Africa have left a deep and negative legacy that remains one of the subcontinent's greatest challenges to economic and political development to date. In settler Africa, sharp ideological and political differences persist over the relevance and purpose of land and agrarian reform, and their significance for resolving the national question on development (Moyo 2004:2). Despite the different ideologies, land reforms in most African countries were necessary to achieve social justice, equitable distribution, and economic development (Ngarava 2020:67). This social justice includes amongst other crucial issues, gender, and economic inclusive strategies.

2.3.2 The economic motive

Economic motives have influenced land and agrarian reforms by governments and political parties. The land reform's economic rationale is that there should be economic development and an increase in employment, surpluses in the agricultural sector should build up the capital for the industrial sector (Mkodzongi & Lawrence 2019:23). Prosterman and Hanstad (2011:550) note that an estimated 45% of the world's population still makes a living primarily from agriculture, depending directly on the land for their income, status, and security. As such land reforms are having an economic benefit for either the individual farmer or as part of the overall development policy. Advocates of economic land reforms stress the productive superiority of family farms and expect the land reform to make a significant contribution not only to agricultural production, but also to rural employment, self-employment, and poverty reduction (Binswanger-Mkhize *et al* 2009:15). In Japan, South Korea and Taiwan, land reforms preceded any significant industrialisation with 33.3%, 27.3% and 26.9% of arable land being redistributed in the three countries respectively (Chibwanda 2016:2). Thus, land reforms were necessary for the economic growth of these countries. Putzel (2000:2) notes that redistributive land reforms played an important part in the rapid growth experiences in South Korea and Taiwan after World War II and an equally central role in the communist victories in China and Vietnam. Thus, land reforms played an important part in boosting the agricultural productivity of many countries and helped in their gradual transformation to market economies.

2.3.3 Political motive

Land reforms have also been carried out as a political motive to gain and retain power by governments. Although political motives are sometimes played down in land reform discussion, they are often the most decisive (Shonhe 2019:29). King (1977:12) posits that it is the balance of political power in a country which determines the extent of a reform. King is further supported by Jacobs (2010:91) stating that land reform as a levelling mechanism in the distribution of

wealth in the countryside is a popular and powerful tool for governments in power in any country where there are great disparities in land holdings. By ensuring equitable land redistribution the political motive is intricately linked with the social motive, as the peasantry benefit in the land reform so does the political support for the government (Jombo *et al* 2017:19). As such land reform is a key factor used by governments to appeal to the landless peasantry or to disempower landowners perceived to be a threat to the ruling party. In both Japan and Taiwan, sweeping land reforms were instituted soon after World War 2, partly to legitimise the post-war elites and partly as counter-insurgency measures against the threat of internal and external communism (Rakolojane 2013:1). Land reform may also be regarded as a political move to avoid impending revolution, perhaps even forced upon an inherently conservative regime otherwise unwilling to enact land reform (King 1977:12). The sensitivity of politicizing land reform programs has however resulted in there being little literature published linking the two variables namely politics and land ownership. While there is little literature to prove this point, it is true that politics play a crucial role in land reformation programs.

2.3.4 Motives for the Fast Track Land Reform Programme (FTLRP)

The land redistribution under the FTLRP in Zimbabwe has generated controversy among various scholars (Stoneman 2018; Cliffe 2018; Scoones & Murimbarimba 2021; Thebe 2018). The FTLRP resulted in major changes in the land distribution with far-reaching ramifications. Scholars such as Moyo and Yeros (2005) see the FTLRP as a way of achieving social justice and equitable redistribution by transferring white held land to Black majority to correct the imbalance of the land ownership by the white settler minority. These scholars (Stoneman 2018; Cliffe 2018; Scoones & Murimbarimba 2021; Thebe 2018) argue that racially skewed land distribution was the main reason for the liberation struggles that culminated into independence in 1980. Thomas (2003:694) notes that regardless of how the FTLRP came about, redistribution of land was an ethical case of ensuring social justice as land was stolen from its owners throughout the century before independence. Hence the FTLRP was necessary to quell discontent of both peasants and war veterans with the slow pace of willing seller and willing buyer which the government had adopted under the constitutional provisions of the Lancaster House Agreement

(Chaumba *et al* 2003; Moyo & Yeros 2005). These scholars (Stoneman 2018; Cliffe 2018; Scoones & Murimbarimba 2021; Thebe 2018) further argue that the FTLRP was a bottom-up initiative that cannot be considered as a monolithic neo patrimonial project (Chibwanda 2016:28). Mutopo (2014:197) notes that, the process of land redistribution was inevitable, and it had to take the peasant as the central starting point. As such, the FTLRP is arguably justified based on pro-poor distribution of land aimed at correcting the historic injustice and improving the livelihoods of the black majority in Zimbabwe.

Other scholars (Rutherford 2007; Hamma *et al* 2003; Raftopoulos 2004; Rutherford 2007; Moore 2005; Zamchiya 2011; Chibwanda 2016:28) have however, argued that the FTLRP was initiated as a political motive by the ruling ZANU PF led government as a way of garnering support from the electorate after the ‘No’ vote victory led by the opposition MDC party in the February 2000 Constitutional referendum. These scholars (Rutherford 2007; Hamma *et al* 2003; Raftopoulos 2004; Rutherford 2007; Moore 2005; Zamchiya 2011; Chibwanda 2016:28) argue that the sudden violent farm invasions were top-down initiatives, stage managed by the ZANU PF to shore up its declining electorate prospects as the 2000 elections drew near (Chibwanda 2016:28). These scholars supporting evolutionary approaches to land reform argue that the FTLRP undermined the rights of citizens and led to mayhem and chaos (Mutopo 2014:197). Bhatasara (2012:29) further notes that the FTLRP reflects politics of exclusion as the government adopted a racial discourse to exclude whites from benefitting from the land reform programme. The exclusion marginalised different categories of people including farm workers, opposition supporters and women.

Arguably, the FTLRP was largely triggered by political motives. The government argued that the FTLRP was necessary for a historic justice and land is a political issue and not a legal one (Ik Dahl, Hellum, Kaarhus & Benjaminsen 2005:69). As Bernstein (2011) points out, land redistribution in Zimbabwe represents a significant, and ‘objectively progressive’, expression of a (new) agrarian question of labour, albeit with all the specificities, limits and contradictions indicated- which a dialect view of history suggests is always the case of any advance. The FTLRP was able to address the racially skewed land distribution in Zimbabwe as large tracks of land were taken from the white minority without compensation correcting a historic injustice (Scoones & Murimbarimba 2021:28). The communal areas were also decongested, and the

livelihoods were enhanced. However, the redistributive land reform was sanctioned opportunistically by a political regime that is oppressive, corrupt, and desperate, and perhaps increasingly divided as its political bankruptcy became more evident in the face of challenges it was facing at the time (Bernstein 2011:18). The FTLRP was necessary for inclusive development by ensuring that the black majority including marginalised groups such as women and youths had access to land for economic development as this would improve livelihoods. The fact that the FTLRP was chaotic cannot be overlooked as it lacked planning, there was no legal framework and was violent as the war veterans invaded the white owned farms to grab land culminating in a situation which marginalised women resulting in gender inequalities in land ownership.

It is important to understand the colonial history of Zimbabwe to understand why land reform is both a legitimate and a requirement in post-independent Zimbabwe. Land ownership imbalances in Zimbabwe will have to be addressed through a careful examination of the current property patterns, pricing mechanisms in land acquisition and the cost structures that include formalities required to acquire land, and the legislative framework that exists in order to perpetuate this skewed land ownership pattern in Zimbabwe.

2.4 Land reforms and women's land ownership

In most countries women own less land and lack secure land rights. The World Bank (2019:1) notes that women from half the countries in the world are unable to assert equal land and property rights despite legal protections. Women make up on average less than 20 per cent of the world's landholders but make up an estimated 43 per cent of agricultural labour force (Facio 2017:1). In the western Balkans, women's landownership is particularly low, ranging from 15% to 39%, because long-held customs and traditions often work against the interests of women (FAO 2017:2). World Bank (2019) further supports this notion that persistent discriminatory social norms and practices are among the strongest barriers standing between women and their land and property rights. South Asia falls into the male farming system category and is part of the belt of classic patriarchy characterised by extreme forms of gender discrimination and this

includes the right to land ownership (Ramachandran 2008:5). Under the Hindu system, women in India could inherit property only in the absence of four generations of men in the male line descent whilst in Sri Lanka social and cultural laws deny women equal status with men for property (Ramachandran 2008:5). A report by the United Nations Human Rights (2013:2) posits that in many communities gender disparities with regard to land and other productive resources are linked to assumptions that men, as heads of the households, control and manage land – implicitly reflecting ideas that women are incapable of managing productive resources such as land effectively, that productive resources given to women are ‘lost to another family’ in the event of marriage, divorce or death.

Kang, Schwab and Yu (2020:5) contend that to achieve land goals such as enhancing land productivity, providing affordable housing, or encouraging sustainable resource management, gender disparities in land tenure must be taken into account. The argument by Kang et al (2020:5) follows the fact that Gaddis, Lahoti and Li (2018:7) noted that frameworks for land tenure policy that clearly address women's access to land are urgently required. As stipulated by Kilic, Hasanbasri, Moylan and Koolwal (2021:9) the advantages of land administration, management, and development programs may be skewed by a lack of attention to gender inclusivity hence Oosome and Naidu (2021:4) submits that gender disparities in land, housing and basic infrastructure have been shown to be widespread in most modern cultures. Equality of access to land is fundamental to a person's well-being as stated by the United Nations Commission on the Status of Women, "land rights inequality violates human rights."

Zvokuomba and Batisai (2020:7) suggest that in many nations, women are still unable to possess land rights without the support of their husbands or male family members. In concurrent with the previous view, Ncube, Mangwaya and Ogundeji (2018:10) alludes that women's autonomous rights are generally not included in statutory law, and when they are, enforcement mechanisms are often lacking. Although women's direct access to property through purchase or inheritance is generally limited, they may have higher management and usage rights than males in traditional or "traditional" civilizations (Pindiriri 2021:12). Pindiriri (2021:12) arguing on ‘Land Inequality’ submits that the world has a long tradition of granting women indirect access to land through their role as spouses, mothers, sisters, and daughters since they are the primary food providers in the home and divorce, separation, or death are all causes for a growing proportion of women to

take on the role of head of family. Oosome and Naidu (2021:5) suggest that most of the day-to-day decisions impacting housing, food production, and household finances are consequently being made by women. A small minority of these women, however, have legal access to their own property according to Hasanbasri et al (2021:9). Similarly, Oosome and Naidu (2021:6) claim that in communities where land ownership is traditionally passed down through the female line, male partners and offspring may find themselves at a disadvantage when their society evolves.

Many studies (Akinola 2018; Doss et al 2018; Djurfeldt 2020; Gaddis et al 2018; Anderson et al 2021) show that men and women face distinct consequences from the outcomes of land reform and land management operations. In the past, according to Dzvimbo, Monga and Mashizha (2018:6) it was thought that the major beneficiaries of such programs, males, were enough to assure that the rest of the household would also benefit. It is worth noting that these kinds of presumptions are no longer widely accepted nowadays. Kilic et al (2021:10) alludes that changing demographic in rural and urban regions have necessitated the development of new approaches to addressing gender issues and giving women and men greater security of tenure and access to land resources in the land sector may be a step in the right direction. Accordingly, Oosome and Naidu (2021:7) points out that the capacity of landowners to make judgments about acceptable economic strategies, such as diversification from subsistence farming, is enhanced when their rights to the property are more secure. The ability of people and families to engage successfully in economic growth depends on the security of tenure they have in their homes (Zvokuomba and Batisai 2020:9).

Oosome and Naidu (2021:7) posit that the prejudice against women's tenure has been reinforced through land reform and relocation. Pindiriri (2021:12) offers the viewpoint that land scarcity is a regular occurrence among women and women cultivate smaller and more scattered plots than males, and they are less likely to have title to property, stable tenure, or the same rights to utilize, enhance, or dispose of land. What is important to note is that statistical data is in short supply, and when it does exist, the lack of homogeneity makes comparison impossible. In certain circumstances, for example, the concept of "ownership" does not include "co-ownership." According to Dzvimbo et al (2018:13), women possess fewer than 10% of the world's land. On the other hand, Oosome and Naidu (2021:13) claim that, despite their lack of ownership rights,

women may have greater direct access to and administration of land than males. In many cases, however, the disparity between decision-making authority and labour contribution is substantial and this argument is postulated by Kilic et al (2021:14). As the ratio of people living in de facto or de jure female-headed households rises, it is time to rethink how property rights are distributed and protected. There is also a need to better comprehend the intricate linkages between land resource usage, control, and ownership. The complexity of land rights prevalent in various cultures cannot be represented by a basic certificate of ownership.

This discussion is not intended to discourage gender-related projects and programs. Instead, it is designed to show that adjusting does not always result in the desired advantages. The issue is complicated, and it necessitates an examination of macro-level restrictions (legislation and regulations), institutional arrangements (land management methods and procedures), and local dynamics (prevalent social organizations and related factors in social beliefs, rules, and customary practices). Thus, the study intends to do fill the gap in research by assessing the how legislation and customary laws that guided the Fast Track Land Reform programmes impacted women's land ownership.

2.5 Status of women's land rights in Africa

Statistics around Africa also show that women still face discrimination in landownership. On average, across 10 countries in Africa, 39% of women and 48% of men report owning land, including both individually and joint ownership, while only 12% of women report owning land individually, while 31% men do so (Mutondori 2016:10). Most of the land in Africa is under customary tenure and is administered by tradition and cultural norms which is a barrier to women's land rights (Rukuni 2018:21). Colonization in Africa also perpetuated and, in some cases, imposed patriarchal structures of land use and ownership within 'native' communities and reinforced a gender division of labour, which empowered men and disempowered women (Mbilinyi & Shechambo 2009:96). Under both customary and statutory law, many women in Africa depend on men to own or inherit land, housing and other property. Most women depend on agriculture for their livelihoods, yet they face marginalisation in terms of land ownership and other crucial resources. Below is an overview on women's land rights in Nigeria, Lesotho and Malawi.

2.5.1 Nigeria

Just like in other African countries, women in Nigeria make the bulk of those engaged in agriculture yet they lack access and control of land. Akinola (2018:14) propagates the notion that at least 70 to 80 per cent of all agricultural work in Nigeria is done by women. According to federal and state legislation, women have the right to own or inherit land in Nigeria (Kang et al 2020:11). However, findings by Ossome and Naidu (2021:9) indicate that just 10% of landowners in Nigeria are female. This disparity may be found all around the world, not only in Africa. According to Ossome and Naidu (2021:9) land and property ownership in Nigeria is governed by customary law, which has a greater chance of being implemented and recognized than law issued by the federal or state governments. Akinola (2018) concurs with the argument presented by Ossome and Naidu (2021:9) by suggesting that customary law prevents women from acquiring land rights or inheriting land. Akinola (2018:15) further notes that protecting women's land rights in Africa will help lessen the impact of climate change on the continent's poorest populations. Kang et al (2020:12) mentions that wives and daughters face discrimination in land inheritance under both southern custom and northern Islamic law, although there are substantial differences. Kang et al (2020:12) further comments that women in the north of Nigeria are "conditioned to think that they are not intended to be out there," and to demonstrate her commitment to her family, a daughter in northern Nigeria is customarily expected to cheerfully give up whatever land she inherits to her brothers.

In Nigeria and elsewhere, women are more likely than males to conduct most of the agricultural work, resulting in a closer bond between them and the land (Kang et al 2020:11). According to Akinola (2018:17), traditional knowledge of weather patterns and seed types that increase agricultural diversification and food security is held by many African women. Akinola (2018:17) further suggest that women farmers in Nigeria can identify fifteen distinct seed kinds compared to men who can only identify no more than six. The resilience and knowledge about land which most women possess shows that rural African women's knowledge and abilities help them to better adjust to food shortages induced by climate change and produce more sustainably than males (Kang et al 2020:14).

It is crucial to recognize how little formal legislation affects rural women's lives, especially in countries like Nigeria. As a result, there is need for rules which will be strictly enforced to protect women's right to land. More sustainable human-environment linkages and improved climate change adaptation can be achieved in Africa via the management by women of land resources. Women's communities will be better off if they are allowed to own the land they labour on.

2.5.2 Lesotho

In Lesotho, all land is under customary tenure and women do not have the right to own and control land due to patriarchal traditions and discriminatory statutory laws (Mafa 2015:116). The Constitution of Lesotho provides for equality of all people in section 19, but in its section 18(4) it deliberately exempts customary law, thus it still discriminates against women (Mutangadura 2004:5). Changes to land ownership laws have taken place since 2010, including the establishment of a new land agency and the reduction of the cost of land registration, as well as land titling in the cities. Lesotho's recent legislation aims to protect women's rights to land in the face of both genuine and imagined challenges to their position. With the help of the United States and other donor countries, Lesotho's legal position for women is being improved. As of 2005, the Local Government Act of 1997 has completely transferred land distribution power from elected committees to elected officials. With the Legal Capacity of Married Persons Act of 2006, women no longer have to be subordinated as minors to the whim of husbands or fathers, but instead have full citizenship and full property ownership rights. It was the enactment of the Land Act 2010 that marked a turning point in the movement of women's land rights away from customary authority – the unelected village chiefs – and into the free market in Uganda. As a result of this legislation, all urban property owners will be required to acquire leasehold titles to their land, rather than relying on the traditional allocation documents known as "Form Cs." These leases are exchangeable and alienable, removing the influence of metropolitan chiefs over property ownership.

There had been a lengthy line of discussions and disagreements between Basotho politicians and citizens, as well as external development agencies and intellectuals, before the passage of the Land Act 2010. In both 2001 and 2004, early versions of the bill were introduced in Parliament but failed to gain traction. After a long and heated discussion, the opposition walked out of Parliament in protest of the U.S. effort to "bulldoze" the measure through Parliament with little or no public input in 2010 (Zihlangu 2019:12). Secret cables from the US Embassy in Maseru have revealed that the ruling party had little desire to adopt the bill. Those cables show that the United States made the \$20 million allocated for land reform in the MCC/Lesotho agreement reliant on the approval of the Land Act 2010 (Zihlangu 2019:12).

According to Sekatle (2020:4), both the MCC and the Lesotho government cited the need for fair and less arbitrary land rights for women as a major motivation for the land reforms in Lesotho. Before marriage, women were children of their fathers; after marriage, they were children of their husbands; and after widowhood, they were the children of their heirs or sons according to Basotho law until 2006 (Molapo, 1994, cited in Kalabamu 2019:237). In this world, women were treated as second-class citizens because of their gender. Legal Capacity of Married People Act 2006 granted full citizenship and complete property ownership rights to women, rather than subjugating them to the will of their husbands or fathers, as was the case before to this legislation. By enacting the Land Act of 2010, Lesotho's land law was brought into line with international standards and widows' inheritance rights were fully protected. The reasoning supporting these legal improvements argues that women's standing in Lesotho has been further enhanced and perpetuated now that Land Act 2010 has provided more equitable rights for women.

There were several reasons given for the Land Act 2010, including economic efficiency, by supporters of the legislation. Chiefs were also often referenced by supporters, with a representative report questioning the representativeness and responsibility of chiefs and accusing their power of missing "clear and consistent standards of participation, openness and accountability" (Adams & Turner 1999:8). Chiefs' influence has continuously decreased since independence, and by 1979 was primarily dependent on land allotment. It was the chiefs' entrepreneurial drive that prevented the Land Act of 1979 from being enforced Form Cs issued decades after 1978 (Leduka 2017:12; Leduka & Setsabi 2019:15) have all been backdated to

1978, essentially undermining legislation enacted only a year later. Outsiders were fully aware of the backdating of Form Cs in Lesotho's land tenure system prior to 2010 (UN-HABITAT 2020).

According to Agarwal (2019:9), the betterment of women's social, economic, and political circumstances is strongly linked to their ownership of property. Although women have been granted "bundles of rights" in places like Lesotho, it is the "bundles of powers" that allow women to benefit from these rights (Ribot & Peluso 2020:8) that will determine whether women truly benefit socially, economically, and politically from land reforms. According to Gray and Kevane (2017:33), "the trend is obvious throughout the continent: women's rights to utilize land earned via spouses or family are revealed as subordinate and dwindling" over a decade ago. Their findings, however, showed that women were defying their subordinate status in a variety of ways.

Lesotho's recent land reform attempts to promote "new pathways" and "new rights" as well as "new capacities" through market-driven land rights. To manage surpluses (from land production or sale), acquire credit using their land as collateral, and avoid being evicted by in-laws following a husband's passing, these were the key benefits women were expected to receive from the Land Act 2010.

2.5.3 Malawi

In Malawi most women derive their livelihood from agriculture. Women constitute 51 per cent of Malawi's population and 85 per cent of them live in rural areas making land an essential asset for their livelihood (Mafa 2015:117). Statics show that relatively more women own land in Malawi than in most other countries in sub-Sahara Africa with 48 per cent of women owning a piece of land, solely or jointly (Oxfam 2018:2). Customary law governs women's access to land in Malawi, but this depends on the type of marriage one has. Mutangadura (2004:7) notes that if the marriage is patrilineal, which is common in the northern region of Malawi, land inheritance is through the male lineage and women can only access land through their husbands and sons. Thus, upon divorce the woman loses the right to the land. In terms of inheritance women can inherit their late husbands' land if she stays unmarried, however, this land must be shared with the sons when they grow old and often the sons pose the threat of ultimately squeezing their

mother out (Shawa 2002 in Mutangadura 2004:7). The other type of marriage is matrilineal and is practised in the south. They are two types of matrilineal marriages' 'chitengwa' or virilocal and 'chikwamini' or uxorilocal. If husband dies in 'chitengwa' marriage the wife is chased away from the village of marriage and she loses her land rights, similarly if a wife dies in 'chikwamini' marriage the husband is chased away in the village of marriage and loses land rights (Mutangadura 2015:7). As such women's land tenure under patrilineal and 'chitengwa' marriage systems is insecure. Mutangadura (2015:7) posits that the statutory law in Malawi does not discriminate against women in terms of obtaining land tenure rights but in practice women do not have land rights because of socio-economic obstacles and cultural practices which discourage women from participating in land allocation committees. Thus, just like in other African countries statutory laws uphold equal rights in land tenure however there is a gap between these laws and implementation.

