

GENDER AND LAND DISPOSSESSION IN ZIMBABWE: A CASE OF THE NDEBELE AT ESIGODINI AREA, 1893–2003

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ABSTRACT

The Ndebele tribe in Zimbabwe has probably experienced more land dispossessions than any other tribe, beginning the 1890s with the arrival of the whites. Most of this history, unfortunately, is not well documented. Based on an oral history approach, this article focuses on the gendered dimensions of land dispossession. It seeks to answer questions such as: Do men and women view land ownership and land issues in the same way? Did the land dispossessions that took place for more than one hundred years in Zimbabwe, particularly in the Ndebele tribe, affect the way land is viewed in terms of gender? The research further sought to find out how women have been historically marginalised or emancipated in the community. Given the importance of land in any culture, the research also seeks to find out how a shift in the way land is viewed, in terms of gender, can improve the lives of many in the Ndebele tribe. The research was conducted in Esikhoveni Village in Esigodini, Matabeleland South. It was based on oral history, targeting the headmen and other elders noted for their wisdom and knowledge of the area. A total of sixteen (16) informants were interviewed using judgemental and snowball strategies. The study revealed that land was considered an important resource in the area. Women had limited opportunities

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for land ownership in the village. Culture and tradition were still dominant over legal provisions when it came to land and gender issues. The study recommends a new and more rigorous approach by the government and other stakeholders to change the cultural and traditional perceptions of the rural communities in order to achieve a gender balance regarding land ownership and allocation.

Keywords: gender, land dispossession, Vukuzenzele, Zimbabwe

INTRODUCTION AND DEFINITION OF TERMS

In an African set-up where economies are still agro-based, land is considered a critical resource. It is a source of livelihood as people utilise it for many purposes, such as crop production and animal husbandry. Thus, land has been, and is likely to continue being, a subject of debate among various stakeholders such as the government, politicians, development specialists, educationists and the international community. In Zimbabwe, land issues are still under debate. This study focuses on gender-driven land dispossessions and allocation in one communal village in Zimbabwe, with the aim of understanding how gender influences land allocation and ownership. As it is, ‘the gender gap still persists in land ownership and control of land as well as other important resources and this contributes significantly to the gender differences in economic wellbeing, social status and thus decision making’ (Chingarande n.d).

An understanding of the concept “gender” is important as it enables analyses of ideas about resource access and livelihood activities (Paradza 2011). Gender refers to social attributes, that is, the roles assigned to somebody in society by virtue of their being male or female. That men and women are treated differently is obvious in the African community. Land dispossession in this case refers to the taking over of one’s land by a certain individual, group or company that is usually more powerful than the one being dispossessed.

PROBLEM STATEMENT

Despite the constitution of Zimbabwe treating men and women as equals, the mentality of men being superior to women is still persistent. The general feeling that has been cultivated in Zimbabwean societies is that land belongs to men (Chingarande n.d). This is particularly induced by cultural practices and customary laws that elevate men over women in societies, thereby making it difficult for women to secure their own land, especially in communal areas. As stated by Chingarande (n.d), ‘in Zimbabwe as in most African countries, women occupy a subordinate position in society’. Chingarande (n.d) further states that as one looks at production, it is often thought that most of the harvest belongs to the husband, except for selected crops such as round-nuts and groundnuts. Thus, women continue to be treated as being

dependent on men and they are expected to get married and indirectly benefit from the land that is owned by their husbands – a situation that leaves women landless. This study sought to investigate gender dimensions to land dispossession, allocation and ownership in the Vukuzenzele village in Esikhoveni, Esigodini.

RESEARCH OBJECTIVES

The research was carried out with the following objectives:

- To find out the value attached to land by the people in Vukuzenzele village of Esigodini Area
- To find out whether women owned land in the past and own land in the present
- To find out about land dispossessions that occurred in the past and how they affected women
- To find out whether the locals have knowledge of any legal provisions regarding the way in which land is shared or distributed.

