

ORALITY VERSUS WRITTEN LEGISLATION: ORAL HISTORY AS USED IN ZIMBABWE'S POST-2000 LAND REFORM PROGRAMME

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ABSTRACT

Zimbabwe became a colony of the British Empire on 13 September 1890, and attained independence in 1980. During the colonial period of 1890 to 1980 land was expropriated primarily from the indigenous Ndebele and the Shona tribal groups through the institutionalisation of legislation that brought about the segregation of Africans and paved the way for settlement and farming by whites. Between 1980 and 1990 there was little progress in terms of resettlement programmes because of financial constraints and the terms and conditions of the Lancaster House Agreement regarding the willing seller willing buyer principle. There were serious economic challenges in the decade 1990 to 2000, but the period post 2000 witnessed brisk land repossessions which were spearheaded by war veterans and politicians. At the heart of the “land invasions,” as they were popularly termed, lay historical injustices. This paper seeks to provide an insight into the centrality of the oral tradition or oral history as legal basis for the land repossessions that took place. Neither legal recourse nor visiting archives and other information centres for the purposes of authentication were a priority. The Lancaster Constitution was viewed as an obstacle when dealing with land. The National Archives of Zimbabwe is placed in context within the situation discussed.

Keywords: land reform; resettlement; oral history; oral tradition; orality

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INTRODUCTION

Land is a topical issue in Zimbabwean politics. The Zimbabwean land reform programme that was launched in 2000 has often been described by scholars as chaotic and poorly planned, and as having led to food insecurity (Chaumba, Scoones and Wolmer 2003). Generalisations and assumptions have been made as to the real relationship between government and the vanguard peasants. An exploration of how different classes responded to national legislation governing the land issue would be of value. The research reported on here sought to ascertain how the beneficiaries of the land reform interpreted the existing legislation regarding land, elicit their perceptions and explore their memories about colonial land issues. The research entailed interviews, archival documentaries (audio-visual archives) and some written literature for analysis purposes.

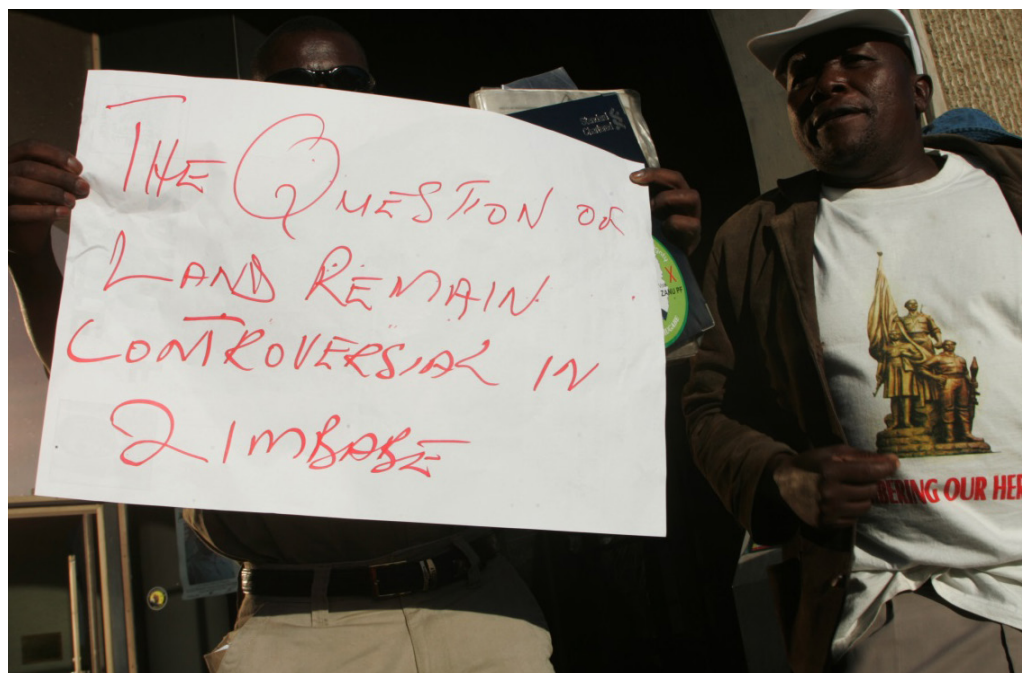


Figure 1: Photo from National Archives of Zimbabwe pictorial collection submitted by photographer at photo contest

A brief summary of the colonial history of Zimbabwe is necessary for an understanding of the events post 2000 as they relate to land. After the formal occupation of the then Southern Rhodesia in 1890, the British South Africa Company (BSACo) was granted a charter. In 1925 the Morris Carter Land Commission was established to look into land issues. The commission recommended that land be divided into the following categories:

- i. European areas
- ii. Native areas (Native reserves and native purchase area)
- iii. Unassigned areas (land not yet allocated for anything)
- iv. Forest areas
- v. Undetermined areas (small isolated areas, which were to remain European until purchased by a native, whereupon they were to become part of the native areas).