According to the country's 2002 National Land Policy, the security of tenure is important for all residents, and a bill passed in 2016 recognized the customary land rights of women, which are essentially the rights of communities to ancestral land (Oxfam 2018:2). Many women are still denied the ability to own property because of behaviours that discriminate against them notwithstanding these legal improvements. When it comes to dissolving marriages or dealing with the death of a spouse, it can be difficult to determine how property should be divided equally among the people involved. Malawi has been working on a new set of land laws since 2002, which recognizes traditional land but also gives women and men equal access to and management over property. Until now, land in Malawi has been governed according to traditional practices, which have weakened the equality of women in land ownership in both matrilineal and patrilineal systems.

The management of customary land in Malawi has been the subject of a long-term effort to develop new institutional structures. As a result, people, and those in positions of responsibility now have clearer understandings of how new procedures work. A collection of colonial and single-party regulations has dominated land governance in Malawi since the country's independence in 1964 (Mpesi, Ndilowe & Mvula 2018:12). Customary land is defined as a subtype of public land under these regulations, which do not recognize the existence of traditional land rights in broad portions of the country. The Malawi National Land Policy (2002)

sought to guarantee that all Malawians have equitable access to land without an updated legal framework. As part of the program, the government emphasized the distinction between public and private property and urged customary landowners to register their land as private customary estates so that "administrative processes and transparency in all customary land transactions could be ensured" (Ministry of Lands, Physical Planning & Surveys 2002:6).

The 10 legislations bills for better tenure, which include the Customary Lands Bill, Physical Planning Bill, the Land Survey Bill, the Registered Land (Amendment) Bill, the Land Acquisition and Compensation Bill, were passed in 2016 (Oxfam 2018:2). Now that the Republic (instead of the president) owns all land, even customary land, it can be registered to the Republic. The term "customary estate" refers to the fact that a single person or a group of people can register and hold private, customary land in perpetuity. Land grabs by the local elite and foreign investors are less likely if community-owned customary land may be registered and named. As a result of this provision, all customary lands within Traditional Land Management Areas are to be managed by committees comprised of traditional landowners. The committee should include at least three female members (Mpesi et al 2018:22-23).

Registration and titling of customary estates is not affected by the recently passed land legislation. However, if nothing is done to campaign for and promote knowledge of women's land rights, it is likely that males will dominate the process of registering properties.

2.6 Locating women in the Zimbabwean land reform programme

This section provides an overview of women's access to land ownership in Zimbabwe back dating to the pre- colonial period. The customary laws and legal framework which influenced women's land tenure during the pre-colonial, colonial and pre-Fast Track Land Reform Programme are discussed in this section.

2.6.1 Pre-colonial land tenure and women

This section provides an overview of women's access to land ownership in Zimbabwe back dating to the pre-colonial period. A research conducted by the International Food Policy Research Institute (IFPRI) shows that the marginal nature of women's land rights is an historical problem in Africa back dating to the pre-colonial period where land was largely vested in lineages, clans and families with male leaders exercising day-to-day control (Kimani 2012:1). FAO studies confirmed that while women are the mainstay of small scale agriculture, they have more difficulties than men in gaining access to resources such as land, credit and productivity enhancing inputs and services (Ujeke 2011:743). In pre-colonial Zimbabwe, agriculture was the mainstay of the economy and this was supplemented by hunting, trade and craft production. Land during the pre-colonial period was communally owned vested in the hands of the headmen. Jacobs (2013:16) notes that in Sub-Sahara traditional systems of land tenure usually entailed collective landholdings by lineages or class although individual households work the land and for women land could be accessed through male relatives. Under African tradition, husbands could grant their wives a plot of land on which to cultivate their 'own' crops usually for family consumption. Women's right to land were secondary and accessed through men. Secondary rights applied to family fields, common land and in some cases a plot of land women could use as 'their own' and from which the benefits of the produce would be brought to the family group as a whole, (Hilhorst 2000). Women would grow crops such as beans, groundnuts, potatoes and pumpkins to supplement the produce of her husband's land. Unmarried and divorced women were allocated land in their mother's fields to grow crops and amass stock in preparation for marriage (Gaidzanwa 1995 in Mafa *et al* 2015:123). However, Chingwedere (2000 in Mushunje 2001:8) argues that in African tradition women had land rights clearly spelt out and these were only ended after 1890 when the colonialists arrived in the country, thus dispossession of land from African women is a colonial legacy than a traditional one. Some scholars (Mkodzongi & Lawrence 2019; Shonhe 2019; Jombo *et al* 2017; Dande & Mujere, 2019) have dismissed this view as over-romanticizing the pre-colonial structures.

Although women had access to land, their lack of control is an indication of, and reinforces, subordinate status also existing in the post-colonial era. Gaidzanwa (2011:5) notes that women would always be threatened by divorce, widowhood and other socially marginalising life events which stripped them of male protection and access to land use rights at critical points in their lives. Cheater (1986:66) further states that although women were active in agriculture they did

not have access to the means of production and one of the reasons for the exclusion lay in the payment of bride wealth which transferred rights in a woman's labour and reproductive capacity from her own family to that of her husband. In the event of widowhood a woman could be forced off the land if she refused to be remarried by her late husband's brother (Hilhorst 2000). Thus Cheater (1986:66) argues that it is possible to regard women in pre-colonial society as comprising an equivalent to the class of labour in industrial systems of production. As such the patriarchal system determined women's land rights during the pre-colonial period as women could not be allocated land in their own rights.

2.6.2 Colonial land tenure and women

During colonisation of Zimbabwe the British expropriated large tracks of land to establish a settler colony resulting in the loss of land by the black majority. This affected women's access to land and their role in agriculture. The black majority were moved to reserves where there was limited access to land. The introduction of cash crops and various taxes such as hut tax also resulted in the division of labour between men and women and labour migration among men. Mgugu and Chimonyi (2004:150) posit that the imported laws into most African countries together with the codification of the customary laws assigned different roles to men and women, affecting how they accessed resources. Colonial taxation systems conferred citizenship on male adults through taxes and re-enforced gendered land rights in this way. Jacobs (2013:17) notes that it is during the colonial era that the position of women deteriorated. This partially supports the argument put forward by Chingwedere (2000) that it is through colonialism that women lost their 'rights' to land. Under colonial rule women were considered as legal minors who could not enter into contracts or represent themselves in court without a male guardian. Women could not register land in their names.

Colonial laws on land rights followed and perpetuated the traditional marginalization of women and their relegation to non-monetized domestic work confining them to dependence on men (Gaidzanwa 2011:5). From the mid-1910s, the colonial government sought to legitimise customs that would justify female subordination through laws such as the Land Apportionment Act of

1930. The Land Apportionment Act of 1930 segregated land into legal racial holdings, namely the native purchase areas (7.7 per cent of the colony), native reserves (22.4 per cent), European areas (50.8 per cent) and unassigned areas (18.4 per cent) (Ramsay 1991:153). After passing of this act there was competition for land resulting in adolescent women who used to grow crops in their mother's fields not accessing land for their own use in communal areas after 1930, whilst married women continued to access land through their husbands (Mafa *et al* 2015:123).

In the native purchase areas black men could buy and own land under freehold tenure and black women could not purchase land in this area but had access through a male kin (Mafa *et al* 2015:123). African males in the native purchase areas obtained title deeds and certificates as Master Farmers through training programs. Peters and Peters (1998:189) further note that, wives in the purchase areas only received usufruct rights to land for subsistence and cash crop production and often could only participate in training programs on behalf of their husbands. In 1933 the Native Wills Act was enacted and it governed inheritance in the native purchase area. Gaidzanwa (2011:5) notes that the Native Wills Act was 'pro-male' and ignored ethnic variations and treated all people as they did the patrilineal Shona and Ndebele yet among the matrilineal Tonga, women could inherit land from their fathers and mother's brothers. The Native Wills Act gave the District Commissioner powers to approve the heir and could override the written or verbal will left by the deceased. Wives, children and daughters of the deceased men lost their land rights which the District Commissioners bestowed on the men's surviving male relatives (Gaidzanwa 2011:5). As such women lost the incentive to invest in land.

The Native Land Husbandry Act (NLHA) was also introduced in 1951. The act emphasised individual tenure by registration and according to the act a farmer was a man despite the fact that women worked and tilled the land (Mafa *et al* 2015:124). The NLHA gave male heads of households individual, rather than lineage rights to land whilst female labourers with de facto head of house hold status were marginalised to land use rights which were not registered (Peters & Peters 1998:190). Thus under NLHA female farmers were denied direct access to land for subsistence and cash crop production. Under the act men over the age of 21 could receive farming rights and land tenure in the native reserve areas whilst female direct tenure was limited to widows, deserted women whose husbands' whereabouts were unknown or outside the colony, divorcees with custody of children and spinsters over the age of 25 (Peters & Peters

1998:190).The Tribal Trust Lands Act of 1965 changed the native reserves to high population densities homelands. This led to further fragmentation of landholdings and women lost their small pieces of land. As such, colonialism diminished women's access to land due to the repressive laws.

2.6.3 Post-independence land tenure and women 1980-2000

Prior to the FTLRP the Zimbabwean government had two land reform programmes aimed at redistribution of land to the black majority. The Land Reform and Resettlement Programme (LRRP)- Phase 1, spanned the period from 1980 to 1997, Phase 2 of the Programme was begun in 1997/8, with an inception phase during 1998/1999 (UNDP 2002:4). These land reform programmes gave women less benefits in terms of access and control of land.

(i) Land Reform and Resettlement Programme (LRRP) Phase 1 (1980-1997)

At independence most of the fertile land in Zimbabwe was in the hands on the white minority. The white bourgeoisie, about 6000 farmers at independence, retained 39% of the land, amounting to 15.5 million hectares of prime agro-ecological farmland, while one million black households remained consigned to 41.4 per cent of land or 16.4 million hectares of marginal land (Moyo 2004:5). Due to these inequalities the government sought to redistribute the land equitably. The signing of the Lancaster House Agreement 1979 made it legal for the government to redistribute land in Zimbabwe. The Land Reform and Resettlement Programme Phase 1 was launched in 1980. The aim of the LRRP phase 1 was to decongest the communal areas, to increase agriculture productivity in the peasant farming sector, to fully utilise all agricultural land, reduce poverty and create employment opportunities (UNDP 2006:6). The selection criteria initially catered for refugees and people displaced by the war and the landless. The Communal land Act was enacted in 1981, effectively turning the tribal trust lands into communal lands and repealing the Tribal Trusts Lands Act of 1969 (Chilunjika 2015:135). In 1985 the LRRP phase 1 was revised to integrate the reorganisation of communal land. Four distribution models were established. Model A was normal intensive resettlement whereby individual households were given five-six hectares plots, Model B was for communal farming for commercial cooperatives

farming, Model C was for commercial estate with individual small-holdings and Model D provided pastoral grazing lands (Chilunjika 2015:135).

LRRP phase 1 was largely influenced by the willing buyer willing seller, 'market-based approach' which was in effect from 1980-1990 whereby the government would only buy land voluntarily offered to them and there was no compulsory acquisition (UNDP 2002:6). During this period the government had its hands tied as the Lancaster House Constitution would not permit compulsory acquisition and this limited the land available for redistribution resulting in the set target not being achieved (Chilunjika 2015:135). Most white farmers were not willing to sell their land and besides the government also did not have funds to purchase the land and develop it for resettlement. Britain had only donated \$47 million by 1990 which was 44% of what was required (Mabaye, 2005:1). The market-based land reform approach limited the amount, quality and location of the land available to government

Moyo (2013:33) states that the constitutional restrictions on land expropriation were partially removed in 1990. In 1990 the government amended section 16 of the Lancaster House Constitution, which had governed the country for the past decade (Njaya and Mazuru 2010:165). The Land Acquisition Act (LAA) of 1992 was enacted and made it possible for government to acquire land compulsorily based on fair compensation. Through the Compensation Committee government was now responsible for setting the price for the acquired land and not the landholders (Moyo 2013:33). Despite the LAA the government could not acquire the required land as some of the white holders contested the set prices in courts. In 1993 and 1995 the state was challenged in courts by landowners and had failed to compulsorily acquire about 130 farms (Moyo 2004:18). The government also lacked funds to acquire the land. At independence \$630 million had been pledged for the purchase of land but some of the funds were not provided and in 1989 the IMF and World Bank suspended aid for land reform for reasons of corruption (Mabaye 2005:1). As such the set target of redistributing 8.5 million hectares could not be achieved and by July 1997 government had only acquired 3.5 million hectares and they had only managed to resettle 71,000 families out of the 162,000 target (Mabaye 2005:1). The failure of government to achieve its set target also affected women as they continued to live in overcrowded communal areas.

2.6.3.1 LRRP Phase 1 and women's land ownership

LRRP Phase 1 selection criteria of land beneficiaries made no specific mention of women as a special group to be resettled as it targeted landless people and refugees. Gaidzanwa (2013:6) states that the focus of the period was purely land redistribution to black people and there was no meaningful attempt at gender equity. LRRP phase 1 had no specified gender numerical targets showing that women's land ownership was not prioritised despite the 1980s legal frameworks put to support women's equal participation in the economy. Zimbabwe adopted a plural legal system where inherited Roman-Dutch, customary law and new legislation operate side by side. Post-independent Zimbabwe continued with the colonial legacy to gender and access to land. Chingarande (2009:7) notes that land was administered under the Traditional leaders Act and the Communal Land Act. The Traditional Leaders Act, further marginalised women in Communal Areas as it made provision for village level affairs and made traditional leaders responsible for allocation of land (Goebel 2005:37). Most of the land permits under Model A were issued to the heads of the household who according to the customary law is male. The Communal Land Act Section 8(2) stipulates that access to and use of communal land shall be in accordance with customary law, yet customary law has in many instances been deemed discriminatory towards women in that it curtails their access and control of resources (Chingarande 2009:7). Mgugu and Chimonyo 2011:91 note that while men have primary rights to land women's rights are not ascribed but are secondary, derived or relational as wife, mother or sister. Married women and single women were not considered as heads of households. In situations of divorce and death of their husbands women could not benefit from the property they were expected to leave as per customary law. Section 23 of the constitution worked as a legal stumbling block for equality in relation to land reform as it gave precedence to customary law in the field of marriage and inheritance (Ik Dahl 2005:70). Ninety-eight per cent of permits issued to resettled couples between 1980 and 1989 in Zimbabwe were issued to men and 2% were issued to women (Mgugu & Chimonyo 2011:91).

In 1992 with the introduction of the Economic Structural Adjustment Programme much emphasis was put on productivity and improved farming skills hence possession of a Master Farmer Certificate as well as secondary level education became criteria for land allocation

(Chingarande 2009:7). Most women in communal areas did not possess master farmer certificates as the previous colonial government had only given such certificates to men. Ncube et al 1997 (in Chingarande 2009:7) have argued that the emphasis on secondary education has prejudiced a number of women who only had minimum primary education. Moyo (2013:33) also notes that the adoption of ESAP in 1990 led, not only to the slowing down of land redistribution, but to the expansion of land markets to foreigners and aspiring black commercial farmers leading to increased private land subdivisions and consolidations. This meant only those who had financial capacity could acquire land based on supply and demand as the neo-liberal policies restricted state interventions in markets resulting in most women being left out as they lacked the financial means to acquire land. Paradoxically, the land resettlement scheme did not give female headed households, access to land as the LRRP phase 1 failed mainstream women's need for land as much emphasis was on racial imbalances.

(ii) Land Reform and Resettlement Programme (LRRP) Phase 2 (September 1998-December 2000)

LRRP Phase 2 was launched in 1998 with the aim of acquiring five million hectares of land from the large-scale commercial farming sector, to resettle about 91,00 families including youths graduating from agricultural colleges and others with demonstrable experience in agriculture, in a gender sensitive manner (Mbaya 2001:4). The programme also sought to respect the legal process, ensure transparency and reduce poverty among the rural families and farm workers and increase the number of commercialised small-scale farmers through distribution of underutilized land (Njaya & Mazuru 2010:165). However, the government was not able to acquire adequate land due to lack of funding and economic problems due to the Economic Structural Adjustment Programme (ESAP).

In 1998 the Land Reform Donor Conference was convened in Harare with major countries and donors in an effort to raise funds for the second phase of land acquisition (Njaya and Mazuru 2010:172). An estimated US\$1.1 billion was needed for the process of land acquisition, development, infrastructure and services such as roads, schools, clinics and farming implements (Mabaye 2005:2). Participants at the conference agreed to land redistribution as a necessity in poverty reduction and a two-year funded Inception Phase was put in place. However, the donors were not willing to fund the Inception Phase and the situation was worsened by the political

changes in Britain whereby the Labour government from 1997 did not honour the commitments made at the Land Reform Donor Conference to fund the land reform by the Conservative party (Mabaye 2005:2).

The Zimbabwean government in 1998 had 1471 farms gazetted for compulsory acquisition but faced court challenges as most landowners successfully had their farms struck off the acquisition list (Moyo 2004:18). 145,000 hectares were acquired under LRRP phase 2 with only 4697 families being settled (UNDP 2000:6). This delay frustrated the government, rural community and political leaders and pressure groups such as war veterans resulting in small waves of land occupation and seizures in 1998. Njaya and Mazuru (2010:172) posit that the 1997 land occupations were spearheaded by peasants who moved onto white commercial farms adjacent to their communal areas. The LRRP phase 2 had failed to acquire adequate land to settle the landless black majority resulting in wider political developments. The creation of the Movement for Democratic Change (MDC) party which was aligned to NGOs and Commercial Farmers Union, who were against the compulsory land acquisition, put the government in a worse position as its support base dwindled and pressure for land from the war veterans continued to mount (Njaye and Mazuru 2010:174). Efforts by government to make constitutional reforms which would include a clause to make the British government responsible for land expropriated from white commercial farmers were futile, as the majority of Zimbabweans led by the opposition MDC party voted against the Constitutional referendum (Mabaye 2005:3). The government then resolved to implement Phase 2 at an accelerated pace known as the 'Fast Track'. In April 2000 the constitution was amended to allow expropriation of land without compensation. The objectives of the FTLRP were the same as those of Phase 2. However, the targets had shifted upwards to 9 million hectares of land to cover 160,000 beneficiaries (UNDP 2002:7). Over 7 million hectares of land was acquired from the white farmers (Mujeyi 2010:1).

2.6.3.2 LRRP Phase 2 and women's land ownership

Unlike LRRP phase1 which made no mention of women, phase 2 sought to resettle people on 5 million hectares of land in a gender sensitive manner (GoZ 1999 in Mbaya 2001:4). The legal

framework of LRRP phase 2 had a provision of resettling women and this was a remarkable move. Manjengwa and Mazhawidza (2009:2) note that at the donors' conference in 1998 a quota of 20% of land for women was adopted however; it did not become a formal policy. Under Model A resettlement scheme which was the most popular type land continued to be allocated to household heads just like under phase 1. Land allocating officials assumed that the household leader was male resulting in female permits comprising only 2 to 15 per cent, yet female-headed households outside resettlement comprised 25 per cent (Chenau-Reponnd 1993 in Mafa *et al* 2015:129). Dzvimbo et al (2018:326) note that patriarchal tendencies hindered most women from applying for land in their own right with most of them preferring to let their husbands apply. However, married women could become primary holders of land in the event of their husband's death a situation which was not possible under customary tenure. Under model B which was communal commercial farming women, especially widows, were included in the redistribution of land and married women also had an opportunity to grow their own crops which they controlled. However, under this model women land tenure was not secured, it was noted that the rate of polygamy increased as men married more women as a source of cheap labour (Mafa *et al* 2015: 129). As such women's access to land under LRRP phase 2 remained low as upon divorce women had to leave the property. 77 per cent of the land in the resettlement sector was allocated to men showing that the LRRP phase 2 had not resolved the gender bias in land allocation (Mafa *et al* 2015:130).

(iii) The Fast Track Land Reform Programme and women's land ownership

In 2000 frustrations from failure to acquire land under the LRRP phase 2 were made worse by the rejection of the proposed new constitution which sought to resolve the land issue resulting in full scale farm invasions by war veterans. Violent white-owned farm invasions (*jambanja*) spread throughout the country. Manjengwa and Mazhawidza (2009:2) note that the nature of *jambanja* was rapid, often violent, with no legal framework and characterised by uncertainty. This marked the radicalisation of land expropriation without compensation also known as the Fast Track Land Reform Programme (FTLRP) launched in July 2000. Over 7 million hectares of land was acquired from the white farmers (Mujeyi 2010:1).

FTLRP was an opportunity to redistribute land to the socially marginalised groups such as women yet this was not fully addressed. The FTLRP just like LRRP Phase 1 and 2 did not take

gender into consideration. According to the Presidential Land Review Committee Report (2003:25), women allocated land under A1 model constituted 18 per cent and those who benefitted under A2 model were 12 per cent. Women have either been over looked in land ownership due to customary laws or as a result of policy-makers who still view land as a domain for men.

As a commitment to gender equity and equality Zimbabwe has signed both regional and international treaties. Some treaties ratified include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Under CEDAW article 14(g) member states agreed to treat women equally in land and agrarian reforms and ensure that they had access to agricultural resources (Global Initiative for Economic, Social and Cultural Rights, 2014:13). However, the Government Land Reform Policy Document of 2001 for the FTLRP did not have a gender policy to guide the land allocation resulting in women not being treated equally as fully explained in chapter 4.