LITERATURE REVIEW

In sub-Saharan Africa, women produce between 60% and 80% of agricultural foodstuffs and cash crops, while in many parts of this continent, women lack legal access to land (Peters and Peters 1998: 183). Lack of direct access to land and other means of production remains a major issue in African development (Peters and Peters 1998). Prior to independence, land holdings were held communally whereby women possessed rights, which included a socially defined minimum amount of land on which to grow crops such as groundnuts and round-nuts (Chingarande n.d). According to Peters and Peters (1998), in the pre-colonial era land was not owned by the Ndebele and Shona societies, but by the male chief of the patriarchy that held and distributed it. The beginning of the colonial era marked a significant deterioration of women's rights, whereby colonial laws regarded women as legal minors who were unable to enter into contracts or to represent themselves in court without the permission of and representation by a male guardian (Jacobs 1990 in Chingarande n.d). Thus at the height of colonialism women were stripped of their customary rights, including their rights to land for their crops. The settler government, as pointed out by Peters and Peters (1998: 189), adopted the *Native Land Husbandry Act* in 1951, which promoted individualised land tenure Shona and Ndebele men as land was registered in the names of males. By so doing, the Act 'gave male heads of households individual, rather than lineage rights to land' (Peters and Peters 1998: 189).

Upon attainment of independence in 1980, Zimbabwe inherited a dual economy in which land ownership was skewed, with white minority control over the country's

land (Rugabe, Zhou, Roth and Chambati 2003: 1). Following independence, the government of Zimbabwe embarked on land resettlement exercises that did not do much to rescue women from their long-time predicament regarding land ownership. The resettlement schemes – especially in communal areas, which are patrilineal – did not benefit women as much as men, largely due to the strength of patriarchal attitudes and government's reluctance to intervene actively to curb the powers of traditional authorities at the local level (Chingarande n.d). In light of the cultural constraints that women face within marriage and family institutions, spaces for women to control land are dwindling (Bhatasara 2011: 322).

The pre-independence legal set-up whereby, according to customary law, the man, who was the head of the family, is the one who was recognised as the holder of the land further prejudiced women (Gaidzanwa 2011:2–3). Thus, such a practice 'precludes women from holding primarily land rights, relegating them to holding secondary rights derived from and negotiated through the husband' (Gaidzanwa 2011: 2–3). As also stated by Chingarande (n.d), 'the fact that communal land is administered under the *Traditional Leaders Act* of 2000 and the *Communal Land Act* of 1982 is the reason for women's vulnerable position in those areas'. The *Traditional Leaders Act* 1998 is still one of the most relevant in the communal areas at present. According to this Act, communal land is overseen by chiefs and headmen. Thus, under this Act, 'chiefs became presidential appointees who were tasked to supervise headmen, promote and uphold cultural values, oversee the collection by village heads of taxes and levies for the rural district council ...' (Ncube 2011). Because these chiefs and headmen are being guided by communal law and cultural values that happen to be pro-men, they are likely to continue influencing land ownership and allocation in favour of men. Thus, 'historically in Africa, women's access to land was based on status within the family and involved right of use, not ownership' (Chingarande n.d).

According to Shumba (2011: 238), the years preceding independence saw women being considered as minors. Not until 1992 when the *Legal Age of Majority Act* was enacted where women were given full adult status, did women continue to be considered as minors. Although the 1985 *Matrimonial Causes Act* recognises women as full adults with the right to own property independently of their fathers and husbands, the burning question is whether this 'property' extends to land and to what extent, given the fact that women are still not being recognised as land owners (Shumba 2011: 239). However, at present, the Zimbabwean constitution recognises men and women as equals, although culture and custom seem to be taking a toll on the country's supreme law when it comes to land ownership and allocation, especially in the communal areas.

A number of studies have been conducted on gender and land ownership and resettlement programmes in Zimbabwe. A study by Shumba (2011) titled 'Women and land: a study on Zimbabwe' revealed that while generally both men and women in Zimbabwe appear to have equal rights to land, in practice, the women's user rights

are determined by men, and access and control of land are chiefly dominated by men. The study further revealed that societies are the source of all the hegemonic practices, which influence gender roles and expectations, thereby giving women a status lower than that of men. Another study titled 'The economic and social implications of recent land designations' that was conducted by Moyo in Zimbabwe in 2001 indicated that over 87% of the registered land owners were male, while about 23% of the farms were jointly owned and less than 5% were owned by women. The study concluded that patriarchal land tenure value systems among both the white and black communities have consistently discriminated against women land owners.