In 1930 the Land Apportionment Act was passed and effected land allocations as recommended by the Morris Carter Land Commission as follows:

Table 1: Land Allocations as Recommended by the Morris Carter Land Commission

Category	Acres	% of the country
European areas	49 149 174	51
Native reserves	21 127 040	22
Unassigned areas	17 793 300	18.5
Native purchase area	7 464 566	7.8
Forest area	590 500	0.6
Undetermined area	88 540	0.1
Total	96 213 120	100

(Basic data from the Zimbabwe embassy in Sweden's website, www.zimbabassy.se)

In 1949 a committee chaired by the Honourable Max Dannziger was appointed to investigate the land issue, and stated that “land was required at once for thirty-five thousand three hundred and fifty-four families living legally (rent paying) and illegally on European land. It was considered that these families were holding up the development and settlement of Crown and Alienated Land in the European area.” The recommendation made by the committee was very clear in its intention to alienate Africans and its perception that their presence on arable land was tantamount to underutilisation.

The 1951 Native Land Husbandry Act emphasised conservation and de-stocking and discouraged the perceived malpractices of African agriculture, such as shifting cultivation. The result was that the acreage of land for most Africans was reduced and many families were moved into reserves, some of which, such as Gokwe and Muzarabani, were unsuitable for habitation owing to tsetse fly infestation. In the late 1940s to the 1950s the colonial government created reserves such as Chitomborwizi near Chinhoyi town and Manyene in Chivhu (formerly Charter district) in which people from various districts were brought together. The unfortunate thing about these experimental reserves was that people were taken from different places of origin and

different tribes and ethnic groups and placed together. This, for the settlers, was a way of curbing harmony, and therefore promoting colonial administration in a less resentful society. Rural administration was therefore focused on the so-called African areas specified by the Land Tenure Act of 1969, that is, the Tribal Trust Lands and the African Purchase Lands.

Arthur Shirley Cripps, a missionary and priest in Charter district, was in conflict with the colonial government over the issue of land in that he sided with the Africans, and was against expropriation of land from the Africans. He advocated for what he called “Africa for the Africans”, which made him a popular figure in Charter district. To this day many people have positive memories about him. On 17 September 1917, in a letter to Cripps, Mr J. Harris noted that (i) natives of Southern Rhodesia had no rights of ownership to land in their country, even in their reserves, and that all ownership of land was vested in the commercial or shareholders section of the company for their personal benefit and that (ii) this contention cut right athwart the unwritten but hitherto accepted principle of British colonial policy, namely respect for customary law, particularly with regard to property and land rights. Such policies pursued by Harris are still echoed amongst people of the area as justification for the government’s land reform programme to correct colonial injustices.

Son/Daughter of the Soil Ideology

Black Zimbabweans are of the view that by virtue of being owners of the land before colonisation, they are the “sons and daughters of the soil” or, in Shona, *vana vevhu*. The ruthless means by which land belonging to Africans was expropriated is usually cited in support of this ideology. Thomas (2003, 692) posits that land conflict in Zimbabwe should be understood primarily as a legacy of colonialism, and of emergent neo-colonial relations between Zimbabwe and a coalition of rich countries and the international institutions that they dominate, in particular the World Bank and the IMF. The extreme racial inequality manifested by the stratification of landholding is ethically unacceptable, even more so when the privilege of the dominant group (Europeans) has resulted from violence towards, and exploitation of, the under-privileged (African) group (Thomas 2003, 695).

One interviewee from Mashonaland Central emphasised that skin colour alone was sufficient in order to claim land rights. Some white commercial farmers vacated their farms following the incursions, but did not leave the title deeds. One “new farmer” (a reference to those who got the farms post the 2000 period) stated that even though most of the new farmers did not have title deeds, “my skin and the soil are my title deeds” (interview by Hanlon 2010). The assumption was that the white farmers hoped to come back and reclaim their farms in the event of there being a new government. However, for those viewing themselves as “sons of the soil”, there is no need to refer to any kind

of documentation to prove that black Zimbabweans have the right to own land at the expense of white settlers.