Zimbabwe just like many other African states has a dual system, the legal and customary law controlling land tenure and these affect women's land ownership. Under customary law men are viewed as the head of households and rightfully should own the land. Most of the plots acquired under the FTLRP were registered under men and this was never questioned. Manjengwa and Mazhawidza (2009:4) note that allocation of A1 model farms was done by the District administrator on recommendation from the village head and headman who in most cases are men and custodians culture and tradition, which they interpret as prohibiting women's landownership. By denying women access to land this was a violation of their human rights as land is fundamental to their livelihoods. Households headed by women are amongst the poorest in Zimbabwe as they have limited access to resources such as land, capital and labour. Moyo (2011:504) posits that gendered land access inequities mostly originated at the point when women who were applying for land faced bureaucratic bottlenecks in the male dominated beneficiary selection process. The land committee responsible for A1 land allocations were mainly composed of men thus women were not fully represented. Moyo (1995:67) further argues that in the case of Zimbabwe, understanding power and patriarchy will assist to analyse how male-dominant institutions actually function and why women are often at a disadvantage in such institutions. Although the Government Land Reform Policy Document of 2001 had a provision

for joint ownership most women were not aware of this resulting in only a few women acquiring land. Gender disparities in land ownership are a result of inadequate statutory laws and discriminatory cultural attitudes and patriarchal practices whereby men are considered as the head of the households, responsible for managing and controlling land. Nonetheless, it is important to note that more women were able to access land under the FTLRP compared to LRRP Phase 1 and 2. Moyo (2011:504) states that more women have been offered land in their individual right under the FTLRP than in the past.

2.7 Legal framework and women's land tenure in Zimbabwe

At independence Zimbabwe had the task of redressing the colonial social injustice and redistribute land to previously disadvantaged blacks. The role of women in agriculture cannot be underestimated as such access to landownership becomes essential to their livelihoods and a right to equality. Sylla (2019:2) notes that global and regional efforts including the United Nations Sustainable Goals and the New Urban Agenda, the African Union's Campaign for Women's Land Ownership and Agenda 2063, and U.S government's new Global Women's Development and Prosperity Initiative, recognize that women's land rights are critical to achieving gender equality and tackling some of the world's most pressing development challenges. Upon independence Zimbabwe became a signatory to treaties that aim gender equity and equality on regional and international levels. These include The Southern African Development Community's Declaration on Gender and Development and its addendum on the Prevention and Eradication of Violence against Women and Children, Universal Declaration of Human Rights and the Beijing Declaration and Platform for Action among others (Mafa *et al* 2015:126). Zimbabwe also ratified CEDAW in 1991. Under article 14 (g) of CEDAW state parties have to ensure that women are treated equally in land and agrarian reforms and they have access to agricultural resources (The Global Initiative for Economic and Cultural Rights, 2014:13).

. The United Nations Beijing Platform for Action of 1995 also compelled governments to ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets as a means to further the advancement and empowerment of women and girls (Chakunda, 2018:147). An analysis of these treaties is done in Chapter 4.

The Ministry of Community Development and Women's Affairs was also created so as to ensure gender equality in the country. The ministry lobbied against laws that discriminated women and in 1982 women gained majority status and were no longer considered as minors through the Legal Age of Majority Act (LAMA). Under this law for the first time men and women were equal, women could own property in their own rights and open bank accounts, rights they could not exercise under customary law (Mafa *et al* 2015:125). In 1984 amendments were also made to the Communal Land Act of 1982, whereby female-headed households could also have land. The Matrimonial Causes Act 1985 theoretically made it possible for women to get property upon divorce and also gave inheritance rights, which was not possible under the customary law. The government also drafted its first National Gender Policy in 2004 and revised in 2013 as a legislative tool to guide every sector on issues of gender equality (UN-Women, 2016:1). The policy does not allow gender disparities as this is an impediment to sustainable and inclusive development. As such it can be said Zimbabwe acknowledges women as equally important as men in the development of the country including the agricultural sector.

Although the government enacted all the above legislations as a way of ensuring gender equality these remained in theory as both the first phase and second phase of the resettlement programmes did little to ensure land access to women. Although, Goebel (2005) argues that these resettlement programmes had positive effects on women, especially widows, as they acquired land in their own names, women's access to land remained insecure. Mafa *et al* (2015:126) further state that all these legislations in theory accorded women the opportunity to own and access land and other resources on equal basis as men but there was a gap between the law and its enforcement. Mushunje (2001:12) takes this argument further by noting that these pieces of legislation have not gone beyond mere rhetoric considering that the Constitution of Zimbabwe states that the government is not obliged to domesticate any international convention, unless they have been passed by an act of parliament. Also the customary law in the case of land rights is

usually applied and generally where the custom law is applied it has worked against women's interests. For instance the Magaya case highlights this, whereby in April 1999 the Supreme Court ruled that a woman could not inherit land from her deceased father as she did not have inheritance rights over her half-brother because she was female (Human Rights Watch 2002:31). The court argued that under Zimbabwean customary law, which coexisted with the civil law since the colonial period, women are juveniles and only men can inherit from a father (Human Rights Watch 2002:31). As such the Legal Age of Majority Act of 1982 was inapplicable.

The study done by the Land Tenure Commission 1994 to assess distribution of land by sex showed that women held 23 per cent of land in resettlement areas, 16 per cent in communal areas, 5 per cent small scale and 25 per cent large scale commercial farming (Mafa *et al* 2015:130). Vudzijena (1998) also confirms the findings of the Land Tenure Commission and argues that the LRRP Phase1 has not resolved the gender bias in land allocation as men hold 77 per cent of the land in the resettlement sector (Mafa *et al* 2015:130). Jacobs (2001:2) notes that, the land resettlement of the 1980s men benefitted more primarily because land policies were gender blind. Based on these arguments, it is clear that inequalities that exist within the universal land reform initiatives are inevitable. Thus, to ensure social justice, good governance, gender equality and sustainable development, different approaches should be adopted. Inclusive development, particularly where gender inequality exists, is one way to avoid such unnecessary disparities. Therefore, incorporating gender policies into development programmes including, land reform should be prioritised to ensure social justice and sustainable development.

2.8 Theoretical Framework

Development programmes have been criticized for ignoring gender roles and the impact it has on women. Women play an important role in agriculture yet they have not been fully integrated in the land reforms that have taken place in Zimbabwe. Most development paradigms have largely focused on economic growth. Claassen and Jin-Sang (2016:4) note that there is no single, unified theory of land reform and much of the literature is inchoate, not least in that there is no clear consensus on the notions, concepts and conceptual frameworks associated with land reform. As

such, the issue of women and land ownership has also been approached from different perspectives. The study is under guided by the inclusive development theory which aims at involving all stakeholders in development issues. Inclusive development is a recent dimension of development that puts a strong emphasis on the poorest and most marginalised by considering economic, social and environmental dimensions and structural factors that hinder the poorest from participating in the development process (Van Gent 2017:8). This study adopts inclusive development as its theoretical framework. However, prior to clarifying the relevance of this theory to this study, it is also crucial to reflect on theoretical linkages between gender and land reform studies.

Scholars like Blackden, Canagarajah, Klasen and Lawson (2011:2) point out that theoretical linkages between gender and growth have been put across, whereby economic growth depends on accumulation of economic assets such as land. As such, under the growth theory gender issues play an important role in which assets such as land are augmented. However, the growth theory has constraints in analysing the intra-household issues and cultural constraints that may have economic implications and control of resources by women.

Chaneaux-Repond (1994) and Gaidzanwa (1995) have also viewed women's land ownership from an economic perspective calling for recognised gender implications in the land reform programme (Mgugu & Chimonyo 2004:151). However, Moyo (1996 in Mgugu & Chimonyo 2004:151) criticises this approach, contending that it deals with 'sex-based discriminatory nature of land redistribution at the expense of gender conceptualisation of the land problem'. As such Moyo (1996) calls for a critical theoretical framework within a multi-dimensional perspective of the interactions of power, land and gender which according to him will lead to addressing the variables of gender, class, race and ethnicity (Mgugu & Chimonyo 2004:151).

Some women practitioners have used Women in Development (WID) approach to deal with the issues of women and land as a deliberate move to spell out the importance of land to women. WID advocates argue that if women were to actively contribute in the productive sphere there will be an improvement in development and also in their status. WID was influenced by Esther Boserup's critique of colonial and post-colonial agricultural policies which facilitated men's monopoly over new technologies and cash crops and undermined women's traditional roles in agriculture (Razavi & Miller 2011:671). However, this approach has been criticized by women

working with the Gender and Development (GAD) approach and proponents of inclusive development theory for focusing on women and not gender and for not addressing the power relations between men and women (refer us to 2 or 3 of these women). Amongst these were feminist thinkers of the collected volume *Of Marriage and the Market* (1981) who were critical of the growing body of WID literature on several grounds such as it tended to isolate women as a separate and often homogeneous category (Pearson 1981 in Razavi & Miller 1995:13).

Gender and Development (GAD) theory emerged from the frustration with the lack of progress of WID policy, in changing women's lives and influencing the broader development agenda (Reeves and Baden 2000:33). GAD approach sought to involve men and women's concerns in development process through gender mainstreaming as the primary strategy in achieving gender equality. However, a review of gender-mainstreaming policy implemented by the World Bank, UNDP, and the ILO found inadequate budgeting for the gender component of projects, insufficient development of analytical skills, and general lack of political commitment, both within the organisations, and at country level (Nazneen & Mahmud 2015:203). Furthermore, gender mainstreaming as the primary strategy for pursuing gender equity and development lost credibility since concerns with gender equality were not enough redress on-going gender injustices (Nazneen & Mahmud 2015:203). As such this gave rise to inclusive development which is a more encompassing and relational view of development that challenges the power relations that underpin poverty and exclusion.

2.8.1 Inclusive Development Theory

This study has adopted Inclusive Development Theory as it addresses gender relations and aims at enhancing development cooperation outcomes through collaboration between different stakeholders in the economy. Gupta 2015 (in van Gent 2017:8) notes that inclusive development is a recent dimension of development that puts a strong emphasis on the poorest and most marginalised by considering economic, social and environmental dimensions and structural factors that hinder the poorest from participating in the development process. There has been well documented feminisation of poverty literature, with female headed households being poorer

than male headed households (Mafa *et al* 2015:113). As such, inclusive development gives voice and power to marginalised groups such as women to enhance their capabilities and participate in the process of development such as land reforms and agriculture.

The ideas of inclusive development emerged in the second half of the twentieth century focusing on different levels including the individual, states and international relations (Gupta, Cornelissen & Ros-Tonen 2015:35). Rauniyar and Kanbur, (2015:544) note that inclusive development was first published by the Asian Development Bank (ADB, 2007) as a strategy towards equity and empowerment through poverty reduction, human and social capital development and gender development. According to Ali and Zhuang 2007 (in van Gent 2017:10) there is no agreed-upon and common definition of inclusive development. The failure of economic growth to trickle down to the poor and marginalised resulting in inequalities gave rise to the concept of inclusive development as a 'response' to these concerns. As noted earlier the economic growth theory dominated the development paradigm whereby industrialisation and productivity are the main components of development. Gupta (in 2015 van Gent 2017:7) notes that the modernization theory, the accumulation of capital, economic growth and the capacity to industrialise were thus important indicators of development for both developed and developing countries, meanwhile the traditional sectors of the economy were often neglected, and culture and traditions were often seen as obstacles of development. Thus, inclusive development takes into account the traditional sectors, culture and traditions as they have an impact on development.

There have also been contestations with regards to the content of inclusive development. Pouw and Gupta (2015:3) note that for some scholars and policy makers development is equivalent to increasing GDP whilst for others development is an ever-evolving concept including satisfaction of basic social and economic human rights, meeting basic needs, reducing poverty, enhancing wellbeing, minimising externalised environmental impacts, focusing on rural development, encouraging participatory development and enhancing capabilities of people so that inequalities is reduced. Dekker (2017:11) further argues that inclusive development can be used as a smoke screen whereby some actors say they can promote inclusive development, yet their strategy is still focused on economic growth without addressing inequalities. Debates have also risen around the content of inclusiveness as this can mean different things to different people. Pouw and Gupta (2015:3) note that inclusiveness can mean emphasizing the needs of disadvantaged and

marginalised people, peri-urban areas, sectors and regions; participation in policy and politics especially with respect to moderate structured and unstructured problems. As such some can focus on social and economic inclusiveness, others on social and relational or political inclusiveness.

2.8.2 Inclusive Development and women's land ownership

Gender equality and women's economic empowerment can be understood as preconditions for inclusive development, involving commitments to poverty reduction and the realisation of fundamental human rights (Tiessen & Delaney 2018:3). Unequal land rights results in the reproduction of gender inequalities and poor performance of the agricultural sector and this in turn affects the overall economic growth on the nation. Dekker (2017:3) notes that inequality is a great concern for those who are 'left behind' from a rights perspective, and for the future prospects of societies and economies. Thus, through inclusive development everyone, including marginalized groups regardless of gender is brought into the development process through equal access to resources such as land. Gender equality has also been highlighted under Sustainable Development Goal 5 to empower all women and girls. In order to ensure that women enjoy their rights in practice, a broad conceptualization of land rights and access to productive resources that is pro-poor, gender-inclusive and responsive to human rights is vital (United Nations 2013:4).

There is need to integrate gender into agriculture and food security policies, programmes and projects for better results. Inclusive development calls for indigenous knowledge and aspirations in the development process (Gupta *et al* 2015:546). For instance, given that 44% of agricultural labour is women in Africa, the World Bank (2012) estimated a substantive improvement of agriculture production by 14% in Malawi, 17% in Ghana and 20% in Kenya if female farmers had the same access to fertilizers and other inputs as male farmers (Verdier-Chouchane (2016:47).

Inclusive development not only encompasses gender equality but also human development, capabilities and human rights. As such inclusive development aims at providing wider access to sustainable socio-economic opportunities for a broader number of people, countries or regions,

while protecting the vulnerable, all done in an environment of fairness, equal justice and political plurality (Verdier-Chouchane, 2016:44). Through economic inclusion in land reform programmes and provision of inputs, women's income is enhanced, and this not only contributes to their well-being and human rights such as education and health but also to development through improved gross domestic product growth and poverty reduction.

2.9 Summary

The literature that has been reviewed points to the fact that land and agrarian reforms have been carried out in many parts of the world, but women still lack access to landownership even though they play an important role in agriculture and food production. Global and regional efforts including the United Nations Sustainable Goals and the New Urban Agenda, the African Union's Campaign for Women's Land Ownership and Agenda 2063, and U.S government's new Global Women's Development and Prosperity Initiative, also acknowledge that women's land rights are critical to achieving gender equality and tackling some of the world's most pressing development challenges. It has also been noted that most countries have signed several declarations and commitments to gender equality yet in land ownership this has remained rhetorical.

Literature reviewed has shown that in Zimbabwe the FTLRP aimed at addressing the racially skewed land ownership and women's landownership was not prioritised. Racial equity eclipsed gender equity in the FTLRP such that issues relating to equity based on gender were not discussed. The legal framework had no gender policy in place to ensure that women benefited from the FTLRP. The co-existence of customary and statutory laws impacted negatively on women's access to land under the FTLRP. Customary land tenure systems which govern land allocation and property inheritance is patriarchal in nature, thus discriminating against women's land ownership. The chapter also discussed the theoretical framework, Inclusive Development Framework and why it was chosen for this study. Inclusive development is a more encompassing and relational view of development that challenges the power relations that underpin poverty and exclusion. Inclusive Development Theory addresses gender relations and also aims at enhancing development cooperation outcomes through collaboration between different stakeholders in the

economy. Through inclusive development everyone, including marginalized groups regardless of gender is brought into the development process through equal access to resources such as land making it relevant for this study. The next chapter discusses the research methodology used in this study.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 Introduction

This chapter discusses the research methodology. The chapter expands on the study aim which evaluates the extent to which the FTLRP has incorporated gender interests at policy level and implementation practice in the land redistribution, while exploring the perceptions of other role players regarding this phenomenon; the overall study design is explorative, and qualitative in approach. Thus, the chapter describes qualitative research design, reveals how the study used primary and secondary data such as interviews, books, journals, articles and government policy documents to gather information on how the policy framework and customary laws impact women's access to land ownership and challenges they face under the FTLRP. For the case study, an evaluation of the FTLRP on women's landownership and livelihoods in A1 farms in Zimbabwe using Dartmoor and Ellerdale farms in Seke District was done following a qualitative research design. Furthermore, the chapter presents the data analysis and ethical considerations pertaining to this study.

Research methodology is the specific procedures or techniques used to identify, select, process and analyse information about a topic (Du Plessis 2017:43). There are three types of methodologies which are quantitative approach, qualitative approach and mixed methods approach. Quantitative research is an approach which answers research problem through numerical data and statistics (Creswell 2004:32). Qualitative research is used to gain in depth understanding of human behavior beyond numerical explanations. Du Plessis (2017:43) notes that qualitative research is built on phenomenology interpretivist tradition, where emphasis is on people and their constant endeavors to make sense of their world. Mixed methods approach is an inquiry which relies on both quantitative and qualitative research methods. Under mixed method approach quantitative and qualitative data is integrated and there is use of distinct designs that may involve philosophical assumptions and theoretical frameworks (Creswell 2014:32). For this

study qualitative approach was used as there was need to capture the process of how the FTLRP and how women fared by relying on participants 'views.

3.2 Research design

Terrell (2012:258) describes a research design as a road map that determines the most appropriate route to take when carrying out a study. An evaluation of women's landownership and livelihoods under the FTLRP in Zimbabwe was done following a qualitative research design using Seke district as a case study. The major purpose for using qualitative field research was to explore and understand deeper meanings individuals or groups ascribe to a social or human problem. As such, subjective meanings vary and are multiple leading the researcher to look for the complexity of views rather than narrow meanings into a few categories or ideas (Creswell 2014:38). Qualitative field research entails going directly to the social phenomenon under study and observing it to develop fuller understanding of it (Babbie 2017:289). Beneficiaries of the FTLRP at Dartmoor and Ellerdale farms and officers from the Department of Lands and ARES department were interviewed to explore women's landownership and livelihoods under the land reform programme. Hence the overall research design in this study was a qualitative approach.

3.2.1 Qualitative research

Qualitative research method was used as there was need analyse secondary data on women's land ownership under the FTLRP and to interact with A1 men and women farmers settled at Dartmoor and Ellerdale farms so as to have a better understanding of women's access and control of land in Seke District. The main reason for including men in this study was to explore their perceptions regarding women's land ownership under the FTLRP. Thus, the use of qualitative methods enabled the researcher to explore the perceptions of various sources and stakeholders by mainly focusing on the process of how the land was distributed and how women fared rather than on just the outcomes or result. This approach is supported by Du Plessis

(2018:53) who points out that, qualitative methods allow the researcher to focus on the process of how something happened rather than on just the outcomes or results, which is the characteristic of quantitative designs. Smith (2008:1) further states that qualitative methods include the researcher's experience through techniques such as focus groups, case studies, interviews and personal observation. The use of a case study enables the researcher to do an in-depth examination of a single entity or some social phenomenon bounded by time and activity (Babbie 2016:523). In this case, it helped to understand the statutory and customary laws that influenced the resettlement process in Seke district and addresses the gap in research on women's landownership under FTLRP from multiple sources and voices.

Qualitative approaches do not use statistical tests for variables, but concepts are developed to show the relationship between variables. According to Bhandari (2020:16), qualitative research involves collecting and analysing non-numerical data to understand concepts, opinions, or experiences. In support, Sharts-Hopko (2021:3) posits that instead of collecting numerical data points or intervenes or introducing treatments just like in quantitative research, qualitative research helps generate hypotheses as well as further investigate and understand quantitative data. In this study, the researcher tried to answer the research question as to whether women have benefitted in terms of land in the FTLRP. The researcher also tried to establish if the Inception Phase Framework Plan 1999-2000 and the Government Land Reform Policy Document of 2001 statutes governing the FTLRP implemented a gender policy. The term land reform is conceptualised to assess the different conditions under which women accessed land in the FTLRP. These variables, the legal framework and customary laws, were categorised to evaluate how they have influenced women's land ownership in Zimbabwe and livelihoods of women under the FTLRP. All these factors portray the qualitative nature of this study.

3.2.2 Advantages of qualitative research

The use of qualitative research design in this study allowed the researcher to explore the topic and get different views from participants on their experiences in accessing land under the FTLRP while giving a voice to women as participants. This is supported by Rahman (2016:104) who

points that qualitative research approach has the strength of providing detailed descriptions of participants' feelings, opinions and experience.

Qualitative field research has strength in that it provides depth of understanding through detailed data and allows researchers to gain first-hand information from the people who benefited under the FTLRP and from key informants on what criteria was used to resettle people. Through this approach, the customs and cultures that deter women's access and control of land are explained. Validity in qualitative research is also strong as it can be enhanced through strategies such as triangulation of different data sources and use of member checking.

3.3 Research Population

Ruane (2005:105) notes that study population refers to the large groups of people or things. Thus, a study population is a subset of the target population from which the sample is selected (Michalos, 2014:1). When looking at study population, there are two subgroups that should be looked at and they are inclusive of target population and the accessible population. According to Michalos (2014:3) researchers use the term "target population" to refer to the entire group of people or things to which they want to generalize their findings. The theoretical population is another name for the target population, which has a wide range of features. Contrary to that, accessible population is the population that researchers can use their findings on. There is a subset of the target population called as the study population, which includes this group of people. Researchers get their samples from people who are easily available. The study was undertaken in Seke District in Mashonaland East Province of Zimbabwe. The province had approximately 1.35 million people in 2012 with 100 756 people coming from Seke district (Zimbabwe National Statistics Agency (ZNSA) 2015:10). In 2012 under A1 resettlement model there were 36 292 male farmers and 34406 female farmers in the province who were actively engaged in agriculture (ZNSA 2015:6). The study population for this research comprised of FTLRP beneficiaries from Dartmoor and Ellerdale farms and government officials working closely with these beneficiaries. At Dartmoor farm there are one hundred plots, and out of these, thirty-two are registered under joint ownership while only five under female headed households

who are widows. Sixty- three of the plots are registered under men. At Ellerdale, there are eighteen A1 plots and four A2 plots. Out of the eighteen A1 plots, sixteen are all registered under men with only two registered under women who are widows.

The Ministry of Local Government is responsible for the administration of the district. The District Administrator chairs the District Land Committee comprising of different ministries such as Ministry of Lands, Agriculture, Fisheries, Water and Rural Development, Ministry of Rural Resources and Water Development and Ministry of Environment and Tourism and stake holders such as the rural district council, traditional leaders and War Veterans Association, responsible for land allocations.