All these studies lament the predicament that women find themselves in regarding land ownership and allocation. Paradza (2011), in his paper titled 'A field not quite of her own: single women's access to land in communal areas of Zimbabwe' also indicated that women's rights are secondary to men's, and women depend on the maintenance of a relationship to maintain access to key resources. Chakona (2011) also conducted a study titled 'Fast track land reform programme and women on Goromonzi District, Zimbabwe' in which gender imbalances regarding land were lamented. Walker (2002), in a document titled 'Land Reform in Southern and Eastern Africa: key issues for strengthening women's access to and rights to land, also presented a case of Zimbabwe in which women were found to be side lined when it comes to land ownership and allocation. However, most of these studies have focused on the government's land reform programme, popularly known as the Fast Track Land Reform Programme, which – as scholars have also noted – has failed to strike a meaningful balance regarding gender.

ESIGODINI AREA

Esigodini area is situated in Umzingwane, Matabeleland South in Zimbabwe. It has an estimated population of 2 228 000. The authors, due to the vastness of the area, carried out their research in Vukuzenzele, about seven kilometres from the growth point. The village is rocky and mountainous with unreliable rainfall. It was originally designated a 'reserve' area under the notorious 1931 *Land Apportionment Act*. The source of livelihood is mainly growing of crops and domestication of animals: cattle, goats, sheep and donkeys are a common sight. The land issue has been dramatic in the Esigodini area where the people were evicted by the colonialists, then later on the whites were dispossessed but the irony is that those who received land were not necessarily the descendants of the former land owners.

METHODOLOGY

This article is based on research carried out in Esigodini area, in Vukuzenzele Village in Esikhoveni over a radius of ten kilometres. All in all 16 individuals were interviewed of whom six were women. Of the 16 informants, five were *sobhukus*

(homestead leaders) while the rest were ordinary villagers. Of the five *sobhukus* interviewed, one was female. This was the only female *sobhuku* in the Vukuzenzele area. More than 50 per cent of the informants were above 70 years, 19% were in the 61 to 70 age range, 6.2% were in the 51 to 60 age group and 6.2% were in the 41 to 50 years age range. This study was largely qualitative since it sought to find out the feelings, opinions and views of the people concerning land and gender issues. Interviews were carried out with elders and *sobhukus*.

The target population was 20 but only 16 respondents were interviewed due to factors such as availability and time. Judgemental sampling was used whereby the *sobhukus* were approached on the grounds that they had knowledge of the area since they were the ones handling land issues in the village. A snowballing strategy was used whereby the *sobhukus* referred the researchers to the 'senior citizens' who also had knowledge of the place, because they had survived there for a very long time. These 'senior citizens' would further advise the researchers to seek out someone else. The interview questions were then read to the respondents who would respond and their answers were written down.

ETHICAL ISSUES

Researchers are always called upon to be as ethical as possible in conducting research. As a way of abiding by this requirement, the present researchers sought a consent letter from the Registrar at the National University of Science and Technology who then wrote an introductory letter 'to whom it may concern'. This letter was produced to the District Administration Officer (DA) for Umzingwane District Council, the district under which the village under study falls. The researchers sought permission from the administrator to interview the targeted informants and this permission was granted. Upon arrival in the village, the researchers approached the *sobhukus* who then welcomed them and granted permission to interview them and other informants in the village. Generally, the researchers did not face any serious challenges regarding access to the village, partly because one of them originally came from the village. This made it easy to establish the necessary rapport with the informants.

DATA PRESENTATION, ANALYSIS AND DISCUSSION

The research revealed that indeed land is very important in the lives of the Ndebele around Esigodini. There were mixed reactions as to whether women should be given land, with those above 70 years of age insisting that, like in the past, women should not own land while other groups thought otherwise. The research also revealed that even though women do not own land, they do utilise it the same way as men do. Both informants revealed having heard or witnessed land dispossessions in one form or another. These and other findings are discussed below.