The Third Chimurenga

Zimbabwe went through two liberation wars, namely the First Chimurenga, from 1896 to 1897, and the Second Chimurenga, from 1966 to 1979. *Chimurenga* is a Shona word, meaning to fight or to struggle. Africans were relegated to either Tribal Trust Lands or African Purchase Lands, which accommodated 60 per cent and 2.7 per cent of the population respectively (Bratton 1978, 8). The result was African settlements that were overpopulated and underdeveloped, the memory of which remains with those affected. War in post-independence Zimbabwe was seen as a response to unfinished business relating to the land issue. What Zimbabwe therefore went through after 1980 was expected. The biggest obstacle to land restitution was the constitution that was in place for the first decade.

Sadomba (2008, 145) posits that the land repossession in Zimbabwe exemplifies the fact that anti-colonial struggles do not end with the attainment of independence, but with the redressing of colonial injustices relating to pertinent issues such as land. The history of the Tangwena people of eastern Zimbabwe is a case in point. Chief Rekayi Tangwena and his people roamed the mountains of the eastern side of Zimbabwe when their land was confiscated by the Smith government in 1969 and given to white “land speculators,” who destroyed their homesteads, forbade them to plough their fields and made them landless. Rekayi Tangwena is famously quoted as saying, “We have lost cattle and goats, and fires have destroyed grass and trees and all the wild animals. We lived on wild fruits like animals but we shall never surrender. We might as well perish, but we will not be violent.” These words of the renowned nationalist are remembered and held in high esteem not just by the people of that locality, but by Zimbabweans across the nation. The manner in which land expropriations of this kind were executed left the affected indigenous people with painful memories.

Hebert W. Chitepo, a founding member of the Zimbabwe African National Union (ZANU) who was also the party president and chairman, addressed numerous conferences and rallies on the subject of the land issue. Chitepo was not only a respected politician in Zimbabwe, but also the first black lawyer in Southern Rhodesia. In 1974, while addressing a summit in Ottawa, Canada, he stated: “The whites discovered that the more landless Africans were the greater the supply of cheap manpower. And so the process began of depriving Africans of their land.” People such as Chitepo, who were in the top echelons of the vanguard nationalist organisation for the struggle for independence, were eloquent in articulating the causes of the war. With the attainment of independence people did not forget what they had been told the reason for the struggle to be, nor did they forget all they had suffered in supporting the freedom fighters.

On 31 December 1980 the then prime minister and current president of Zimbabwe, Robert G. Mugabe, in his policy statement to the nation, said:

The task of allocating land to the land-hungry peasants has only been partially fulfilled. While land is abundantly available no funds are readily available for purchasing it, and we have brought this predicament to the notice of Britain as a warning that we can not as a people's sovereign government accept our lack of funds as a permanent impediment to our right to acquire land for the masses of our people who desperately need it for their settlement and livelihood.

At the 1997 Commonwealth Heads of Government Conference, President Mugabe urged the United Kingdom (UK) to compensate white farmers for the land they were to lose.

The first phase of land redistribution took place in the early 1980s, and some families from highly populated districts were resettled on purchase farms. Some families were relocated from places such as Buhera, which is arid, to Odzi district in Manicaland. Families who were resettled on these loam soils of Manicaland named the area *minda mirefu* (long fields) out of appreciation for the vast area of arable land they received from the government. As early as 1980 it was realised that land had to be returned, but the Lancaster House Agreement forestalled progress.

In September 1980 the government launched The Intensive Resettlement Programme (IRP), aimed at resettling eighteen thousand families. This was the first phase, since financial constraints made it necessary to implement the programme in stages. In September of the following year the government launched the Accelerated Resettlement Programme (ARP), designed to increase the extent and speed of resettlement. It was sponsored by the government, with some funds being made available by the European Economic Community. Nevertheless, the number of families resettled in terms of the project was small.

To analyse the Fast Track Land Reform Programme (FTLRP) based on the manner in which it was executed is to do it an injustice. Thomas (2003, 694) sees justification for land redistribution as emerging from Zimbabwe's history and the imperative to right past wrongs. The first moral argument for land reform was that, regardless of how it came about, land ownership was highly unequal, and redistribution would increase equality and hence social justice. This would apply in any population, irrespective of the origins of existing land tenure.