3.4 Sampling technique

Sampling is a technique of taking a subset from the entire population to make inference about a population or to make generalization in relation to existing theory (Taherdoost 2016:18). Purposive sampling was used to select the participants for the interviews. Purposive sampling is where the researcher samples units strategically in terms of their relevance to the research problem (Du Plessis 2017:51). This technique was the most appropriate as people with information relevant on women's landownership under the FTLRP were selected. Beneficiaries of the FTLRP at Dartmoor and Ellerdale farm and government officials involved in the land allocation process in Seke district were purposively selected as key informants in the study - as they have information on how the FTLRP was carried out as well as how women accessed land in the district. A total of thirty participants from Dartmoor and Ellerdale farms, one government officer from the Ministry of Lands, Agriculture and Rural Resettlement, Ministry of Rural Resources and Water Development (Department of Lands) and one AREX officer from Crop and Livestock department were purposively selected for interview.

Twenty female participants were selected since the study focused on women's land ownership and this sample was large enough to generate views on the topic under study. Ten male beneficiaries were also included in the study as it was crucial to get their perceptions and insights on women's landownership. At Dartmoor farm a total of 22 participants, fifteen women and

seven men were chosen from the one hundred beneficiaries. At Ellerdale farm eight participants; five women and three men were sampled from the eighteen beneficiaries resettled at the farm. Participants gave their consent to take part in the study. All participants were above the age of 18 and mature adults who are mostly married, widowed or heads of households and could make decisions on whether to participate or not.

The selection of beneficiaries mainly relied on officials working within the Seke district. The AREX officer facilitated the link between the researcher and the beneficiaries by introducing the researcher to the chairmen of the two farms. The chairmen assisted with coming up with the list of beneficiaries and their contact details. Using the list of beneficiaries, participants were selected on the basis of informed consent. According to Patton (2002:61) informed consent is the process through which participants agree to undertake a research after going through its procedures, risks and benefits.

3.4.1 Sample size

Sample size refers to the number of participants or observations included in a study (Memon, Ting, Cheah, Ramayah, Chuah and Cham 2020:2). Using the provided list of beneficiaries from the farm chairmen those who formally consented to be part of the study were selected as the key participants. From the research population of 118 beneficiaries of the FTLRP from Dartmoor and Ellerdale farms a sample of thirty participants and two government officers were selected for this study. Twenty-two participants comprising of fifteen women and seven men were interviewed at Dartmoor farm. At Ellerdale farm eight participants comprising of five women and three men took part in the study. Two government officers from the Department of Lands and AREX were involved in the resettlement process and were members of the District Land Committees of Seke District. According to Shetty (2022:4) the goal of a qualitative study should be to have a large enough sample size to uncover a variety of opinions, but to limit the sample size at the point of saturation. The sample size of thirty participants was chosen as it was enough to generate findings on the study without the risk of having repetitive data. Researcher settled for

30 participants as this was a manageable number to have more contact time with each interviewee.

To be part of the sample participants had to fulfil the inclusion criteria. Inclusion criteria are defined as the key features of the target population that the investigators will use to answer the research question (Patino and Ferreira 2018:84). The study focused on women settled under Model A1 at Dartmoor and Ellerdale farms to ascertain their landownership status and how they derive their livelihoods. Women participants included those who are married with and without joint landownership and female headed households. Key informants also included male beneficiaries from Dartmoor and Ellerdale farms and officers from the Ministry of Lands, Agriculture and Resettlement and AREX office to explore their perceptions on women’s landownership under the FTLRP. Key informants are knowledgeable individuals who contribute a perspective on a research phenomenon or situation that the researchers themselves lack (Cossham and Johanson 2018:1). Government officers were included as they are part of the District Land Committee responsible for the land allocation in Seke District and have the knowledge on how the process was conducted and the policies that guided the FTLRP in the district. Male participants included FTLRP beneficiaries with sole and joint landownership. Illegal settlers were excluded from the study. Inclusion criteria also involved giving informed consent to participate in the study so only participants who consented were chosen whilst those who did not consent were excluded.

Table 3. 1 Summary of participants for the case study

CATEGORY	SAMPLE SIZE	SAMPLING TECHNIQUE	DATA COLLECTION INSTRUMENT APPLIED
Government officials (AREX and Ministry of Lands, Agriculture and Resettlement)	2	Purposive sampling	Interviews
Male participants Dartmoor farm	7	Purposive sampling	Interviews

Female Participants Dartmoor farm	15	Purposive sampling	Interviews
Male Participants Ellerdale Farm	3	Purposive sampling	Interviews
Female Participants Ellerdale Farm	5	Purposive sampling	Interviews
Total	32		

Source: Field data 2021

Of the 32 key participants in this study, thirty participants (fifteen women and seven male beneficiaries) were from Dartmoor farm, and (five women and three male beneficiaries) Ellerdale farm in Seke District. The two officers were from the Department of Lands and AREX based at Seke District offices and are members of the District Land Committee responsible for the land allocation under the FTLRP as illustrated in **Table 1** above.

3.5 Data collection

Collection of data in this study involved two processes. The study embraced both existing data and the in-depth interviews. Thus, the study synthesised existing data from sources such as books, journals, articles and government policy documents and interviews. This helped to gather information on how the policy framework and customary law impact women's access to land ownership and their livelihoods under the FTLRP. Data collection was done between August 2020 and August 2021 and this involved conducting interviews and secondary data collection and analysis. Primary data collection involved the process of first getting a clearance letter from the District Administrator's office, under the Ministry of Local Government, Public Works and National Housing explaining the study aims and objectives to beneficiaries and getting informed consent from the participants.

3.5.1 Desktop research

Existing data of government land policy documents about women's land rights, access and ownership were used for the study. Library and internet sources such as academic literature, journals, books, working papers and articles on the study were used. Secondary research or desk research is a research method that involves using already existing data (Bhat, 2020:1). This saves time and resources that could have been used to acquire this data. The existing data also provided the much-needed information given the political issues and ethical difficulties inherent in collecting information specifically on the FTLRP. The researcher made use of the large pool and easily accessible data provided on the internet on the FTLRP and women's land ownership in the form of journals, publications, books, working papers and thesis. Useful information pertaining to land policies and law was also gathered from published government and non-government documents as these usually are verified information and insights on the land reform programmes in Zimbabwe. these included the Government of Zimbabwe land policy documents such as the Inception Phase Framework Plan and Article 3.2.3.5 of the Government Land Reform Policy Document of 2001 and international and regional legal and policy framework on women's land rights such as CEDAW, the SADC Protocol on Gender and Development and the Maputo Protocol among others

The use of secondary data had an advantage in that it provided the much-needed information on the background information, events and policies that influenced the FTLRP in the form of Government policy documents. Sources of data were accessible and in a variety of forms. Much has been written on the FTLRP due to the controversy it drew internationally. Another advantage of using secondary data is that it is unobtrusive since the data has been there before the study. This is supported by Bowen (2009:310) that documents are stable, 'non-reactive' data sources which can be read and reviewed several times without being changed by the researcher's influence or research process.

3.5.2 In-depth interviews

The interview refers to a personal exchange of information between the interviewer and the interviewee (Bowling 2002:147). In-depth telephone interviews were conducted to interact with twenty women and ten male key informants from Ellerdale and Dartmoor farms who have been resettled under the FTLRP to gather richer and complex data. Two government officials from the Ministry of Lands, Agriculture, Fisheries, Water and Rural Development (Department of Lands) and the department of Agriculture Research Extension (AREX) were also interviewed to get information from the policymakers on the land allocation process and women's livelihoods on the two farms. Key informants are knowledgeable individuals who contribute a perspective on a research phenomenon or situation that the researchers themselves lack (Cossham and Johanson 2018:1). The use of key informants is supported by Bernard (2018:153) that they have insider information or knowledge about a concept, situation, group, culture or subject that they are willing to share with a researcher. The reason for key informant interviews was to maximise the quality of data collected as participants could clarify answers. It was also possible to solicit answers as the land issue is a politically sensitive topic in Zimbabwe.

Semi-structured in-depth telephone interviews were conducted with participants from Dartmoor and Ellerdale farms. After obtaining the clearance letter from the DA's office the researcher contacted the AREX officer who is an acquaintance, to link her with the farm chairmen and beneficiaries at Dartmoor and Ellerdale farm. From the list of contacts provided by the chairmen participants were selected based on informed consent and availability. Thirty participants were selected. The researcher explained the purpose and objectives of the study. Those with busy schedules interview appointments were scheduled first. All participants were above the age of 18 and mature adults who are mostly married, widowed or heads of households and could make decisions on whether to participate or not. Participants were also informed that there were no monetary benefits. Researcher had to respect participants' rights to anonymity and confidentiality. As such, data collected does not contain identifying information of individuals and disclosure of sensitive information. Non-identifying codes or fictitious names were used to refer to participants. Participants were also assured of protection from any possible harm that

could arise from the study as the findings would be used for the intended academic purposes only.

Interviews were conducted telephonically. The chairmen made the communication with participants possible by assisting those who did not have cell phones with their phones. Questions were prepared to guide the interview. The question guide helped the researcher to know what to ask by ensuring that all research questions are covered and that questions are asked in a way that develops the conversation and further probing. Thus, interview guides help give a general outline of an interview and help to save time, as you will know what exactly to cover (Indeed Editorial Team 2021:3). The two government officers requested for the questions to be sent in advance so that they could prepare for the interviews. These were sent through e-mails together with the consent forms. The officers were contacted two weeks later to conduct the telephone interviews. The use of semi-structured interviews made it possible for the researcher to ask open-ended questions and also gave participants the opportunity to freely express their opinions without restriction of length and time. Kakilla (2021: ii) notes that the use of semi-structured interviews allows the researcher to critically scrutinise the conversations and varied superficial responses, do follow ups and synthesise different themes to bring flexibility. Interviews with beneficiaries generally lasted between 30-50 minutes. The interviews with the government officers took approximately two hours. Shona and English were both used during interviews although the interview schedules were in English. Due to the different levels of education attainment the use of a mother tongue made is possible for participants to express themselves. Hand written notes and speakerphone tape recordings were used to capture the interviews.

3.5.3 The advantages of using in-depth interviews

The use of interviews by the researcher had the advantage of providing much detailed information on how beneficiaries accessed land under the FTLRP. Through interviews, the researcher was able to gain first-hand information about people, events, livelihoods and the implementation of the FTLRP in Seke District. The researcher engaged the participants and was

able to gather different views and perceptions on women's access, control and ownership of land. Participants were also able to give insights and lived realities on how they acquired their plots. Through interviews it was possible to probe for additional information and ask follow-up questions such as the various ways which the land reform programme could be improved to ensure that women get maximum benefits.

3.6 Data analysis

Qualitative data analysis is a process that seeks to reduce and make of vast amounts of information, often from different sources, so that impressions that shed light on a research question can emerge (Save the Children 2017:13). Thus, qualitative data analysis involves gathering, structuring and interpreting qualitative data to understand what it represents (Dye 2021:22). Qualitative data analysis can be qualitative content analysis, narrative analysis, discourse analysis, thematic analysis, grounded theory or interpretive phenomenological analysis. For this study thematic analysis was used. Thematic analysis is a method for identifying, analysing, organizing, describing, and reporting themes found in data sets (Braun & Clarke 2006:77). In this study thematic analysis was data driven the researcher tried to answer the research question as to whether women have benefitted in terms of land in the FTLRP.

The researcher adopted the qualitative data analysis model suggested by Steirnberg (2004). The three steps model involves intra-transcript analysis, inter-transcript analysis and developing a meaningful story. Intra-transcript analysis is about trying to make meaning out of each text by referring to verbatim notes and comments gathered during data collection (Creswell 2012). Recorded interviews were transcribed and notes were taken down. The researcher read through the data notes gathered during interviews several times to make sense of them before breaking them into parts. Inter-transcript analysis is about comparing and contrasting responses from participants in order to verify data that was collected. In this second step the researcher compared and contrasted data collected from participants to verify it and check for consistency. Recurring ideas and topics emerging from the data were put into specific categories; answers with similar meaning were put in one category. Categories of interview responses and secondary data were

juxtaposed and then interpreted for specific meanings to generate themes. Generated themes were reviewed to ensure that they are useful and an accurate representation of the data. The final phase is developing a meaningful story, which will be the final outcome of the study, drawing meaning out of the gathered data (Steinberg 2004). This involved the researcher writing up the results and discussing what had been gathered from participants and secondary data.

3.7 Issues of reliability and validity

The research largely consists of desktop research whereby multiple data collection methods were used giving a detailed account of experiences of women's landownership and livelihoods under the FTLRP in Zimbabwe. In qualitative approach validity means that the researcher checks for accuracy of findings by employing certain procedures, whilst reliability indicates that the researcher's approach is consistent across different researches and different projects (Gibbs in Creswell 2014:252). Validity in qualitative approach is considered strong as it determines the findings from the views of researcher, participants or the readers. Literature review was first conducted using various sources to examine women's access and control of land, the legal framework and customary laws that influenced women's land ownership under the FTLRP. In order to verify and validate secondary data, interviews were conducted with beneficiaries from Dartmoor and Ellerdale farms and Seke district government officials to provide a range and depth of information and allow probing and follow up questions on how beneficiaries accessed land in order to understand the gender gap in landownership, women's livelihoods and challenges faced under the FTLRP.

3.8 Ethical considerations

Ethics of social research is 'about creating mutually respectful, win-win relationship in which participants are pleased to respond candidly, valid results are obtained, and the community considers the conclusions constructive' (du Plessis 2017:71). During data collection the researcher explained first the aim and objective of the academic study and procedure to be followed to the participants considering that land issue is a politically sensitive topic. The researcher considered

the research value of voluntary participation and participants had a right to withdraw from the study at any time. Researcher also obtained participant's consent and all participants were above the age of 18 and mature adults who are mostly married, widowed or heads of households and can make decisions on whether to participate or not. Researcher had to respect participants' rights to anonymity and confidentiality. The participants' identity, privacy and dignity would be protected by ensuring that no connection between the participants and data could be made. As such, data collected does not contain identifying information of individuals and disclosure of sensitive information. Non-identifying codes or fictitious names were used to refer to participants. Participants were also assured of protection from any possible harm that could arise from the study as the findings would be used for the intended academic purposes only. Hard copies of participant answers would be stored by the researcher for a period of five years in a secured place for future research or academic purposes; electronic information would be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. Hard copies will be shredded and electronic copies will be permanently deleted from the hard drive of the computer through the use of a relevant software program. Sources of the original data were acknowledged and were checked for credibility and authenticity by ensuring that they are up-to-date, free from bias and making use of multiple data sources from reputable publishers.

3.9 Methodological limitations and how they were dealt with

As mentioned earlier the FTLRP is a politically sensitive topic as such the researcher encountered some challenges during this study. Some participants were wary of providing information to a stranger moreover over the phone that might be held against them especially pertaining to the challenges faced under the FTLRP and how it had generally affected the agriculture sector and livelihoods at large. The researcher assured participants of confidentiality and anonymity. The researcher through the use of telephone interviews might have missed a lot in terms of physical gestures. Also accessing some participants proved to be difficult due to lack of electricity in the area making it difficult to charge their phones. In such circumstances

interviews had to be rescheduled and at times the farm chairmen or AREX officer provided their cell phones.

For the secondary data it was difficult to access government documents pertaining to the FTLRP from the Department of Lands as the release of such documents to the public is prohibited by the Official Secrets Act. The researcher therefore had to rely on published material.

Another challenge which rose from the use of secondary data was the authenticity of the data and changes in government policies. For instance, one source indicated FTLRP 99 year leases given to beneficiaries do not allow inheritance of land, thus widows cannot inherit their late husband's land (Bhatasara 2011:324). However, field research revealed that the spouse of the deceased could inherit the land and have the lease put in their name. Although all land belongs to the state beneficiaries through the lease and permit letters have a user right which means in the event of death of the permit holder the dependants can inherit the user rights. To overcome the challenge it was important for the researcher to use recently published sources as government policy to inheritance have changed.

3.10 Summary

The chapter explained the research design used in this study which is qualitative approach. An evaluation of women's landownership under the FTLRP in Seke District was done following a qualitative approach. The major purpose for using qualitative research was to explore and understand deeper meanings individuals or groups ascribe to a social or human problem. The use of qualitative methods enabled the researcher to explore the perceptions of various sources and stakeholders by mainly focusing on the process of how the land was distributed and how women fared rather than on just the outcomes or result. The chapter also discussed the study population for this study which comprised of FTLRP beneficiaries from Dartmoor and Ellerdale farms and government officers from AREX and the Department of Lands. At Dartmoor farm there are one hundred plots and out of these, thirty-two are registered under joint ownership while only five under female headed households who are widows. Sixty- three of the plots are registered under men. At Ellerdale farm, there are eighteen A1 plots and four A2 plots. Out of the eighteen A1

plots, sixteen are all registered under men with only two registered under women who are widows

The sampling technique and sample size used in the study were also discussed. The participants were purposively selected based on the knowledge they have on the FTLRP in the district. The sample size comprised thirty beneficiaries of the FTLRP and two government officials who were involved in the resettlement process and members of the District Land Committees of Seke District. Furthermore, the chapter explained how data was collected through desk-top research and interviews, how it was analysed for themes by identifying common themes, topics ideas and patterns of meaning that come up repeatedly to address the research questions. In addition, the chapter also gave details on how various sources of data were used to check for validity and reliability and how ethics with regards to informed consent and confidentiality were taken note of. Challenges faced during the research period were also discussed. These included with holding of information by participants due to fear of victimization by the ZANU PF party members and failure to access some classified government documents on FTLRP from the and Ministry of Lands, Agriculture, Fisheries, Water and Rural Development (Department of Lands) as it is prohibited to release such documents by the Official Secrets Act.

The next chapter is a presentation of results of the study obtained through secondary and primary data.

CHAPTER 4

DATA PRESENTATION

4.1 Introduction

This chapter presents the results and analysis of both secondary and primary data. The first section of the chapter is an analysis of the secondary data. Secondary data from Government of Zimbabwe land policy documents such as the Inception Phase Framework Plan, and Article 3.2.3.5 of the Government Land Reform Policy Document of 2001 and international and regional legal and policy framework on women's land rights such as CEDAW; the SADC Protocol on Gender and Development and the Maputo Protocol were analysed first. The second section presents findings and results from the case study undertaken in Seke District in Mashonaland East Province of Zimbabwe. Emerging themes from the secondary and primary data are also presented in this chapter. The main themes established included; women's rights to land, women's access and control over land, women's inheritance and property rights, women's right to equitable share of joint property, effects of customary law on women's landownership, cases of eviction threats, women's livelihoods under the FTLRP and challenges faced by women settled under the FTLRP.

The study aimed at investigating women's landownership under the FTLRP in Zimbabwe using Seke district as the case study. Seke district is peri-urban as it lies 30km South East of the capital city, Harare. There are twenty-one (21) wards comprising of communal area, large scale commercial farming areas and agriculture is the mainstay of economy. The district is known for crop and livestock farming. The research was limited to two farms Ellerdale and Dartmoor farms. These two farms benefitted under the A1 model. At Dartmoor there are 100 plots and at Ellerdale they are 18 A1 plots and 4 A2 plots. The study focused on beneficiaries settled on these two farms under the A1 to ascertain women's landownership status and how they derive their livelihoods from these farms. Male beneficiaries and policy lawmakers were also included in the study to explore their perceptions on women's landownership under the FTLRP.

The objectives of the study were to determine how the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 influenced women's access and ownership of land under the FTLRP in Zimbabwe. The second objective was to explore the impact of Zimbabwean customary law on women's access to land under the FTLRP. The third objective was to determine the extent to which the FTLRP makes provision for women to acquire land and derive livelihoods from it. The study also sought to explore the perceptions of other role players; particularly male beneficiaries and policymakers on women's access, control and ownership of land under the FTLRP, The last objective was to establish recommendations on how to improve women's land ownership and their position in agriculture.

The study employed qualitative research method to explore the perceptions of various sources and stakeholders by mainly focusing on the process of how the land was distributed and how women fared under the FTLRP. Purposive sampling was used for the study and participants were selected based on the knowledge they have on the FTLRP in the district. The sample size comprised of twenty women and ten men participants resettled at Dartmoor and Ellerdale farms and two officials from Department of Lands and AREX department. For data collection existing secondary data of government land policy documents about women's land rights, access and ownership were used. Primary data was collected through in-depth interviews with key participants from Dartmoor and Ellerdale farms and officers from AREX and Ministry of Lands, Agriculture, Fisheries, Water and Rural Development (Department of Lands) to gain first-hand information and explore different perceptions on women's land ownership, and livelihoods under the FTLRP. Data was analysed using thematic analysis approach by identifying common themes that emerged from interviews with different participants, and those from the policy documents analysed.

4.2 Secondary data presentation

4.2.1 FTLRP legal framework and women's land ownership

This section presents the findings and analysis of the FTLRP legal and policy framework on women's land ownership. The study aimed at establishing the extent which the legal and policy framework incorporated women's access to landownership under the FTLRP. Government

publications and non-governmental documents on women’s landownership, legal and policy framework were consulted for this study. These documents were critically analysed by identifying the concepts and themes focussing on gender and women empowerment. The data analysis process began with making notes and coding of ideas, topics, patterns and meaning that emerged several times. This data was placed into different categories and comparison done to come up with different themes.

Research findings reveal that women’s rights to land are clearly outlined in international, regional and national legal frameworks. Emerging themes from the analysed legal frameworks are women’s rights to land, gender equality in joint property ownership, customary laws and women’s land rights, access to farming and productive resources, women’s inheritance and property rights. The way in which these themes emerged from the identified policy is demonstrated in the tables below.

4.2.1.1 The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

Table 4: 1 shows CEDAW provisions and emerging themes which relate to women’s secure rights to land and property.