Vukuzenzele is organised in such a way that 20 or so homesteads are under a leader (*usobhuku*), and then eight or ten *sobhukus* are under a village head since they form a village. In this research, one village head was interviewed and four *sobhukus*. The first question was to explore how the people viewed land and it focused on the importance they contributed to land. The answers from all the interviewees were almost the: most described land as their source of livelihood, and cited some of the activities done on the land. Most cited was farming as in the growing of crops. However, due to a combination of poor soil and poor rainfall, Vukuzenzele village does not produce much in terms of crops. The other activity cited was cattle rearing and this included animals such as goats, sheep and donkeys, which could be seen throughout the village. Other respondents cited mining, which is again an important activity carried out around Esigodini since the area is rich in gold. The other informants summed up by simply saying land is important for settlement. Unfortunately land is very scarce in Vukuzenzele village and is valued so much by the inhabitants that you cannot easily obtain it. Based on this perception that land is very important, people therefore consider so many factors, including gender, when they distribute land.

The research sought to find out about land ownership in the past, answering the question who owned land in the past. This question was directed towards the *sobhukus* and the village heads. All the informants stated that land was owned by the community. These responses indicated the status quo in a pre-colonial Zimbabwe whereby land was not owned by individuals. As revealed by Peters and Peters (1998: 186), in pre-colonial Zimbabwe, the chief of the patrilineage would allocate land to village headmen and gained political patrilineally inherited political power. One informant elaborated that land was owned by the community, under the local council and the chief. Only one informant stated that land was owned by the whites, and this might imply that the informant witnessed the recent dispossessions that saw blacks repossessing land from whites. The land was so important that nobody was deemed to own it but rather the community in general owned land.

One of the crucial issues was that of women owning land. The research revealed that women did not own land in the past. There are so many reasons as to why they were not given land. One was the fact that men and women were not given the same status, and men were considered to be more important than women, hence land, because it was considered important, was given to them. Another reason for not giving land to women was because they would get married and abandon the land, as one informant stated. This was not only typical of this village in Esikhoveni, but of many other African countries. As stated by Peters and Peters (1998: 184), 'women in various countries in Africa are often refused the opportunity to own or hold farming or grazing permits to land in their own right'.

Women and girls in the family were equated to *amawabayi* (ravens), which are birds of no fixed abode, since they were going to be married off to men and

would take orders from their husbands. However, they were considered important in the sense that they would bring wealth back home through *lobola*. This situation matches a statement by Peters and Peters (1998: 184) that lack of access to land by women partly emanates from indigenous notions of patriarchy, coupled with the institutional effects of colonial rule in Zimbabwe. This shows clearly the fact that women were not allowed to own land. Another informant who is above 70 years old equated giving land to women as 'poisonous'.

Other older informants also insisted that women were and still are not allowed to own land. 'Allowing women to own land promotes *omazakhela*, this means a woman not married staying alone and the Ndebele culture does not allow that. It's considered taboo'. As one informant elaborated 'Our traditional cultural practices were fair. Women were not entitled to land and that is the position that we support up to present. We do not encourage girls or women that seek land on their own. They must be married and they get land through their spouses, not on their own.' Most of the informants above 70 insisted that when it comes to land, women should not have the same opportunity as men. However, when asked the same question, one female *sobhuku* stated that women should be given land though in the past they were not considered.

There was also a question on whether women owned land in Vukuzenzele village, the aim being to find out whether indeed women are allowed to own land. The research revealed that there were women who owned land but most of them are widows, *abafelokazi*, whose husbands died and they were left to till the land and look after the children. There were also a few cases of women who returned from where they were married and asked for a piece of land where they could settle and look after their children. Almost all the *sobhukus* agreed that these women own land, and women who come directly asking for land will not be readily considered. This matches statements by Shumba (2011: 238) that customarily, in Zimbabwe, 'unmarried and divorced women were allocated some pieces of land in their mother's fields to grow some crops and accumulate some provision for marriage'.

Asked the same question as to whether women should own land, ordinary village elders stated that indeed women should be given land but the community still insists on them being married. Marriage is one of the prerequisites for one to obtain land, according to the Ndebele culture, as one informant stated. The majority of the respondents indicated that marriage was considered important in the community, and village headmen were not comfortable with allocating land to unmarried women as this was likely to promote social disorders, such as when these women go out with married husbands in the community.