Table 4: 1 CEDAW Articles Relevant to Women’s Land and Property Rights (The Global Initiative for Economic and Cultural Rights, 2014:13)

Article	Excerpt	Themes
1	The term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.	Women’s rights to land
2	States Parties condemn discrimination against women in all forms,	

	<p>agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:.....</p> <p>(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.</p>	<p>Prohibition of customary and</p> <p>Legal Policies and laws</p> <p>Against women's</p> <p>Rights to land</p>
3	<p>States Parties shall take in all fields, in particular in the political, social, economic and cultural fields all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p>	<p>Access to land as a</p> <p>human right</p>
5	<p>State Parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women.</p>	<p>Prohibition of patriarchal</p> <p>Practices which</p> <p>Discriminate against</p> <p>women</p>
14.2	<p>State Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women that they participate in and benefit from rural development...</p>	<p>Women's provision to</p> <p>Farming and productive</p>

	<p>(a) To participate in the elaboration and implementation of development planning at all levels</p> <p>(g) To have agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes</p>	<p>resources</p> <p>access to credit facilities</p>
15	States Parties shall accord women equality with men before the law and a legal capacity identical to that of men ...to conclude contracts and administer property.	<p>Gender equality in</p> <p>Property ownership</p>
16	<p>States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations</p> <p>(h) The same rights for both spouses in ownership, acquisition and disposition of property.</p>	<p>women's right to</p> <p>equitable share of</p> <p>joint property</p>

Source: Global Initiative for Economic, Social and Cultural Rights 2014. <http://www.escr-net.org/resources>

Zimbabwe has ratified some of CEDAW provisions on women's rights in its Constitution as shown in table 4: 2.

Table 4: 2 Zimbabwe's Constitution of 2013

Section	Excerpt	Theme
80.1	Every woman has full and equal dignity of the person with men and this includes equal opportunities in political, economic and social activities.	Women's rights to economic programmes like land reforms

80.3	All laws, customs, traditions and cultural practices that infringe the rights of women conferred by this Constitution are void to the extent of infringement.	Prohibition of patriarchal practices which discriminate against women
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Source: Constitute Project 2013. <https://www.constituteproject.org/constitution/Zimbabwe-2013>.

Discrimination is the unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age or sexual orientation (American Psychological Association 2019:11). Whilst the term ‘discrimination against women’ means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (The Global Initiative for Economic and Cultural Rights, 2014:13). According to Dekker (2017:3) inequality is a great concern for those who are ‘left behind’ from a rights perspective, and for the future prospects of societies and economies. Thus, through inclusive development everyone, including marginalized groups regardless of gender is brought into the development process through equal access to resources such as land. CEDAW is an international treaty created by States as part of the UN system of international human rights laws (GIESCR 2014:11). The UN General Assembly adopted CEDAW in 1979 and it came into force in 1981. States parties are obliged to eliminate all forms of discrimination against women both de jure and de facto discrimination. The treaty is binding to all States parties that have ratified it. However, this does not mean the provisions of CEDAW become the domestic law as this depends on the States’ Constitution (GIESCR 2014: 11).

CEDAW addresses women’s rights to land that there should be no discrimination against women on the basis of sex in the political, economic, social, cultural, civil or any other field. State parties are also expected to put appropriate measures and legislations to ensure that women benefit in economic programmes such as the FTLRP as fundamental human right. CEDAW also calls for women’s equitable share of joint property. Married couples are supposed to have equal access to land and its produce. Upon divorce the plot is supposed to be shared equally.

Zimbabwe ratified CEDAW in 1991 and undertakes to eliminate all forms of discrimination against women even in land reform programmes.

In Zimbabwe the Constitution is the highest law of the land and international instruments do not automatically form part of the law unless approved by Parliament (Tsanga, 2002:219). Zimbabwe has replicated some of these international policies at national level to eliminate discrimination against women which is commendable. In 2013 Zimbabwe adopted a new Constitution which harmonises the gender instruments outlined under CEDAW. Section 80.1 of the Constitution mandates the Government to ensure that every woman has full and equal dignity of the person of men and this includes equal opportunities in political, economic and social activities. It prohibits cultural practices, laws, traditions and customs that infringe the rights of women (Akinola, 2018:15). Section 80.1 the Zimbabwean Constitution addresses the need for women to be treated equally in economic programmes such as the land reform which is in line with CEDAW article 14.2. The Zimbabwe Constitution calls for patriarchal practices which discriminate women against land ownership to be prohibited and is aligned to CEDAW article 5.

Patriarchal tendencies which prevailed in communal areas whereby men are viewed as the head of the household who should rightfully be allocated land are prohibited. It is important to note that when the FTLRP was launched in 2001 Zimbabwe was still using the old Constitution which gave powers to traditional leaders to allocate land and identify families for restitution. These findings concur with the reviewed literature that chiefs played a leading role in land restitution by mobilising people, often in the repossession of ancestral lands (Majengwa and Mazhawidza 2009:2). The re-enactment of the Traditional Leaders Act in 2000 also worked to the disadvantage of women's land tenure. Although Zimbabwe had ratified CEDAW its instruments were not put in place during the FTLRP as men were viewed as the heads of households who should be prioritised in allocation of land thus discriminating against women. Zimbabwe also did not ratify the Optional Protocol to CEDAW.

Article 2 of the Optional Protocol to CEDAW states that:

Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation

of any of the rights set forth in the Convention by that State Party (Global Initiative for Economic, Social and Cultural Rights, 2014:11).

This means as citizens it is not possible to submit any complaints on violation of rights to CEDAW Committee.

Although, Zimbabwe ratified CEDAW and adopted a new Constitution which call for gender equality in access to land there is need to ensure that there is an enabling environment and political will to promote women’s land rights. Customs which do not promote women’s rights to land should be abolished as these customs negatively affect the overall development of the nation. Women who lack access or with insecure land rights are more vulnerable to poverty and to constrained opportunities to develop their livelihoods.

4.2.2 The Maputo Protocol

CEDAW and the Maputo Protocol are complementary instruments aimed at ending discrimination against women but only differ in scope and approach. Themes derived from the Maputo Protocol with regards to women’s land ownership are presented in Table 4: 3.

Table 4: 3 Maputo Protocol and provisions to women’s land ownership

Article	Excerpts	Theme
2	State parties shall combat all forms of discrimination against women through appropriate legislation, institutional and other measures (OHCHR 2003:4)	Women’s right to land
7(d)	In case of separation, divorce or annulment of marriage, women and men shall have the right to an equitable sharing of joint property deriving from the marriage (OHCHR 2003:9)	Women’s right to equitable sharing of joint property
19(c)	Promote women’s access to and control over productive resources such as land and guarantee their	Women’s access and secure rights to land

<p>(b)</p>	<p>right to property</p> <p>Ensure participation of women at all levels in the conceptualisation, decision-making, implementation and evaluation of development policies and programmes.</p>	<p>Equal representation in land reform programme</p>
<p>(d)</p>	<p>Promote women’s access to credit, training, skills development and extension services at rural and urban levels in order to provide women with a higher quality of life and reduce poverty among women (OHCHR 2003:18).</p>	<p>Women’s provision to farming and production resources</p>
<p>21</p>	<p>A widow shall have the right to an equitable share in the inheritance of the property of her husband</p> <p>(OHCHR 2003:19)</p>	<p>Women’s inheritance and property rights</p>

Source: *The Office of the United Nations High Commissioner for Human Rights 2003.*
[https://www.ohchr.org>issues.](https://www.ohchr.org/issues)

In line with the Maputo Protocol Article 7(d) on women’s right to equitable sharing of joint property upon divorce, Zimbabwe enacted the Matrimonial Causes Act. The Act states that:

In making an order for the sharing of property upon divorce, a competent court shall, Amongst other issues take into consideration the direct or indirect contribution made by each spouse to the family, including contributions made by looking after the home and caring for the family and any other domestic duties (Makonese 2017:141).

Gender Equality refers to equal rights, responsibilities and opportunities of women and men and boys and girls (UN Women 2001:3). Gender equality and women’s economic empowerment can be understood as preconditions for inclusive development, involving commitments to poverty reduction and the realisation of fundamental human rights (Tiessen and Delaney, 2018:3). Unequal land rights results in the reproduction of gender inequalities and poor performance of

the agricultural sector and this in turn affects the overall economic growth on the nation. The Maputo Protocol or the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa is a regional agreement adopted by the African Union in 2003 and entered into force in 2005 (Kane, 2019:5). The Maputo Protocol approaches issues specific to women in Africa and is designed to protect women in a more comprehensive manner than pre-existing instruments. The Maputo Protocol is considered the first legislative instrument for the protection of women and places women as equal partners with men. Women, Gender and Development Directorate (WGDD) of the African Union Commission (2016:4) states that the Protocol details wide-ranging and substantive human rights for women covering civil and political, economic, social and cultural and environmental rights unlike any other human right instrument. The Protocol requires signatories to guarantee women fundamental rights (Kane, 2019:5). WGDD posits that through this progressive instrument many African union Member States have established special national machineries to promote and protect women (WGDD 2016:4).

Equal representation of women in land reform programmes is one of the themes derived from the Maputo Protocol. Zimbabwe ratified the Maputo Protocol in 2008. In compliance with the Protocol, Zimbabwe has put a National Gender Policy in place which aims at main streaming gender issues into all sectors in order to eliminate negative economic, social and cultural practices that impede equality and equity in the sexes (UN-Women, 2016:1). The Zimbabwe Land Commission was also established to ensure that women are fully represented in the land reform programmes. The Land Commission staff compliment has 50 per cent women to ensure women's land concerns are not overlooked. The equal representation of women in land reform programmes is a commendable development considering that the women failed to access adequate land due to male domination in the Provincial and District Land Committees.

Women's right to land is also addressed under the Maputo Protocol and this is also in line with the Constitution of Zimbabwe. States Parties have to promote women's access to and control over productive resources such as land and guarantee their right to property (African Union, 2005:11). The Zimbabwe National Gender Policy asserts that women should constitute 20% of all recipients of A2 farming land and gives women the right to apply for A1 and A2 agricultural land marking a departure from the traditional custom where women could acquire land through

their husbands or male relative (Landman and Shumba, 2020). However, this still needs to be implemented as statistics revealed that women settled under A1 model were 18% and for A2 were 12% (Landman and Shumba, 2020).

Women's rights to equitable share of joint property upon divorce are also protected under the Maputo Protocol. State parties are also supposed to enact laws that ensure women and men have the right to equitable share of joint property upon separation, divorce or annulment of marriage (African Union 2005:11). The Matrimonial Causes Act ensures that women's rights to property upon divorced are protected. Women married under Marriage Act, Chapter 5:11 and the Customary Marriage Act, Chapter 5:07 have a right to half the plot of land acquired under the FTLRP the same is also applicable to men (Makonese 2017:141). The law does not protect women who are cohabiting; they risk being evicted even if they have children in the union.

The Matrimonial Causes Act also recognises contribution made by women in terms of domestic chores which cannot be quantified in monetary value hence full-time house wives have an equal right to joint property. However, Makonese (2017:141) highlights that the recognition of women's domestic chores as productive work is only applied in this Act. During the FTLRP farm invasions most women could not take part in the invasions as they had to attend to domestic chores. When it came to allocation of land women's domestic chores were not considered a priority was given to men who took part in the farm invasions.

4.2.3 The SADC Protocol on Gender and Development

The SADC Gender Protocol was signed and adopted by SADC Heads of State and Government in August 2008. The Protocol among other things aims to provide for the empowerment of women, to eliminate discrimination and to achieve gender equality and equity through the development and implementation of gender responsive legislation, policies, programmes and projects.

Article 2 of the Protocol states that;

1. For the purposes of this Protocol, the following principles shall apply:

(a) State Parties shall harmonise national legislation, policies, strategies and Programmes with relevant regional and international instruments related to the Empowerment of women and girls for the purpose of ensuring gender equality and equity. (Extranet n.d:7)

2. State Parties shall adopt the necessary policies, strategies and programmes such as affirmative action to facilitate the implementation of this Protocol. Affirmative action measures shall be put in place with particular reference to women and girls, in order to eliminate all barriers which prevent them from participating meaningfully in all spheres of life. (Extranet n.d:7)

Other themes which emerge from the SADC Gender Protocol are women's rights to land and the provision of productive resources to women.

Article 18 calls on State Parties to:

1. End all discrimination against women and girls with regard to water rights and property rights such as land and tenure thereof;

(b) Ensure that women have equal access and rights to credit, capital, mortgages, security and training as men. (Extranet n.d:16)

Women's inheritance and property rights are also safeguarded under the SADC Gender Protocol.

Article 10 states that:

(c) A widow shall have the right to continue to live in the matrimonial house after her husband's death

(e) A widow shall have access to an equitable share in the inheritance of the property of her husband. (Extranet n.d:14)

Gender justice entails the protection and promotion of civil, political, economic and social rights on the basis of gender equality (United Nations Women 2001:5). One of the objectives of the study was to determine how the law determines women's landownership. Statutory law, policies

and regulations need to promote women's land rights. Secure land tenure and guaranteeing women's land rights encourages women to invest more and apply good agriculture and environmental practices which is necessary for sustainable development. Zimbabwe signed the SADC Gender Protocol in 2008 and ratified it in 2009. The SADC Protocol under Article 18 calls on State Parties to review all policies and laws that determine access to, control of, and benefit from, productive resources by women in order to ensure that women are not discriminated against with regard to water and land rights (Extranet n.d:16). In this regard the Land Commission Act enacted by the Zimbabwean government provides for the acquisition and settlement of persons on land and ensuring accountability, fairness and transparency in the administration of agricultural land (Constitution of Zimbabwe, 2013:115). The Act provided for the set-up of the Zimbabwe Land Commission (ZLC) which has an oversight role of the administration of agricultural land vested in the state and to regularise the FTLRP (Muonwa, 2021:1). The Land Commission has to ensure equitable access to and the holding and occupation of agricultural land and elimination of all unfair discrimination particularly gender discrimination (Constitution of Zimbabwe, 20013:115). The ZLC is currently resolving land disputes from the FTLRP over farm boundaries, acquisitions, double allocations, divorce and inheritance cases (Muonwa, 2021:1). The Land Commission Act addresses the need for women to have equal access to land rights as men, but this was not fully implemented under the FTLRP as there was no gender policy in place resulting in only 18 per cent of women benefitting under A1 model.

The SADC Protocol just like the Maputo Protocol has provisions on marriage and family laws, widows and widowers in relation to property and inheritance rights. The Protocol calls on State Parties to enact legislative and other measures to ensure equal rights in marriage between men and women and equitable share of property acquired during the relationship. In terms of inheritance the Protocol calls for equitable share in the inheritance of property of the late spouse (Extranet n.d: 14). These provisions are progressive as women would usually be evicted from the land upon divorce or widowhood. In alignment with these provisions the Zimbabwean government put in place The Administration of Estates Act (Chapter6:01) which states that the matrimonial home remains with the surviving spouse and children as beneficiaries (Made, 2015:25).

4.3 Fast Track Land Reform Programme Legal and Policy Framework and women's land ownership

This section will focus on the results and analysis of the FTLRP legal and policy framework which impacted on women's land ownership.

4.3.1 Women's landownership status under the A1 model

Statistics from the Government of Zimbabwe publication indicate that the FTLRP managed to settle a total of 127,192 households under the A1 model and 7,260 households under A2 model (GOZ 2003). The statistics also show that women's landownership per province under A1 model is very low

Table 4:4 below shows the provincial land allocation patterns by sex for A1 model.

Table 4: 4 Land allocation patterns by gender per province under A1 model

Province	Number of households	Number of males	%	Number of Females	%
Midlands	16,169	14,800	82	3,198	18
Masvingo	22,670	19,026	84	3,644	16
Mashonaland Central	14,756	12,986	88	1,770	12
Mashonaland West	27,052	21,782	81	5,270	19
Mashonaland East	16,702	12,967	76	3,992	24
Matabeleland South	8,923	7,754	87	1,169	13

Matabeleland North	9,901	7,919	84	1,490	16
Manicaland	11,019	9,572	82	2,190	18
Total	127,192	106,986	n/a	22,723	n/a

Source; GoZ, 2003

After the rejection of the draft constitution in February 2000 several amendments had to be made to the Lancaster House Constitution to empower the Government to acquire land compulsorily from the white commercial farmers without compensation. From year 2000 national laws and their administrative processes were aligned to respond to the imperatives of the national land redistribution program (Pazvakavambwa and Hungwe in Biswanger 2009:151). The broad policy aim for the FTLRP was to redress historical imbalances in access to land between the white minority and the black majority and gender equality was not the main priority. Women's land ownership under the FTLRP is low with the highest being 24 per cent. Although, the government made several amendments to the Constitution there were no provisions made to address gender equality in landownership.

4.3.2 Gender equity in land reform programmes.

Gender equity in land reform programmes emerges from the Inception Phase Framework Plan (IPFP) 1999-2000. The Inception Phase Framework Plan incorporated issues such as:

'Gender sensitivity, stakeholder participation, concepts of good governance, targeting women as a special group, training women to cater for special needs, provided for affirmative action in certain structures, had a whole paragraph on gender and mainstreamed gender throughout.' (Mbaya 2001:9)

The IPFP was designed in 1998 to guide the LRRP Phase 2 following the International Donor's Conference on Land Reform and Resettlement in Zimbabwe. The IPFP gave way to the FTLRP when the LRRP Phase2 pace was accelerated. The main objectives of the IPFP were to reduce poverty, redistribution of up to 5 million hectares of land to as many beneficiaries as possible

within 24 months (Mbaya 2001:5). The Inception Phase Framework Plan also sought to ensure gender equity in the land reform programme by specifically targeting women as a special group and gender mainstreaming its objectives (Mbaya 2001:9). FAO (2017) posits that the land reform programme among other things, sought to mitigate limited access to land by women through the introduction of quotas and the policy position was women should constitute 20 per cent of all those allocated lands. In 1998 the government agreed to reserve 20 per cent of land allocated under public resettlement for women and this was promised at the donor's conference (Makonde 2012:187).

In addition, Zimbabwe had ratified CEDAW whereby under article 14 (g) state parties have to ensure that women are treated equally in land and agrarian reforms and they have access to agricultural resources. The IPFP objectives are progressive and a milestone in addressing women's land ownership under the FTLRP. FAO (2017:16) further states that, the introduction of quotas would empower women to have control over land. This was a departure from the traditional norm whereby women could access land through their husbands, fathers or male relatives (FAO 2017:16). Gender mainstreaming and poverty reduction in land reform were considered as some of the objectives under the IPFP and this meant women would not only benefit in terms of land rights and secure tenure but also get support in terms of agricultural inputs to improve their livelihoods.

However, the Inception Phase Framework Plan remained theoretical as this was not fully implemented in the FTLRP. According to the World Bank (2019) lack of land rights by women are a result of weak implementation of policies, insufficient capacity to enforce laws and a lack of political will, poor access to legal services and lack of understanding of laws within communities and households- and by women themselves. In concurrence Daley, Flower, Miggiano and Pallas (2013:8) state that although progressive statutory laws exist there is lack of implementation. The provincial land allocation patterns by sex show that the percentage women landowners comprised less than 20 per cent of the beneficiaries and this finding concurs with the reviewed literature. Matondi (2012:188) posits that the subsequent events proved that the quota of 20 per cent never became a formal policy in the Inception Phase Framework Plan 1999-2000, nor in the land allocations under the FTLRP. The FTLRP phase alone officially benefitted 168.671 families on 9.2 million hectares of land (Moyo, 2013:42). A 2018 study by the AIAS shows that

landlessness continues to be a major challenge among women with over 10,000 landless women and youth listed on the Ministry of Lands, Agriculture, Water, Climate and Rural Resettlement's waiting list (Mazwi 2018:10). The land reform programmes in Zimbabwe have not been gender equitable also due to gender blind policies. Makonese (2017:17) notes that with the FTLRP the initial error in addressing women's access to land was at policy level, in that in a country in which women constitute 52% of the population, only 20% of the available land was set aside for women. FTLRP was characterised by lack of planning and violence as people, mainly war veterans invaded the white owned farms to grab land resulting in a situation which marginalised women. As noted by Manjengwa and Mazhawidza (2009:2) the farm invasions were characterised by uncertainty and no legal framework making movement by women risky. Women who took part in the initial farm invasions and later dropped out did not get any land allocated to them only those who continued to occupy the farms benefited.

4.3.3 Joint tenure for married couples

The Government Land Reform Policy Document of 2001 article 3.2.3.5 now Statutory Instrument 53 Of 2014 on Land Tenure Arrangements addresses the issue of joint tenure for married couples. According to Article 3.3.3.5:

“Names of both spouses should appear on the land leases and title deeds for married couples” (Government of Zimbabwe 2001:13).

This policy offered married women joint tenure with their husbands, which is remarkable. Although the Government Land Reform Policy Document of 2001 article 3.2.3.5 on Land Tenure Arrangements stated that names of both spouses should appear on the land leases and title deeds for married couples this was not fully implemented (Government of Zimbabwe 2001:13). Upon registration of plots it was mostly names on men on the permits as most women were not aware of this policy and this was never questioned. A research carried out by the AIAS (2009:56) revealed that the policy did not allow GoZ officials responsible for land registrations to 'force' applicants applying individually to register jointly as this would be regarded as an intrusion into matrimonial affairs.

The policies put by post-colonial government to address gender inequality were never enforced thus affecting women's access to land under the FTLRP. In 2001 when the FTLRP was launched the old Constitution was in place and did not adequately address inclusive development and gender equality in land ownership. Mushunje (2011:17) notes that, 'the major problem Zimbabwean women face is that the legal framework is set within the context of colonial hangovers where many of the laws were designed to perpetuate a system in which women were objects within the family set up'. Agarwal (1994) notes that although joint title with spouse is preferable to none, independent title would permit women much greater autonomy and enhance their choices—to make their own decisions about land use priorities, to control output, to escape marital conflict, and to have secure access to a means of earning a living in case of marital break-up or of a spouse's death. Jacobs (2013:872) supports this notion that women's position within marriage and upon divorce will continue to deteriorate since they lack land rights due to gender blind policies.

4.3.4 Lack of policy enforcement and commitment to women's land ownership

Another interesting theme emerging from the secondary data is lack of policy enforcement and commitment to women's land ownership by government. In 2000 whilst addressing a rally on how land should be redistributed the late Vice President Msika stated that:

"I will have my head cut if I give land to women and men would turn against the Government" (Matondi 2012:186)

Zimbabwe ratified Article 14.2 of CEDAW and the IPFP on equal treatment of women in land and agrarian reform but there was lack of enforcement and commitment to this as highlighted in the late Vice President's address. Lack of policies and commitment to ensure gender equality in landownership by government is further demonstrated by contradictory statements made by politicians from the same ruling party ZANU PF. In October 2000, the late former President Robert Mugabe also stated that government would ensure a 20% quota for women to benefit from the Fast Track Resettlement Programme, raising hopes in this regard (Human Right Watch 2002:31). However, the then minister of Ministry of Lands, Agriculture and Resettlement, Joseph Made said the government cannot have a say as to which partner should come forward to

apply for land since the family is traditionally made of two partners (Bhatasara 2010:35). Although the government had put a joint ownership clause for couples no measures were put in place for its implementation. As such, Matondi (2012:186) posits that when it comes to women's concerns government becomes extremely reluctant and usually defensive, citing culture and customs as forces that should be taken into account. This commitment of a 20 % quota was never implemented as there was no legal or administration frame work in place to ensure gender equality in the distribution of land (HRW, 2002:31).

Land under the FTLRP belongs to the state unlike in the communal areas where the land is under the custodian of traditional leaders. As such Matondi (2012:187) argues that the FTLRP was an opportunity by government to address any gender inequalities in land ownership without fear of patriarchal backlash from men, since all land belongs to the state. However, this was not the case as there was no political will to prioritise women's access to land through legal backing. The Presidential Land Review Committee Report (2003:25) states that women allocated land under A1 model constituted 18 per cent and those who benefitted under A2 model were 12 per cent. This is a decrease in the number of women resettled under the FTLRP as compared to the previous resettlement programmes. Moyo (2004:26) notes that women were not prioritised for land allocation as individuals given that the predominant criteria used was to allocate to households on the assumption that most of the women in need of land are married or seek land in a family context. As such, Goebel (2005:37) notes that women's chances of achieving the goal of primary land rights seem more remote in the early twenty-first century than they did in the 1980s and 1990s.

4.3.5 Customary law and women's land ownership

In Zimbabwe customary laws coexist with statutory system. Under the FTLRP little progress was made to address patriarchal biases against women's land ownership. For instance Section 23(b) of the Constitution states that:

'There shall be the application of African customary law in any case involving Africans or an African person' (Bhatasara 2010:21).

Also on A2 lease contracts, Clause 15 states that:

'Succession and inheritance of the lease shall be in accordance with customary law'
(Maguranyanga and Moyo 2006:4).

Zimbabwe just like other African states has cultural practices, rituals and attitudes which at times perpetuate discrimination against women. Customary land tenure systems which govern land allocation and property inheritance is patriarchal in nature. The patriarchal society entails a systematic bias against women, which is regularly constructed, pursued and defended in a conscious manner by male-led groups (Chakaona, 2011:13). Under customary tenure system in Zimbabwe, land is owned or inherited by males and not females. The institutional dualism of the customary law and the general law has worked to disadvantage women from land ownership. Although, land distributed under the FTLRP all belongs to the State both customary and statutory laws have been instruments in discriminating against women land tenure.

Pervasive patriarchal biases persisted during the FTLRP as customary law was allowed to prevail over statutory law. Maguranyanga and Moyo (2006:4) note that the post-2000 Zimbabwe land allocation is embedded within wider sociocultural relationships and the succession and inheritance laws of Zimbabwe. For instance on A2 lease contracts Clause 15 states that succession and inheritance of the lease shall in accordance with customary law thus perpetuating gender inequalities (Maguranyanga and Moyo 2006:4). This puts women at a disadvantage as customary laws usually favours male inheritance thus perpetuating gender inequalities and does not protect children of the deceased parents. Maguranyanga and Moyo (2006:4) note that the proposed lease agreement for A2 farmers does not adequately address the inheritance issue and seems oblivious to realities of conflict over inheritance.

This is further supported by scholars like Gaidzanwa (2011:10) who argue that the FTLRP made no effort to separate the customary and statutory law and to identify the sources of women's oppression due to application of each of these laws. For married women the Matrimonial Causes Act in theory protects them from discrimination in regard to land ownership, yet Section 23(b) of the Constitution states that there shall be application of the African Customary law in any case involving Africans or an African person (Bhatasara 2010:21). No amendments were made to the old Constitution during the FTLRP to challenge the African Customary Law which permitted the

allocation of land to men resulting in inequalities and discrimination of women in terms of land ownership and control making inclusive development difficult. Changes were only made in 2013 in the new Constitution when most of the land under the FTLRP had already been redistributed. As such women lack security of tenure due to gender biased laws, colonial hangovers and traditions that inhibit them from owning and inheriting land.

The re-enactment of the Traditional Leaders Act in 2000 also worked to the disadvantage of women land tenure. The District Administrator had to allocate land based on the recommendations of chiefs, headmen and village heads, who make up the traditional structures which in nature are patriarchal. Chiefs played a leading role in land restitution by mobilising people, often in the repossession of ancestral lands (Majengwa and Mazhawidza 2009:2). With traditional leaders involved this meant women were likely not to benefit as they usually allocate land to men. Gendered land access inequalities mostly originated at the point when women who were applying for land faced bureaucratic bottlenecks selection process, and because women lacked adequate information on the selection process (Moyo 2011:504). Goebel (2005:37) notes that chances of women achieving primary land rights under traditional authorities are slim.

The FTLRP was radical in addressing the racial land imbalances but failed to address gender gaps and inclusive development in land ownership. Inclusive development emphasizes on development which takes into account the poorest and most marginalized by considering economic, social and environmental dimensions and structural factors that hinder the poorest from participating in the development process (Van Gent 2017:8). The FTLRP failed to take into account the rights and needs of women to own land and derive livelihoods from it. The FTLRP did not have gender policy resulting in only a few women benefitting. Most of the land was allocated to men as patriarchal assumptions view a household as a single unit headed by men. A reviewed a report by the United Nations Human Rights (2013:2) posits that in many countries gender disparities with regard to land and other productive resources are linked to assumptions that men, as heads of the households, control and manage land. Furthermore, Dekker (2017:3) notes that inequality is a great concern for those who are 'left behind' from a rights perspective, and for the future prospects of societies and economies. Through inclusive development everyone, including marginalized groups regardless of gender is brought into the development process through equal access to resources such as land. Though Zimbabwe has ratified

international and regional statutory on gender equality this was not fully implemented under the FTLRP thus affecting women's landownership.

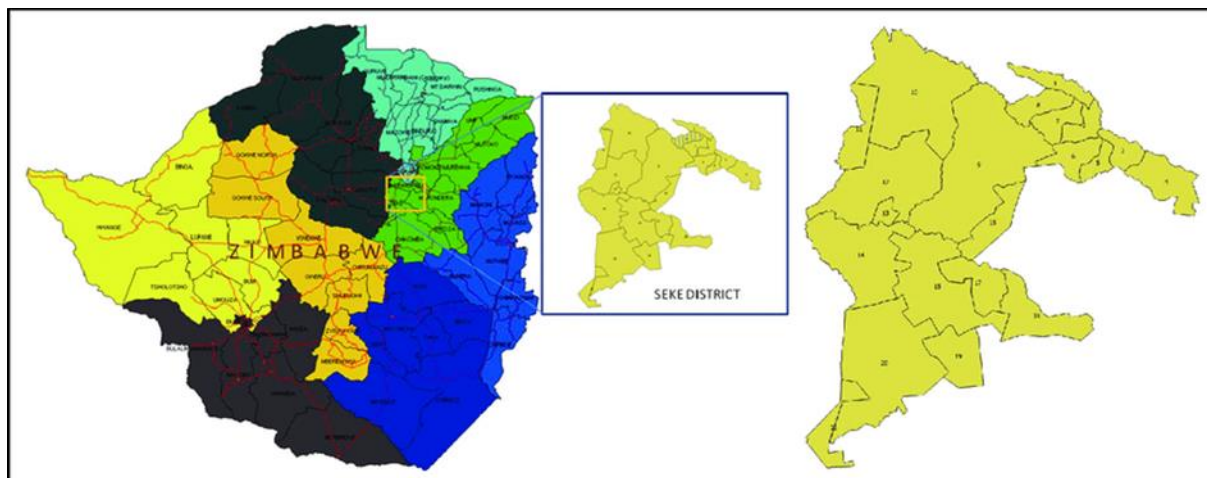
4.4 Primary data analysis

4.4.1 Seke District Case Study

Data from the study participants confirms what the review revealed that land is crucial asset in the welfare and empowerment of women. The cases below serve to give in-depth insight on women's landownership under the FTLRP in Zimbabwe. Qualitative approach was used to collect information to answer the research questions on the impact of the FTLRP on women's land ownership in Seke District. Interviews were conducted using an interview guide (see Appendix A) with female and male beneficiaries from Dartmoor and Ellerdale farms. Participants in the study also include government officers from the Ministry of Lands, Agriculture and Resettlement and AREX office. Prior to presentation of data, a profile of the study area is summarised to highlight the different characteristics of the area.

4.4.1.1 Profile of the study area

Figure 4: 1 Map of Zimbabwe showing location of Seke District Map (Chivasa 2017:2)



Source: https://www.researchgate.net/figure/Seke-district-wards-map-including-ward-8_fig1_320737840/amp

In Zimbabwe, all land acquired under the FTLRP belongs to the state and there were two basic resettlement models, model A1 and model A2. These resettlement models were formed based on the objectives of the donor conference agreement which focused on poverty reduction through beneficiary selection from vulnerable groups that involved women, the disabled, former farmers and the landless (Sifile, Chiweshe & Mutopo 2021:13). The aim of A2 model was to create small-scale and medium scale Black Indigenous farmers. Those interested in large commercial farms, A2, were expected to have collateral in the form of adequate financial resources, assets, and agricultural training. Applicants for A2 farms also had to submit their development plans. Due to the criteria for A2 model countrywide, only 11.6% of those allocated commercial farms were women compared to 76% men (Madebwe & Madebwe 2011:98). A1 model was intended to decongest rural areas; cater for the landless, unemployed, and disadvantaged people from communal, urban, and other areas. Under A1 scheme, beneficiaries got about 5 to 6 hectares of land for farming and 7 to 15 hectares per household for grazing (Moyo 2009:12). This research focused on women drawn from A1 model as most women who benefitted in the country from the FTLRP launched in 2000 are under this model. The Presidential Land Review Committee Report (2003:25) states that women allocated land under A1 model constituted 18 per cent

The study was undertaken in Seke District in Mashonaland East Province of Zimbabwe. The district is peri urban as it lies 30km South East of the capital city, Harare. There are twenty-one (21) wards comprising of communal area, large scale commercial farming areas and agriculture is the mainstay of economy. The district is known for crop and livestock farming. The research was limited to only two farms Ellerdale and Dartmoor farms. These two farms benefitted under A1 model. At Dartmoor there are 100 plots and at Ellerdale they are 18 plots. The study focused on women settled on these two farms to ascertain their landownership status and how they derive their livelihoods. Male beneficiaries and policy lawmakers were also included in the study so as to explore their perceptions on women's landownership under the FTLRP. These two farms were chosen as they are familiar to the researcher instead of the entire district. Participants had to be either a woman or male beneficiary of the FTLRP or a government official directly involved in the land resettlement programme in Seke District. Thus, participants in the study are total of thirty. Twenty-two participants out of 100 beneficiaries at Dartmoor farm and eight participants from 18 beneficiaries at Ellerdale farm were interviewed.

The landownership status at Dartmoor and Ellerdale farm indicate that most women did not acquire land in their own rights. As such there is need to analyse the various factors that might have resulted in unequal land ownership at the two farms using primary data. Table 4: 5 below shows the land ownership status as a percentage at the two farms.

Table 4: 5 Land ownership status of beneficiaries

Land ownership status	Dartmoor Farm	%	Ellerdale Farm	%
Plots registered under men	63	63	16	88
Joint ownership plots	32	32	-	-
Plots registered under women	5	5	2	12
Total	100	100	18	100

Source: Ministry of Land, Agriculture and Resettlement. 2021

4.4.1.2 Demographic characteristics of the participants

It was important to find out from the participants their gender, age, marital status and education level as these characteristics show how the FTLRP have impacted them differently.

(i) Gender

Of the 30 participants, 20 were women representing 67% of the participants and 10 were men representing 33% of the participants. The study was focused on women's access to land, so it was necessary to conduct interviews with many women so as to ascertain how they fared in terms of land ownership under the FTLRP. Interviews were also conducted with male beneficiaries. The reason for including men was to get different views as to how men felt about women owning land.

(ii) Age groups of participants

Most of the participants interviewed were above forty-five years with only a few below thirty-five years as shown in **Table 4: 6** below. The reason being when the FTLRP was launched most of these beneficiaries were staying in the communal areas on their parents plots as such the land reform programme in 2000 presented an opportunity for them to own their own piece of land. Also, mostly men who were above fifty years were war veterans who had been allocated land in Seke district due to its proximity to Harare. Most of the people below thirty-five are not interested in farming and prefer working in the urban areas.

Table 4: 6 Age groups of participants

AGE	MEN	WOMEN	TOTAL
18-25	0	0	0
26-35	2	4	6
36-47	3	7	10
48 and over	5	9	14
Total	10	20	30

Source: Field data. 2021

(iii) Marital status

Women are not a homogeneous group hence it was necessary to establish their marital status whether they were married, single or widowed. This was important as it assisted in determining if women had acquired land in their own rights, under joint spouse ownership, inheritance or had been excluded on the land permits. The same criteria also applied to men as it was important to know their marital status. Twenty five of the participants were either legally or traditionally married or cohabiting and the five were widowed. Women in civil marriages under the Marriages Act, Chapter 5:11 and the traditional marriage under the Customary Marriages Act, Chapter 5:07 are protected under the Matrimonial Causes Act in terms of equitable share of matrimonial property upon divorce. This means even if their names do not appear on the land permits they are

still entitled to an equal share of the plot upon divorce. However, those who are cohabiting are not protected by the Act in terms of landownership and any other matrimonial property.

(iv) Level of education

In terms of education level, six participants indicated that they did not attain any form of education. Those who had primary level education were six. Fourteen of the participants indicated that they had attended secondary education although some had not completed it. Four participants had also attained tertiary education. Also, the officials employed in the government institutions exhibited a high degree of education attainment. The level of education was of importance as the educated beneficiaries were aware of the land application process and the government policy on spouse joint tenure and had managed to apply for joint ownership of the land. Those who had attained some form of education were also aware of government agricultural programmes that were in place and actively took part in these programmes thus enhancing their livelihoods. Table 8 shows the level of education attained.

Table 4: 7 Participants’ level of education

EDUCATION LEVEL	MEN	WOMEN	TOTAL
None	1	5	6
Primary	2	4	6
Secondary	4	10	14
Tertiary	3	1	4
Total	10	20	30

Source: Field Data (2021)

(v) Land ownership title of participants

It was important to also establish the land ownership status of the participants. Participants were bound to give different opinions based largely on their current land ownership title and it was

important to capture these multiple realities. This information was necessary as it would later allow the researcher to further probe on the process of how participants had acquired their land or how they had been left out. Out of the 10 male participants 4 had joint tenure ownership title whilst 6 had sole tenure ownership title of their plots. From the 20 female participants 6 had joint tenure ownership title, 10 had no tenure title to the land and 4 were widows with sole ownership title to their land. See table 4: 8 below.

Table 4: 8 Landownership status of participants

Participants landownership status	Men	Women
Joint ownership	4	6
Sole Ownership	6	4
No title	-	10
Total	10	20

Source: Field Data (2021)

4.5 Research findings on women’s access to land under the FTLRP

Based on the study objectives and the research questions, themes that emerged from that information from the participants are discussed in the following section under the established themes. Recorded interviews were transcribed into data transcripts. The researcher had to read through the interview transcripts and notes several times so as to compare and contrast the data. The recurring ideas and topics emerging from the data were put into specific categories; answers with similar meaning were put in one category. Categories of interview responses and secondary data were juxtaposed and then interpreted for specific meanings to generate themes. Generated themes were reviewed to ensure that they are useful and an accurate representation of the data. The following themes emerged from the interviews land allocation process, the policy framework and women’s land right, beliefs and patriarchal perceptions on woman’s landownership and livelihoods under the FTLRP.

4.5.1 Land allocation process

In order to answer the research question on whether women had benefitted from the FTLRP in Seke District, there was need to first understand how the land allocation process worked. From the interview results land was acquired through farm invasions, land application process, joint ownership for married women and inheritance of property.

Below are the sub-themes that emerged from the participants' responses on how they acquired land:

(i) Farm invasions

Amongst the male participants on the question of how they acquired land some indicated that they had participated in the farm invasions and occupation (jambanja). Despite the lack of infrastructure such as boreholes, toilets they invaded the farms and put up temporary shelters for them to stay in as stated below:

Mr L.M from Dartmoor

“When the farm invasions started I decided to join the war veterans to camp on the white man’s farm. The environment during the farm seizures was not conducive for women besides the lack of infrastructure there were also violent incidents between the former white farmer with support from the farm workers and the war veterans. My wife did not join me she had to remain home with the children and I registered her on the permit. Only a few women participated in the farm invasions that could be the reason why we have more men owning land.”

Mr Q.W, Ellerdale Farm

“I was a farm worker here at Ellerdale farm. When the war veterans invaded the farm initially I was one of the few workers who decided to assist them with information on the farm, food and even shelter at the workers’ quarters. I later joined them on full time basis and I was officially given a plot.”

(ii) Joint tenure for married couples

Female participants who have acquired land under joint ownership some indicated that they had applied for the plots with their husbands:

Mrs U.P from Dartmoor farm

“My husband and I are married under civil, so we applied together. When people started to apply for plots we approached the DA’s office and signed the forms under joint tenure. We are among the few lucky people here at Dartmoor who did not take part in the farm invasion but were allocated a plot through application process.”

Mrs F.M.K from Dartmoor Farm

“I acquired the plot under joint tenure. My husband is a war veteran and he was among the first people who set up a base camp at Dartmoor Farm. When the plots were formally allocated my husband registered my name as we are customarily married.”

(iii) Application process

Some of the male participants indicated that they had acquired land through the application process as they were referred to DA’s office by their headman as indicated below:

Mr K.M from Dartmoor

“Most people were sceptical about the whole process including myself since Zimbabwe was heading towards elections and I thought it was just a political gimmick by the ruling party to garner votes and the process would be reversed after elections. I was staying in Zhakata communal areas at my father’s plot and the village head had identified me as a one of the landless people. I then followed the application process and that’s how I acquired my plot. Even during the application period I did not take the process seriously as I was ‘just trying’ and did not register my wife since I thought the process would not materialise given the opposition from the international community, the white commercial farmers and the opposition party, MDC alliance.”

Mr J.C from Ellerdale

“I did not take part in the farm invasions as I was sick. However, I decided to apply for the plot at the D.A’s office. Initially I was put on the waiting list and was later allocated a plot at Ellerdale.”

It was also established that at Ellerdale farm it had been communicated that the head of households should register the plot in their names resulting in sixteen plots being registered under men and women being left out.

The two widows at Ellerdale farm with sole ownership indicated that they had been assisted by the village heads in the application process as they were referred to the D.A’s office:

Mrs Y.P from Ellerdale

“People have wrong perceptions that all traditional leaders are against women’s landownership. The village head for Muda communal area is the one who assisted me to get a plot at Ellerdale. My husband and I were staying with my in-laws when he passed on in 1997 leaving me with 3 young children to take care off. The village head identified me as one of the people who needed land and submitted my name to the headman and the DA’s office. I then applied for the plot and was allocated at Ellerdale farm.”

(iv) Inheritance

Land could also be acquired through inheritance. At Dartmoor it was established that some women with sole ownership title had inherited the land from their late husbands as stated below:

Mrs N.M from Dartmoor

“My husband passed on in 2010 and I approached the Ministry of Lands offices with his death certificate and our marriage certificate to change the permit into my name. The process took long and I had to get assistance from the farm chairman and Women in Law in Southern Africa since my brother-in law wanted to evict me. The permit was only registered in my name in 2015.”

4.5.2 Discussion on institutional arrangements

Institutional arrangements refer to formal government organizational structures as well as informal norms which are in place in a country for arranging and undertaking its policy work (United Nations 2017). The government official from the Department of Lands indicated that during the FTLRP people had acquired land either through farm invasions, the application process, the quota system or inheritance. A District Lands Committee (DLC) was put in place by the government for the selection and allocation of land under A1 model. The land committee members included the District Administrator (DA) of Seke who is a civil servant from the Ministry of Local Government, Public Works and National Housing and officers from the Ministry of Lands, Agriculture and Resettlement, Ministry of Rural Resources and Water Development and Ministry of Environment and Tourism. Other stakeholders included AREX officer, one headman, war veterans and war collaborators representatives, one council representative and a Zimbabwe Republic Police officer. The duties of the committee included identification of farms gazetted for acquisition, processing of land applications, and allocation of plots, settling land disputes and carrying out of farm audits. Farm level institutions, the Committee of Seven, were also established on each farm in accordance with the government policy. A Committee of Seven was set up on the farms to oversee the daily running of the farm. The structure of the Committee of Seven resembles that of Village Development Committee in the communal areas. The Committee is led by a chairman who resembles the traditional village head.

The FTLRP in Seke District started with the farm invasions following the rejection of the draft Constitution in 2000. Through the Rural Land Occupiers Act of 2001 the farm invasions were legalised and invaders were protected from evictions. The officer from the Ministry of Lands explained that those residing in Seke communal areas interested in land had to follow the application process by signing a form at the DA's office. The beneficiaries were given offer letters with their land permits.

Villagers could also approach the headmen through their village heads for recommendations. The lands officer also stated that the government policy specified that a 20 % quota of land should be allocated to the war veterans. It was established that the 20% quota for war veterans

could be the reason why the number of male beneficiaries is high since it was men who mainly participated in the war for liberation.

Priority was also given to those who took part in the farm invasions. As already noted in the literature review, the findings confirm that due to the violent nature of the process few women had participated in the land invasions also resulting in more male beneficiaries. According to Goebel (2005), these conditions marginalised women as new settlers and favoured male war veterans and other militants.

Land can also be acquired through inheritance. The Zimbabwean government put in place The Administration of Estates Act (Chapter 6:01) which states that the matrimonial home remains with the surviving spouse and children as beneficiaries (Made 2015:25). In the event of death of the registered spouse the remaining spouse could have the permit changed to their name. Two widows interviewed at Dartmoor farm confirmed that they had inherited the plots. Widows were expected to produce the death certificate of their husband and an affidavit indicating that they are the surviving spouse for change of ownership by the Ministry of Lands, Agriculture and Resettlement. Although, there is a policy on inheritance some of the widows indicated that they had been threatened with eviction by their late husband's relatives. Contrary to perceptions that traditional leaders favour male inheritance it was noted that the farm chairman at Dartmoor had assisted some of the widows to secure their plots after the death of their husbands and protected them against eviction from the in-laws. At Ellerdale Farm the two widows with sole ownership also stated that the village heads had referred them to D.A's office to be considered for land allocation.