Although these respondents did not give examples, they insisted that applications for land were generally not considered favourably in the community and that unmarried women had a potential for engaging in unacceptable behaviour that might disrupt the community. This confirms Shumba's (2011: 238), view that customarily, among the Shona and Ndebele people of Zimbabwe, women obtained land for farming through

their marriage. 'We give land to married people. It is not easy to give land to those who are not married. We do not just rely on the production of marriage certificates, but we want to see the couple before allocating land to them.' This revelation by respondents matches with statements by Peters and Peters (1998:189) that despite an acute shortage of land in Africa, the Shona and Ndebele tenure in the reserves, to a certain extent, resembled precolonial holdings and allocation whereby land was allocated patrilineally by male chiefs and elders. Land therefore is so important that to safeguard it, only married people should be given land. The younger respondents, however, feel land should just be given to anyone, male or female, since times are changing and there are issues of human rights and gender equality, but the older generation maintains that land should not be given to women.

The research also focused on the issue of land dispossession, especially where women are dispossessed of land. All the informants stated that they have never witnessed such dispossessions, neither were they told by their fathers about such incidents because, in the past, land was in abundance before the coming of the whites. However, one informant said such dispossessions occur because of a shortage of land. Widows who stayed on their lands were not harassed and could till their own land in peace.

The dispossessions occurred with the coming of the white people. Most informants recalled being told by their fathers how they were driven from their productive farms under the notorious 1931 *Land Apportionment Act*. One informant lamented the introduction of 'reserves' – land reserved for Africans. This land was generally hot and had poor soil. There is no soil to talk of, because it is mountainous and rocky. The statement by this informant confirmed that of Peters and Peters (1998: 160) that 'the majority of the Shona and Ndebele populations were forced to reside in the crowded, rather infertile, native land'. According to this informant, 'the term Reserve was coined to describe a situation whereby residents were temporarily settled, pending resettlement to better places. However, the question is, when will the term Reserve end?' The informant recalled how their ancestors were driven to this rocky and mountainous place. These were the only dispossessions recalled, not local ones. These revelations by the informant match a statement by Shumba (2011: 238) that land dispossessions in Zimbabwe by the white settler regime resulted in the Shona and Ndebele people, who were the majority, being forced onto the 22.4% of marginal lands in the reserves, while the minority white settlers occupied about 50.8% of the total land, which was fertile.

The informants were also asked whether giving land to women would be a good idea, given the fact that, most women are left to look after their children when their husbands die. The answer to that question was yes, they should be given land. This would help them cope with the stress of having to look after the children. In line with the same question, the informants were asked whether women can utilise land in the same way men do. Three-quarters of the *sobhukus* interviewed agreed that women

can use the land productively depending on the availability of rain. However, one *sobhuku* disagreed, stating that utilisation of land between men and women is not the same as women are generally soft, they need support which they generally lack and eventually fail to utilise the land productively. However, generally the research revealed that women can utilise land as well as men do. One informant joked that women actually utilise land better than men, they weed and harvest while men drink beer and waste time.

The informants were asked as to whether they were aware of any legal provisions that guide the way in which land is shared/distributed between men and women in the community. This question was asked to both the *sobhukus* and the village elders. Most informants were not aware of any legal provisions but were generally aware of the local procedures to be followed. There are two ways of looking at it: the first one is a case of an outsider who approaches the *sobhuku*, the *sobhuku* consults other elders, they interview the man to find out his background, question him about where he comes from and whether he is married or not. After that the person is sent to the village head. It means if he reaches the village head, the *sobhuku* and the elders have seconded him (or her), otherwise they could dismiss him after a background check. The matter is then taken to the chief who has the final say.

The study thus revealed that except for one informant who was once an Agritex officer and had a rough idea, none of the informants were aware of what the law says concerning provision of land to both men and women. The Constitution of Zimbabwe adopted in 2013 prohibits discrimination on the grounds of sex. Chapter 4 recognises that men and women have a right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. It also accords women the right to opportunities, custody and guardianship, and makes void all laws, customs, cultural practices and traditions that infringe on the right of women (The Second National Gender Policy [2013–2017, Draft February 2013: 6–7]). As a result, traditional values on land ownership are still very much in use, hence the disparity between what the law says and what prevails on the surface.