4.5.3 Women's land rights and the policy framework

One of the objectives of the study was to determine how the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 influenced women's access and ownership of land under the FTLRP in Zimbabwe. In terms of policies in regards to woman's landownership most participants especially women, indicated that they were not aware of any as revealed below:

Mrs R.T from Dartmoor

“It is important for us women to get land in our own names as this empowers us and we are able to take care of ourselves and our children. My husband is the one who is registered on the permit and most of the decisions on what to produce are done by him. I do not have much say on how we should use the land but if it was registered in my name it would have been a different issue. The government did not inform us that we could also get our names registered on the permits and I am not aware of any policy on women’s landownership.”

Mrs W.A from Ellerdale

“Women should be given land in their own rights so as to improve their livelihoods. I am a widow and I can manage to send my children to school using the money I get from selling my products. At least if women have land they do not have to engage in prostitution to take care of their families. I have full access and control of the land and my rights are secured.”

Mrs Y.P.T from Ellerdale

“As women we should have the same rights as men in landownership as this will help us to have our own income and independence to make decisions and not depend on men. The permit is registered under my husband and in the event of his death or divorce I am not secured as I might lose the land. We work in the field together with my husband but sometimes I am not given any proceeds from our products sold at the Grain Marketing Board. The issue of men having sole ownership is a problem as some men are selfish and abusive. The government should have made us aware of the joint ownership policy or that we could apply for land in our own names.”

Mr P.W from Dartmoor

“Women should be given land in their own rights as they are citizens of Zimbabwe and land is for everyone. Landownership this will empower women economically and also lessen domestic violence. I have joint ownership with my wife. When I registered the plot I was informed at the D.A’s about the joint tenure policy. My wife has full access to the

land. We make decisions together on how to utilise the land. Also if I am to die my family is secured.”

Mr F.Z from Ellerdale

“It will be good if the government could give land to women as most of the farm work is done by women. In my case if my wife could get her own plot I would appreciate it since she will now be able to embark on her own projects. Although I have sole ownership of the plots, my wife has access to the land and we work as a team.”

However, Mrs E.R from Ellerdale farm was against the idea of sole ownership of land by women and in favour of joint ownership

Mrs E.R from Ellerdale

“It is easy for us women to say we want to have land in our own names but the truth is we will not be able to work that land on our own without the assistance of men. Joint ownership should be encouraged by the government so that we have secure rights on the available plot instead of going to look for another plot in our names. My husband has a job in Harare and I work on the land by myself and I get to make most of the decisions pertaining to farming.”

4.5.4 Discussion on land ownership as a security issue

In regards to policies on women’s land rights, the lands officer indicated that the district did not have specified gender targets instead anyone in need of land be it men or women had rights to landownership and could apply through the District Administrator. The 20% quota for women which had been indicated under the Inception Phase Framework Plan (1999-2000) and also promised by the late former President Robert Mugabe was never implemented during the

allocation process. Bhatasara (2011:319) notes that the objectives of the IPFP were noble; however, the government disregarded its policy objectives. The lands officer highlighted that article 3.2.3.5 of the Government Land Reform Policy Document of 2001 on joint tenure was implemented in the district so as to address gender equality in landownership. Couples were encouraged to register the plots under joint ownership since the application form had a provision for both spouses to register their names and beneficiaries (see Appendix D). In some cases though husband and wife would have both taken part in the farm invasions men only would have their names on the permit. Some women were not aware of the joint spouse tenure policy and also due to intra-household dynamics whereby the man is considered as the head of household. Moyo (2004:26) notes that women were not prioritised for land allocation as individuals given that the predominant criteria used was to allocate to households on the assumption that most of the women in need of land are married or seek land in a family context. It was also learnt that since some of the women had not supported their husbands during the farm invasions so they did not include them on the land permits. In some cases some of the men had taken other wives (small-houses) to stay with at the plots. The lands officer indicated that they had filed peace orders by men who did not want their first wives at their plots even though they had civil marriages.

Amongst the female participants many indicated that the government did not do much to ensure that they benefitted from land allocation as no percentage was put aside for women and some were not aware of the joint ownership policy or any other legislation which made provisions for women's land tenure. As in the case of Mrs R.T from Dartmoor and Mrs Y.P.T from Ellerdale they indicated that they did not know that they could apply for land separately from their husbands and they did not have adequate information on the application process. It was established that although most of the respondent indicated that they had attained secondary education level they lacked adequate information on the application process. Thus, lack of access to information and education in some cases also contributed to women being excluded from landownership under the FTLRP.

In terms of access, control and ownership of land by married women the results confirm what the literature reviewed, that some women felt insecure in the event of a divorce or their husband's death that they might lose the land. The Zimbabwe's Women Lobby Group criticised the

government policy on land reform stating that married women still have to access land through their husbands and have no security of tenure should their husband die (2005). Some women also stated that they have no control on what should be produced on the land and that it was men who decided and where to sell it. A peer reviewed research paper on *Rural women and Land in Zimbabwe* conducted in Mutasa District confirms that in terms of decision making women in male-headed households have little say on what kind of crops to grow, on the amount to be sold and on the amount to be grown for family consumption (Toro 2016:81). Whilst in some cases women still feel threatened to own land as they are accustomed to traditional gender roles of food production and child rearing. The issue of transitioning from owning land jointly and suddenly a woman taking over links is something that women like Mrs E.R from Ellerdale farm feared. As such this call for inclusive development whereby not only gender equality is encompassed but also human development, capabilities and human rights by empowering and training women .

However, a few women indicated that although they did not have title to the land they had control of what to produce on the land and the proceeds that came from it. Whilst a few women who also did not have title to the plots indicated that they made joint decisions with their husbands on how the land was to be used.

4.5.5 Impact of customary laws and patriarchal beliefs on women's land ownership

Patriarchal beliefs against women owning land were also expressed by very few of role players, the male beneficiaries. Some indicated that men are the heads of the households and should rightfully own land In some cases widows were also threatened with eviction by their late husbands' relative under the belief that they have the right to inherit the land under the African culture. These perceptions and beliefs were captured below:

Mr V.G from Ellerdale farm

"I do not think it is necessary to give women land in their own rights. Men as the heads of the households should have their names on the permits so as to earn respect from their

wives as providers. Our African culture says the plot is for the man and even the household is called after the man's surname and not the woman's surname."

Mr C.V from Dartmoor farm

"As a man I should have sole ownership of the plot since in our culture I am the one who pays bride price and not the other way round. Even the bible says men are the heads of the households and women are our helpers. We cannot be at the same level as it will cause divisions in the family unit. My wife does contribute with suggestions on how we should utilise the land and the proceeds from the sale of our products but as the head of the family I make the final decision."

Patriarchal beliefs and perceptions were also revealed with regards to women's inheritance and property rights upon divorce:

Mrs N.M from Dartmoor

"My husband passed on in 2010 and I was threatened with eviction by my brother-in-law since I did not have children with my late husband. My in-laws cited that since my husband did not have an heir according to the African culture his brother was supposed to inherit his plot and they threatened to evict me several times. I managed to get assistance from the farm chairman and Women in Law in Southern Africa to avoid eviction. However, I continue to face harassment from my late husband's family."

Mr T.F from Ellerdale

"The reason why I had registered land in my own name is a way of showing that I am in control of the property and it is the only way I can earn respect from my wife as a provider. Upon divorce the plot will remain with me and my wife will have to return to her parent's home. There is no way we can share the plot so that she can bring her new husband it is not part of our culture."

However, most male participants supported the idea of women owning land in their own rights. Some expressed views that women's rights to land should not be infringed as a result of cultural beliefs. The following views were expressed:

MR X.C.V from Dartmoor

“If we say women should not get land it will be a mistake, land is for everyone despite gender. In this area most of the farming is being done by women so government should have women register plots in their names. My wife and I jointly own the plot and we make decisions together. In the event of death my wife and children should continue to use the land they should not be evicted, they should be protected by the law.”

Mr J.P from Dartmoor

“There are no cultural constraints that hinder my wife from full access and control of the land. It is my wife who decides how the land should be used and what we should produce since I spend most of my time in Harare where I am working. I support her with the required inputs Men should not use cultural beliefs to oppress women.”

Mrs Z.P from Ellerdale

“Although my name is not on the land permit I have full access and control on how the land should be used. We make decisions together with my husband and most of times it is my suggestions which we implement. I am married under customary law and upon divorce or death my property rights are protected. My husband also has a Will to protect me and the children in the event of his death.”

The land officer also explained on the role of traditional leaders in the allocation system in order to establish if customary laws had any effect on women's land ownership under the FTLRP. He stated that:

“Unlike in communal areas where the traditional leaders are solely responsible for land allocation, under the FTLRP land was allocated by the District Land Committee (DLC). The traditional leadership is part of the DLC and is either represented by the chief or

headmen. Traditional leaders could make recommendations to the DLC of people in the communal areas who needed land and these were mostly men as they were considered as heads of households thus disadvantaging women.”

4.5.6 Discussion on patriarchy and gender stereotypes

Patriarchy is a form of mental, social, spiritual, economic and political structuring of society produced by gradual institutionalization of sex-based political relations created, maintained and reinforced by different institutions linked closely together to achieve consensus on the lesser value of women and their roles (Facio 2013:2). One of the objectives of the study was to explore the socioeconomic impact of Zimbabwean customary law on women's landownership and explore the perceptions of other role players on women's landownership. The data gathered confirms what the literature reviewed that patriarchy and gender biases still exists in African societies and has negatively affected women's land ownership under the FTLRP. Among the male participants with sole ownerships some believe that under African custom men are the head of the family so it was proper to have the plot registered in their names. Customary practices assume that men are the heads of the families, thus, are given land and land is registered in their names Bhatasara (2011:321). It was also established that in some cases women lack control on the land use and secure land rights. According to Li Ping (2003 in Bhatasara 2011:323), from her studies in China, women can secure their livelihoods when their land rights are legally recognizable, socially recognizable, and enforceable by authorities. Although, it was mostly women who provided much of the labour on the farm it was men who decided what should be produced on the land and how the proceeds were to be used. This shows that in some cases women still face cultural constraints within marriage as men are still considered as heads of households resulting in women not being able to access and control land in their own rights. Also in terms of agricultural inputs issued under the Command Agriculture and Pfumvudza/ Intwasa Programmes by the government it is mostly men who benefit as these were mainly given to plot owners who are mostly men. However, a few of the female participants stated that they had equal access to the family plot even though their names did not appear on the permits.

Patriarchal laws and beliefs also determine women's access to landownership especially when it comes to divorce. Although the government has put the Matrimonial Causes Act in place that upon divorce the two parties should share the property equally. It was established that upon divorce customary law is usually applied and women do not have traditional rights to individual pieces of land as they are expected to return to their parents' home upon divorce.

Patriarchal tendencies to some extent influenced the allocation process. It was established that in the newly resettled farms the chairman still feel they have the authority under the customary law to allocate land and arbitrate over land disputes and in most cases they still prioritise men. This has resulted in illegal settlers being allocated pieces of land in the grazing land and the DLC has failed to stop this. At Dartmoor they are forty illegal settlers who had obtained land in the grazing area.

Patriarchal traits were also evident in the composition of lands committee structure which was responsible for land allocation. The committee was male dominated with only one woman, the District administrator, resulting in bias in the land allocation. The issue of land is still considered as a man's domain thus diminishing women's spaces in land reform programmes. Also at the newly resettled farms it was established that a farm level village committee (Committee of Seven) is also dominated by men with only one post set aside for women. Most women participants highlighted that the women representative did not have much influence as most of the decisions were made by men. Thus, Moyo (1995:67) posits that in the case of Zimbabwe, understanding power and patriarchy will assist to analyse how male-dominant institutions actually function and why women are often at a disadvantage in such institutions.

However, in a few cases traditional leaders had assisted widows from communal areas to acquire land under the FTLRP. This is contrary to reviewed perceptions that traditional leaders as custodians of patriarchal societies do not entertain women's interests (Mafa *et al* 2015:128). For instance widows at Ellerdale farm had secured their land through recommendations made by the village heads to the DLC. Also at Dartmoor the chairman had assisted widows who were threatened with eviction to secure land permits in their names.

4.6 Women's livelihoods under FTLRP

Since the formal launch of the FTLRP in 2000 there has been a significant alteration of people's lives and livelihoods in Zimbabwe. The study sought to determine the extent which the FTLRP makes provision for women to acquire land and derive livelihoods from it. This section will address the positive outcomes that the FTLRP has on the women's livelihoods whilst the challenges will be discussed in section 4.7. Tsikata (2003:13) notes that in relation to land tenure, studies have demonstrated how inequalities between men and women in ownership, control of and access to land have resulted in gender inequalities in their livelihoods outcomes. Despite the reduction in production in the agricultural sector, some women resettled under the programme have indicated that their lives have been transformed for the better. Women at Dartmoor and Ellerdale farms have adopted different livelihood strategies such as crop production, livestock rearing, cooperative gardens and Rotational Savings and cross-border trading. These sub-themes are discussed below.

4.6.1 Crop Production

As stated below most women are mainly engaged in food crop production of maize, beans, sweet potatoes, and tobacco and vegetable gardens. Maize was the dominant crop with all the twenty female participants from the two farms producing it. **Table 4: 9** shows the number of female participants engaged in crop production.

Table 4: 9 Female participants engaged in crop production

Participants	Maize	Beans	Cooperative Vegetable gardens	Sweet potatoes	Tobacco
Dartmoor	15	12	15	11	4

Ellerdale	5	4	3	5	1
Total	20	16	18	16	4

Source: Field Data (2021)

Mrs N.M from Dartmoor:

“I mostly engage in crop production of maize, beans and vegetables. I usually get surpluses which I sell in Harare.”

Mrs E.R from Ellerdale farm

“Maize is a crop which is grown by almost everyone here. It our staple food so if you have maize you do not have to worry about food shortages. I also grow vegetables and at times millet. I also joined the vegetable cooperative where we work as a group of women to produce vegetables such as cabbages, spinach, carrots, beetroots, onions and tomatoes to sell at Mbare Market in Harare.”

AREX officer

“Most women are engaged in crop production with maize being the dominant crop. The government usually assists with maize seed and fertilizer under the Command Agriculture Programme or the Pfumvudza/ Intwasa programmes and many households benefit from it. Women also grow crops like beans, sweet potatoes and vegetables. At Dartmoor farm the first green house was put up by a widow for her vegetable project. Through the FTLRP most women have been empowered to provide for their families and contribute to food security in the country.”

Some women have maintained regular production of crops for sale in urban areas thus entering the public sphere due to the new livelihood security systems that have emerged under the FTLRP. Maize production is most common crop produced for household consumption with surpluses being mostly sold to the Grain Marketing Board. Women are also deriving their livelihoods from cooperative gardens. At Dartmoor women had started cooperative gardens where vegetables, maize, tomatoes and onions are grown. Maruve and Chitongo (2017:5) note that cooperative gardens as a livelihood strategy, by Help German, an NGO, have improved the

standards of communities. This is further supported by Rukuni and Eicher (in Maruve and Chitongo 2017:5) who assert that, cooperative gardens are a livelihood diversification strategy since crops grown provide food which act as a buffer against food insufficiency prior to main harvest. Surpluses from cooperative gardens are also sold providing women with an income. Tobacco production was not popular amongst most women even though it brings in more income than food crops. It required a lot of expertise to grow and cure it so it was mostly grown by men. Most female participants at Dartmoor and Ellerdale indicated that their livelihoods had improved under the FTLRP as they could now provide food for their families. Women have also managed to accumulate assets such as solar panels, livestock and are able to send their children to school.

4.6.2 Livestock production

Women also indicated that they relied on livestock production. Chickens, goats, pigs were among the popular animals being kept for small income generating projects. A few women had cattle whilst rabbits, ducks and turkeys were mostly for consumption.

Mrs Y.P.T from Ellerdale:

“I have goats and chickens which I keep for consumption and sale. The chicken project makes it possible for me to have readily available money to send my children to school. Goats are also easy to keep and can be easily sold during times of emergencies.”

Mrs G.H.S from Dartmoor:

“Chicken breeding is a viable source of livelihood as we usually get people for Harare coming to buy chicken and eggs in bulk. I also recently engaged in piggery as it seems to be a lucrative. I tried cattle production before but it was a problem due to high rates of theft and it requires huge capital.”

Livestock production is also a dominant livelihood activity amongst women with chicken breeding being the most popular. Cattle production is not popular amongst most women as it required large financial capital and space. A1 farms do not exceed 6 hectares making it difficult

to practice extensive livestock production (Maruve and Chitongo 2017:4). Chicken, pig and goat production were seen as viable options. It was noted that the rate of stock theft in Seke area was high hence cattle production was risky especially for women due to lack of security on the farms.

4.6.3 Rotational savings clubs and collective organisations

Women also engaged in Rotational Saving Clubs and collective organisation as a livelihood activity. Group members contribute money towards member and this has enhanced their livelihoods as explained below:

Mrs .E.D from Dartmoor farm

“I joined a rotational club with 12 members and every month club members contribute \$10 towards one member of the group and we rotate every month. The club helps us to save money on a monthly basis as we will get it in a lump sum making it possible for us to buy household items which require a lot of money such as solar panel and even agricultural equipment.”

Mrs P.L from Dartmoor

“Money clubs make it possible to borrow money whenever we are stranded although we have to repay with interest it is better than loan sharks who charge high interests. We are able to buy agricultural inputs using money from the club.”

At Dartmoor farm it was established that Rotational Savings (ROSCAs) and vending as the major off-farm livelihood strategy was popular with most women. Women re-invest their incomes from the sale of their produce in social clubs. ROSCAs provide a means for utilisation of surplus funds and savings for low income households which give a window opportunity for members to save, at the same time maximizing return (Maruve and Chitongo 2017:5). Women’s collective organisations have also been formed at village level to help assist with purchasing of farm implements, acting as commodity associations and accessing markets for their produce. In

Zvimba, Goromonzi and Mazowe, women's farmer groups in fast track areas have influenced the setting up of such groups in communal areas such that the role of Zimbabwe Farmers union is diminishing and women have created a platform of engagement in their livelihoods (Mutopo 2014:198).

4.6.4 Cross border trading

In some cases women have resorted to cross border trading of their produce in South Africa as a livelihood activity which was not possible before the FTLRP. Mutopo (2014:205) notes that with the fast track and women producing more agricultural commodities, the South African sphere emerged as an important market niche that helped in cushioning the women from economic problems in Zimbabwe. However, at the time of the research women involved in cross border trading indicated that their livelihoods had been affected due to Covid-19 and the closure of the Beit-bridge border post they could not travel to South Africa to sell their produce.

4.7 Challenges faced by women in deriving livelihoods under the FTLRP

This section looks at the challenges women face in deriving their livelihoods under the FTLRP. Women play an important role as farmers but face many constraints besides lack of land ownership. The FTLRP has seen a significant drop in agricultural production and food availability in Zimbabwe. According to Sachikonye (2005:35), maize production declined from an average annual output of about 1.7 million tonnes in the mid-1990s to between 0.9 million and 1 million tonnes in 2000-2004 and wheat production fell by about 20% from the average annual. This study reveals that the FTLRP made provisions for land without availing capital, basic infrastructure, and access to markets, appropriate technology and training. Erratic weather also emerged as a challenge faced by women.

4.7.1 Lack of capital and credit facilities

Most women indicated that they lacked capital and access to credit facilities to enable them to buy equipment and agriculture inputs such as seeds, fertilizers, pesticides and among others to engage into full production as revealed below.

Mrs D.Z from Ellerdale

“The major problem that I have is lack of capital and access to loans to buy equipment such as tractors, ploughs and even agricultural inputs such as maize seed and fertilizer. We need modern equipment to till the land since our plots are big and cannot continue using hoes. Also the inputs we get from government are not enough so I only end up producing for family consumption and have little surpluses to sell. This means I will not be able to get enough income to buy equipment or inputs for the next season.”

Mrs E.D from Dartmoor

“Lack of capital is the major problem, we just moved from the communal areas with no proper equipment and the government has not been able to give us start-up capital to buy equipment and inputs. We also cannot get loans. The seeds and fertilizers we get from government are not enough and sometimes we do not get them due to corruption in the distribution process.”

These views were acknowledged by the AREX officer stating that:

“Women are failing to reach their full potential as farmers as they lack capital to buy farming equipment and agricultural inputs. Although government has been supportive through the Command Agriculture Programme and Pfumvudza/ Intwasa programme most of the times the inputs are not enough for everyone.”

Lack of finance is the major problem faced by women since the FTLRP only availed land without start-up capital. Women also fail to get loans from banks and micro- finance organisations since they cannot use land as collateral as it belongs to the state. Reviewed literature also indicated that women in the resettlement areas were denied access to credit and

loans because they did not own land (Peters and Peters, 1998). Scoones, Marongwe, Murimbarimba, Mahenehene and Sukume (2011:5) posit that others without start-up capital have been unable to accumulate any assets and live in poverty. Others have found it extremely difficult and have since abandoned their plots in favour of employment (Scoones *et al* 2011:5). The government is also struggling to provide agricultural inputs to all farmers. It was also established that there was corruption in the distribution process of these inputs. Women at Dartmoor farm indicated that they had approached their farm level women's representative to address the issue of corruption with the farm committee but nothing was done. At times government inputs come late when the rain season is over hence they could not be relied on.

4.7.2 Lack of basic infrastructure

Another problem faced by women is that of basic infrastructure as indicated below:

Mrs Y.P.T from Ellerdale farm

“We have to walk long distances to access the closest borehole and grinding mill losing valuable time meant for other chores.”

Mrs G.H.S from Dartmoor farm

“The clinic, borehole and school are very far we have to walk long distances. It would help if government could provide these basic infrastructures on the farm.”

Most women like Mrs Y.P.T from Ellerdale farm and Mrs G.H.S from Dartmoor farm indicated that there was lack of infrastructure such as boreholes, clinics, grinding mills and electricity making their household chores and farm work difficult. Women at Dartmoor farm stated that they have to walk long distances to access the nearest source of water or clinic which is in Beatrice. The poor roads network also made it difficult to have transport providers servicing the area. Women at Ellerdale indicated that they could access water from Ellerdale dam however; it was not safe because of the crocodiles. At times women also have to travel long distances to

accompany their children to the nearest school. Thus valuable time meant for production is spent trying to access the closest service area.

4.7.3 Lack of modern equipment.

Lack of modern equipment is another challenge faced by women making farming a huge burden as articulated below:

Mrs E.P from Ellerdale farm

“We do not have access to modern equipment such as ploughs, tractors and draught power making our work difficult.”

AREX officer

“Women lack equipment such as tractors, harvesters, irrigation equipment, ploughs which could make their work easier. Women provide most of the labour on the newly resettled farms and are responsible for providing food for their families as most men usually spend their time in Harare or drinking alcohol. Women are the ones who largely participate in the farm trainings provided by AREX hence access to modern equipment would make a huge difference for them.”

Women also found it difficult to work on the land as they lacked modern equipment such as tractors, ploughs and most of the irrigation equipment acquired from the former white owners was broken and need to be replaced. Due to lack of capital it was not possible to buy the required equipment.

4.7.4 Lack of access to markets

Another sub-theme which emerged from the interviews was that of lack of access to markets by women to sell their produce as highlighted below:

Mrs Q.W from Dartmoor farm

“It is difficult to access markets due to lack of transport and also at times our produce flood the local market and we are forced to sell at a low price and especially with vegetables we cannot keep them for long as they are perishables.”

Due to lack of transport and good road infrastructure women also find it difficult to take their produce to the markets. Some women indicated that they usually grow food crops which are easy to farm such as maize, beans and vegetables and can be easily sold locally without having to worry about transport. However, these products usually flood the local markets and they are not able to obtain high prices for them unlike cash crops like tobacco or cotton which have high prices and buyers are even willing to travel to the farms to purchase them.

4.7.5 Erratic weather conditions

Another challenge faced by women under the FTLRP is that of erratic weather conditions. Drought and floods have become frequent in Zimbabwe making farming difficult as revealed below:

Mrs D.T from Ellerdale farm

“I rely on rain-fed farming which means if there is drought I will not be able to harvest anything since I do not have irrigation equipment.”

Mrs C.M from Dartmoor

“The past few years have been difficult as we continue to lose our crops due to drought or flooding. This year (2021) we had excess rains which ruined our maize crops.”

Erratic weather conditions are a major challenge faced by women resulting in food shortages even at household level. Some women felt they were better off when they were staying in the

communal areas. During times of drought, floods or other difficulties donors could assist them unlike in the new resettlement areas. It was established that some of the non-governmental organisations have distanced themselves from the FTLRP due to the violence and the manner it was carried out and have not given assistance to the newly resettled farmers.

Due to these challenges drought, ill-health, lack of capital, basic infrastructure and poverty have resulted in others dropping out opting to go back to the communal areas. Scoones *et al* (2011:5) asserts that the process of land invasions and establishing new farms was not easy as it required courage, commitment and hard work resulting in others giving up. Thus, even if women have access to land it can only be useful to them if they have inputs so as to reach their maximum potential. There is need for government to ensure that inclusive development is implemented in the agricultural sector whereby women not only benefit in landownership but also have access to productive resources so as to improve their livelihoods, food security and the economy at large. There is need to place women and women's land rights at the centre of national development agenda for inclusive and sustainable development.

4.8 Summary

The chapter presented the research findings and results based on themes derived from both secondary and primary data. Secondary data on land policy documents such as the Inception Phase Framework Plan and Article 3.2.3.5 of the Government Land Reform Policy Document of 2001 and international and regional legal and policy framework on women's land rights such as CEDAW, the SADC Protocol on Gender and Development and the Maputo Protocol among others were analysed first to evaluate if the legal and statutory framework had provisions for women's land ownership. The study showed that Zimbabwe ratified both domestic and international statutory framework on women's rights to land, however, these have remained theoretical as they were not implemented during the FTLRP. The 20 % quota promised to women under the Inception Phase Framework did not materialise and few women knew about Article 3.2.3.5 on the joint tenure arrangements. Women did not benefit much land under the FTLRP as there was no legal framework in place to ensure gender equality in the land

redistribution. Under A1 model women only got 18 % of the agricultural land and 12% under the A2 model.

The discussion established that during the allocation process priority was given to war veterans and peasants who took part in farm invasions. Land was also issued to those who applied without taking gender equality into consideration as there was no legal framework to address this. In some cases, customary law prevailed where by land was allocated to the head of the household disadvantaging women. Lack of education and information also worked against women's access to land as they were not aware of the application process.

The chapter also discussed how the FTLRP impacted on women's livelihoods positively. Most women indicated that even though they did not own any land in their names they appreciate just having land where they can farm and provide for their families. Most women are engaged in crop cultivation, livestock production, cooperative gardens, rotational savings and cross-border trading so as to improve their family's welfare and food security. Challenges faced by women under the FTRLRP such as lack of capital, credit facilities, access to agricultural inputs, , equipment and basic infrastructure were discussed in this chapter.

The next chapter provides a conclusion of the study and recommendations for future policy considerations.

CHAPTER 5

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter provides a conclusion on the study of women's land ownership under the FTLRP. The chapter summarises the objectives, importance of the study, literature reviewed, the research methodology and the findings. A conclusion is drawn that women have not benefitted much under the FTLRP in terms of landownership and face challenges in accessing the required inputs even though their livelihoods have improved. The chapter also provides recommendations for future policy on how women's access to land and their role in agriculture and poverty reduction can be improved.

5.2 Summary from literature review

In most countries women own less land and lack secure land rights. The World Bank (2019:1) notes that women from half the countries in the world are unable to assert equal land and property rights despite legal protections. Women make up on average less than 20 per cent of the world's landholders but make up an estimated 43 per cent of agricultural labour force (Facio 2017:1). Kang, Schwab and Yu (2020:5) contend that to achieve land goals such as enhancing land productivity, providing affordable housing, or encouraging sustainable resource management, gender disparities in land tenure must be taken into account. The argument by Kang et al (2020:5) follows the fact that Gaddis, Lahoti and Li (2018:7) noted that frameworks for land tenure policy that clearly address women's access to land are urgently required.

Akinola (2018:14) propagates the notion that at least 70 to 80 percent of all agricultural work in Nigeria is done by women. According to federal and state legislation, women have the right to own or inherit land in Nigeria (Kang et al 2020:11) however findings by Ossome and Naidu (2021:9) indicate that just 10% of landowners in Nigeria are female. This disparity may be found all around the world, not only in Africa. In Lesotho, changes to land ownership laws have taken place since 2010, including the establishment of a new land agency and the reduction of the cost

of land registration, as well as land titling in the cities. Lesotho's recent legislation aims to protect women's rights to land in the face of both genuine and imagined challenges to their position. The management of customary land in Malawi has been the subject of a long-term effort to develop new institutional structures. As a result, people, and those in positions of responsibility now have clearer understandings of how new procedures work. A collection of colonial and single-party regulations has dominated land governance in Malawi since the country's independence in 1964 (Mpesi et al. 2018:12).

It is crucial to recognize how little formal legislation affects rural women's lives, especially in countries like Nigeria. As a result, there is need for rules which will be strictly enforced to protect women's right to land. More sustainable human-environment linkages and improved climate change adaptation can be achieved in Africa via the management by women of land resources. Women's communities will be better off if they are allowed to own the land they labor on. Lesotho's recent land reform attempts to promote "new pathways" and "new rights" as well as "new capacities" through market-driven land rights. To manage surpluses (from land production or sale), acquire credit using their land as collateral, and avoid being evicted by in-laws following a husband's passing, these were the key benefits women were expected to receive from the Land Act 2010. Registration and titling of customary estates is not affected by the recently passed land legislation in Malawi. However, if nothing is done to campaign for and promote knowledge of women's land rights, it is likely that males will dominate the process of registering properties.

Literature reviewed has shown that in Zimbabwe the FTLRP aimed at addressing the racially skewed land ownership and women's landownership was not prioritised. Racial equity eclipsed gender equity in the FTLRP such that issues relating to equity based on gender were not discussed. The legal framework had no gender policy in place to ensure that women benefited from the FTLRP. According to the Presidential Land Review Committee Report (2003:25), women allocated land under A1 model constituted 18 per cent and those who benefitted under A2 model were 12 per cent. The co-existence of customary and statutory laws impacted negatively on women's access to land under the FTLRP. Gaidzanwa (2011:10) notes that the FTLRP made no effort to separate the customary and statutory law and to identify the sources of women's oppression due to application property inheritance laws. Customary land tenure

systems which govern land allocation and property inheritance is patriarchal in nature, thus discriminating against women's land ownership.

5.3 Summary from primary research

5.3.1 The Inception Phase Framework Plan 1999-2000 and the Government Land Reform Policy Document of 2001 and women's access, control and use of land

The study shows that the Inception Phase Framework Plan 1999-2000 and Government Land Reform Policy Document of 2001 influenced women's access, control, and use of land under the FTLRP in Zimbabwe. The influence is seen between a comparison of phase 1 and 2. Under Phase 1, women's land ownership was not prioritised despite the 1980s legal frameworks put to support women's equal participation in the economy. Unlike LRRP phase 1 which made no mention of women, phase 2, which was accelerated to the FTLRP, sought to resettle people on 5 million hectares of land in a gender sensitive manner (Mbaya 2001:4). The legal framework of LRRP phase 2 had a provision of resettling women and this was a remarkable move. However, no numerical targets were given and this largely remained theoretical as women did not benefit much considering their role in agriculture and food security. The 20 % quota land allocation for women which had been promised during the Inception Phase Framework was never implemented. Matondi (2012:188) posits that the subsequent events proved that the quota of 20 per cent never became a formal policy in the Inception Phase Framework Plan 1999-2000, nor in the land allocations under the FTLRP. This negatively impacted women's access to land as only 18% managed to acquire land under the A1 model. Government Land Reform Policy Document of 2001 offered married women joint tenure with their husbands, which is remarkable. Findings from Dartmoor farm indicated that most women who got access to land under the FTLRP it was under joint ownership with their husbands. However, most women were not aware of the joint ownership policy resulting in more plots being registered under men and less women benefitting. A research carried out by the AIAS (2009:56) revealed that the policy did not allow GoZ officials responsible for land registrations to 'force' applicants applying individually to register jointly as this would be regarded as an intrusion into matrimonial affairs.

5.3.2 The impact of Zimbabwean customary law on women's access to land

The study also explored the impact of Zimbabwean customary law on women's access to land. Among the male participants with sole ownerships of land some believed that under African custom men are the head of the family so it was proper to have the plot registered in their names. Customary practices assume that men are the heads of the families, thus, are given land and land is registered in their names Bhatasara (2011:321). Pervasive patriarchal biases also persisted during the FTLRP as customary law was allowed to prevail over statutory law. For instance on A2 lease contracts Clause 15 states that succession and inheritance of the lease shall in accordance with customary law thus perpetuating gender inequalities (Maguranyanga and Moyo 2006:4).

Lands officer also explained on the role of traditional leaders in the allocation system in order to establish if customary laws had any effect on women's land ownership under the FTLRP. It was established that customary laws had effects on women's landownership. Traditional leaders made recommendations to the District Administrator on who should be allocated land from their communities. Majengwa and Mazhawidza (2009:2) posit that chiefs played a leading role in land restitution by mobilising people, often in the repossession of ancestral lands. This is supported by a study conducted by the African Community of Practice (AfCoP) (2016:5), which revealed that most A1 applicants were resettled by the District Administrator who got lists of people from village heads. The DLC responsible for the land allocation was dominated by men with only one woman in the committee resulting in slim chances of women acquiring land under the FTLRP. With traditional leaders involved this meant women were likely to benefit less as they usually allocate land to men. Mgugu and Chimonyi (2004:150) posit that the imported laws into most African countries together with the codification of the customary laws assigned different roles to men and women, affecting how they accessed resources. However, it was also established some village heads had assisted women in securing plots in their own names, for instance at Ellerdale. At Dartmoor farm the village head had protected widows who had been threatened with eviction by the late husband's relatives

5.3.3 The FTLRP and women's livelihoods

The study determined the extent to which the FTLRP makes provision for women to acquire land and derive livelihoods from it. Most participants highlighted how they have been involved in crop and livestock production as a result of FTLRP proving that this initiative was helpful. Tsikata (2003:13) notes that in relation to land tenure, studies have demonstrated how inequalities between men and women in ownership, control of and access to land have resulted in gender inequalities in their livelihoods outcomes but the FTLRP has made an effort in evening that out. At Dartmoor farm most women indicated that they had managed to accumulate household property and even manage to send their children to school.

5.3.4 Recommendations

5.3.4.1 Recommendations for the government

From the study it is recommended that there is need for government to adopt the inclusive development approach in land reform programmes so as to give voice and power to marginalised groups such as women to enhance their capabilities and participate in the process of development. Gender needs to be mainstreamed in the land reform process so as to achieve meaningful and sustainable development. Thus inclusive development approach has the potential of influencing future policies as it calls on governments to integrate gender and land reform into a broad rural development strategy.

There is also need to address the institutional dualism of customary laws and the statutory laws by specifying which law is to be used in the land allocation. Statutory laws need to be applied so as to ensure that patriarchal tendencies associated with customary laws do not disadvantage women. Women should be able access land and agricultural inputs in their own rights with or without the involvement of men. The ratification of international and regional policies on gender equality by government is commendable. However, government needs to ensure that the legal policies on gender equality and women's landownership are fully implemented. Chingarande (2010:18) also calls for land laws to be harmonised with marriage and inheritance laws so that women do not become more vulnerable in the event of divorce or the death of a husband.

When it comes to land reform government should consider having proper planning and specific numerical targets for women's land ownership so as to reduce the asset gap between men and women. Women are not a homogeneous group hence their needs as married, single, divorced or widowed women should be taken into consideration in policy development and in the allocation process so as to ensure that women acquire land in their own rights. Legal and policy frameworks should provide adequate protection for women and laws that provide for women's tenure rights. There should be follow ups on the implementation of this. Government needs proper planning on how new farmers can be assisted in terms of capital, credit facilities, equipment and basic infrastructure so as to reduce poverty and improve the agricultural industry.

5.3.4.2 Recommendations for Women Lobby Group

There is also need for women lobby groups to mobilise and ensure that women have enough information, training, and agricultural input and access to credit facilities and markets. There should be an increase on awareness on women's lands and information on how to access legal services. Women's organisations need to take a holistic approach towards improving access to resources by women. Chingarande (2010:17) states that access to land alone on its own without legal education and economic empowerment is not enough. Women organisations should not only lobby for higher quotas for women but need to follow up on the implementation of these to ensure women have access and secure land tenure.

5.3.4.4 Recommendations for women farmers

It is recommended that women should take the initiative to acquire information and participate in development programmes in their communities and national programmes that may enhance their livelihoods as farmers. Women are also encouraged to register their marriages so as to secure their property rights in the event of divorce or death of a spouse.

5.3.4.5 Recommendations for further study

The study was based on women's landownership under the FTLRP and it was established that access to land is important to women's livelihoods. However, the study has revealed that land alone without resources is not a 'silver bullet' to poverty as some families ended up abandoning

their plots for formal employment. Future studies need to be done to assess gender, land and poverty under the FTLRP.

5.3.4.6 Contributions from the study

The study established that the inclusive development approach can be used in future land reform programmes. The approach calls for inclusiveness in planning and policy making. Hence the approach calls for women to be involved during the planning and policy making levels before embarking land reform programmes and deciding of quota allocations so as to ensure gender equality.

5.3.4.6 Weaknesses of the research

The major weakness of the study emanates from the data collection technique used. Only telephone interviews were used yet other methods such as face to face interviews, focus group discussions and observation could have been applied. The study might have missed a lot in terms of physical gestures of participants considering that the FTLRP is a sensitive topic in Zimbabwe.

5.4 Conclusion

The study was aimed assessing the extent to which the FTLRP has incorporated gender interests at policy level and in implementation practice by evaluating the provision made by the Inception Phase Framework Plan 1999–2000 and the Government Land Reform Policy Document of 2001 for women to access and own land in Zimbabwe. The findings reveal that the FTLRP did not address gender imbalances in landownership as the programme lacked proper planning and sought mainly to address racial imbalances. The study established that the FTLRP was radical in addressing the racial land imbalances but failed to address gender gaps in land ownership. Under A1 model women only got 18 % of the agricultural land and 12% under the A2 model. Those who managed to benefit were mostly under joint ownership with their spouses. There was no gender framework in place to guide the land allocation process resulting in women losing out.

Although, the government has ratified international and regional treaties which call for equal treatment between men and women in land and agricultural reforms this was not fully implemented under the FTLRP. The 20 % quota land allocation for women which had been promised during the Inception Phase Framework was never implemented. The study revealed that customary laws and patriarchal tendencies still influence land tenure in Zimbabwe thus disadvantaging women. Although the Government Land Reform Policy Document of 2001 article 3.2.3.5 had provision for joint ownership the policy was not fully implemented. Most of the land was allocated to men as patriarchal assumptions view households as single units headed by men. The traditional leadership played an important role in recommending those who needed to be given land from the communal lands and these were mostly men. The Inception Phase Framework and the Government Land Reform Policy Document of 2001 article 3.2.3.5 on joint ownership tenure failed to adequately address women's access to land under the FTLRP. The FTLRP lacked the inclusive development approach as women were left out resulting in gender inequalities in landownership.

In terms of livelihoods under the FTLRP most women indicated that the programme had empowered them as they could now provide for their families and acquire some assets. Most women engaged in crop production, livestock keeping, cooperative gardens and social club rotational savings and are able to feed their families, send children to school and get surplus income. Others had also managed to buy assets such as farm equipment like ploughs, livestock and solar panels which they previously did not have. The study also concluded that besides lack of land ownership, women face challenges in accessing agricultural inputs, credit facilities, adequate training and infrastructure making the role in food security and poverty reduction difficult.

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APPENDIX A: PRIMARY RESEARCH INSTRUMENT

INTERVIEW GUIDE FOR IMPACT OF FAST TRACK LAND REFORM PROGRAMME ON WOMEN'S LAND OWNERSHIP AND ROLE IN SEKE DISTRICT, ZIMBABWE.

Section A: Location Identifiers

- A1. Interviewer
- A2. Date of interview
- A3. Province
- A4. District
- A5. Farm name
- A6. Plot number

Section B: Background information

- B1. Name of respondent
- B2. Gender of respondent
- B3. Age of respondent
- B4. What is your position in the household?
- B5. Marital Status of respondent
- B6. Highest level of education
- B7. Do you have training in agriculture?

Section C: Gender and Land

- C1. Do you own land in your own name? If so how did you acquire it?
- C2. Do you have any documentation showing that you own the land?
- C3. Have you ever been threatened of eviction?
- C4. What was the source of conflict?
- C5. What is the main source of income?
- C6. Do you think women should be given land in their names and why?

C7. Do you think there are customary laws which inhibit women from owning land?

C8. Are women involved in decision-making in the household on what crops to grow and in selling of excess crops?

C9. Do you think the government has done enough to support women's land ownership?

C10. What are the challenges faced by women under FTLRP

Interview guide with Local Government officer /Land officer

1. What criteria /method was used to resettle people under the fast track land reform programme A1 model in Seke district

2. Was there a percentage allocation of land for women? If so what was the percentage and did the district fulfil that percentage. If not why

3. How many women have land allocated under their names.

-how many people were settled at Dartmoor and Ellerdale farms?

-how many women have land in their names at these farms.

-how many have joint ownership, how many female headed household got land

- What documents do they have to show that they own the land?

4. What could be the reasons why the number of women owing land in their own rights is low? What challenges do women face in acquiring land in their own names?

- do customary laws affect land ownership by women/

-has the legal framework been adequate in addressing women's land ownership

5. Do you think the fast track land reform programme has empowered or disempowered women?

6. What problems do women face as farmers?

INTERVIEW GUIDE WITH AREX OFFICER

1. Do you think women have benefited enough land from the FTLRP in Seke District?

-Do women make meaningful contributions in agriculture in the district to warrant access to land ownership?

2. Do women participate in extension services programmes in the district and what services are provided? If not what could be hindering women in participating.

3. Do women and men have same access to agriculture services and inputs provided by Government, NGOs or banks? If not, why?

4. What challenges do women face as A1 farmers at Dartmoor and Ellerdale farms?

-Do customary/ patriarchal and legal laws affect women's access and role in agriculture in any way?

APPENDIX B: LAND PERMIT APPLICATION FORM

**Agricultural Land Settlement (Permit Terms and Conditions)
Regulations, 2014**

This Permit is issued subject to the terms and conditions set out in the Agricultural Land Settlement (Permit Terms and Conditions) Regulations, 2014.

DETAILS OF PERMIT HOLDER

For the purposes of this section, a "Permit Holder" means a male or female head of household in whose name this Permit is issued. The Permit Holder in whose name this Permit is issued shall be primarily responsible for fulfilling the conditions of this Permit.

However, despite the fact that the Permit is issued to the person named in this section, the spouse of the Permit Holder or, in the case of a polygamous marriage, all the spouses of the Permit Holder (as specified under section 2.1), shall be regarded as Joint Heads of Household for the purposes of this Permit.

- 1.1 Surname:
- 1.2 First name:
- 1.3 Other names:
- 1.4 Title (Dr./Mr./Mrs./Miss/Ms.):
- 1.5 Place of birth:
- 1.6 Date of birth: Age:
- 1.7 National ID Number:
- 1.8 Marital Status (tick applicable):

Married	Single	Divorced	Widowed
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.....
- 1.9 Citizenship:

IN THE CASE OF JOINT SIGNATORIES:

- 1.1 Surname:.....
- 1.2 First name:.....
- 1.3 Other names:
- 1.4 Title (Dr./Mr./Mrs./Miss/Ms.):
- 1.5 Place of birth:
- 1.6 Date of birth: Age:
- 1.7 National ID Number:.....