CRITICAL REFLECTIONS FROM THE RESEARCH

- If land is very important yet is in the hands of men, and women are marginalised, that is a gender issue, which needs to be addressed. How can we transform the society so that there can be gender equity?
- If a constitution is put in place on the distribution of land and men disregard it in favour of cultural laws, this is a tragedy. How can we develop to such an extent that we honour the constitution for the sake of the future?

- If women can utilise land in the same way as men, yet they do not have equal access regardless of the fact that they outnumber men, what can be done to close such a wide gap?
- If land continues to change hands violently from generation to generation, what can be done to put to an end to this?
- Chiefs and village headmen were still responsible for land allocation and redistribution in the village. The hierarchical relationship between the headmen, village headmen and the chief was still evident in this community. Headmen indicated that they always consulted both the villagers and chief before allocating land to anyone, and the chief would finally take the matter up with the District Administrator to ensure that the new homestead is registered to facilitate general administration and payment of tax by the occupant.

CONCLUSIONS AND RECOMMENDATIONS

The research indicated that there is a huge disparity between gender policy documents that are passed as laws and the actual situation on the ground. While gender policies give a picture that men and women are equals in land ownership and allocation, the study showed that this is not happening on the ground. Women are side-lined, and men are considered the rightful owners of land. The study indicated that culture and tradition take precedence over the constitution and policies. Thus, although policies and legislation are drafted in favour of women, the situation on the ground shows that culture is dominant and difficult to change. The study therefore recommends that there is a need to revisit approaches to gender issues regarding land. The study further recommends an experimental approach where there is 50/50 land ownership between men and women. The results should speak for themselves.

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APPENDIX 1: INTERVIEW GUIDES USED IN THE STUDY

Interview guides for gathering data on the land dispossessions in Zimbabwe: a case of Esigodini area: 1893–2003

Interview Guide 1: For the Village Headman

Information about the respondents						
Gender	male []	Female []				
Age range	20-30 []	31-40 []	41-50 []	51-60 []	61-70 []	71 and above []
1. For how long have you been a headman in this community?						
2. Do you consider land to be a valuable asset? Explain your answer.						
3. How was land owned in the past?						
4. Do you think that land should be given to women in your community?						
5. There are documented land dispossessions such as the 1893-1894 ones, did these also affect women?						
6. Do you consider men to be the only ones who should own pieces of land in your community? Explain your answer.						
7. Do you have women owning land in your community?						
8. Are they utilising it as much as men do?						
9. Have you witnessed any gender-driven land dispossessions in your community? Explain when and how these occurred.						
10. Is there any age limit regarding land ownership in your community? Explain your answer.						
11. Do you consider marital status an important factor in land allocation and ownership in your community?						
12. Are there any legal provisions that guide the way in which land is shared or distributed between men and women in the community? If yes, briefly explain such provisions and how they affect land ownership and distribution between men and women.						

Interview Guide II: For Ordinary Villagers

Information about the respondents						
Gender	male []	Female []				
Age range	20-30 []	31-40 []	41-50 []	51-60 []	61-70 []	71 and above []
1. Do you own land?						
2. For how long have you owned the land?						
3. What does the community require from you in order to be given land?						
4. Are there any age limits regarding the ownership of land in your community?						
5. When allocating land to people in your community, is one's marital status considered important?						
6. Do you consider land to be an important resource? Explain your answer.						
7. Do you think that women should be entitled to land in your community? Explain your answer.						
8. Have there been any efforts to dispossess land from you by anyone? When and why?						
9. Were there any land dispossessions before the coming of the whites?						
10. Do you think that present cultural practices regarding land ownership by village occupants are fair to both men and women? Explain your answer.						
11. Do you think that men and women should be given equal opportunities when it comes to land?						
12. Given the challenges of divorce and diseases that leave women in custody of children, do you think that giving women land helps them cope with such situations?						
13. Are you aware of any legal provisions regarding gender and land ownership? Explain your answer.						