The Provincial Commissioner for Victoria Province (now Masvingo), Mr R. Menzies, wrote as follows to the Secretary for District Administration on land hunger in the area:

I have on a number of earlier occasions drawn your attention to the land hunger which exists in the northern five districts of this Province. I have warned that I am concerned that there will be a major loss of confidence in government's ability to meet the demands of the people, and that therefore, there will be a breakdown of law and order when people start to take law into their own hands by the method of creeping squatter encroachment. This process is already a fact (National Archives of Zimbabwe file LAN16/8/81).

The authorities facilitated the purchase of farms for resettlement and grazing lands to avert crises such as the squatter problem faced by Chief Chikwanda and Chipinda settlement attempts by villagers led by a committee of war veterans. The people of Masvingo still harbour bitter memories of how their cattle were impounded when they encroached onto farms owned by whites in the face of a severe shortage of grazing lands and arable land for cultivation. Even though some had large pieces of land, the majority of it was infertile. The start of the FTLRP offered indigenous people an opportunity to achieve the long-awaited outcome. In line with the correspondence cited above, it is clear that as early as 1981 authorities had already envisaged the potential explosion that would result from the delays in resolving the land issue. People in areas such as Masvingo do not see the supposedly chaotic nature of the land reform as dating from 2000. The FTLR of 2000 was a direct result of the delay in redressing colonial injustices relating to land.

Chaumba, Scoones and Wolmer (2003) explain that there was chaos on the surface, but an underlying order: there were committees, and Department of Agriculture and Rural Extension (AREX) officials had to abide by the arrangements that these committees had made. That underlying order was evident in Masvingo, Chipinda and Chikwanda, areas where there were committees comprising war veterans, village elders and those sincere in their wish for arable land. Endeavours to possess land either through government programmes or by other arrangements as individuals or committees did not start in the year 2000.

After the rejection of the February 2000 referendum, orality played a pivotal role in spreading a political ideology that was acceptable to most Zimbabweans. The then Minister of Information and Publicity, Prof. Jonathan Moyo, required all radio and television broadcasting stations to apply a 75 per cent local content policy: thus, three-quarters of all music, films, dramas and advertisements broadcast had to be locally produced. It was not only locally produced entertainment material that was promoted; each station had to play a jingle with a *chimurenga* theme every 15 minutes. Popular songs and jingles included “Norah” by the late ZANU PF (Zimbabwe African National Union Patriotic Front) Commissar Elliot Manyika and Brian Mteki, “Hoko” by the late Simon Chimbetu (who was also a war veteran), and songs by Chinx Chingaira and Tambaoga. It is interesting to note how the *chimurenga* genre was westernised, for instance by the popular band Pax Afro, which had songs in English, Shona and isiNdebele.

Land as an Economic Asset

The post-2000 land reform programme, which was spearheaded by war veterans (some of whose status as such was questionable), was carried out under the slogan “The Land is the Economy, the Economy is the Land.” As the “farm invasions” went ahead, those aggrieved at the process consisted not only of white commercial farm owners, but also some farm workers. During an interview a former farm worker stated that losing a job

was more painful for those who did not eventually get a piece of land: the land question is a matter of livelihood, employment and income generation.

Sir Garfield Todd, in an interview on 2 September 1992, justified colonial land allocations in the following words:

In the west 5% of the people are on the land and the rest are in business, industry, commerce, the service industries and professions. They enjoy the high standards of living which our people (Zimbabweans) yearn for. The policy of splitting land into small pieces to tens of thousands of poverty stricken people is a policy of political desperation. What people want is good housing, good health, good education above all the kind of jobs that will give them the financial return to make all this possible for their children and themselves.

This reflects the thinking prevalent among many white settlers which, even though it sounded good from an economic point of view, made little sense to the indigenous people, who had memories of the expropriations, confiscations and the pauperisation of the masses.

Zimbabweans continue to speak about land as vital, but the primary concern is with land as an economic asset rather than as a means of redressing colonial wrongs. It is for this reason that some people will continue to own multiple farms and plots. If the issue were really equal access to land by all Zimbabweans, then such unfair distributions would have been dealt with. Very few people would resist the temptation of owning an extra farm.

Land as a Political Weapon

Some people are of the view that since colonial times land has been used as a political tool. The settlers used land as a tool to disempower Africans and pauperise them. Expropriation of land left Africans vulnerable, while enabling settlers to consolidate their powers. The same thing can be said about the land reform programme which started in 2000. Interviews revealed that some members of the ruling ZANU PF took advantage of the land issue and used it as its trump card against the rising opposition of the Movement for Democratic Change (MDC). ZANU PF therefore targeted commercial farmers (mainly whites), with the war veterans authorised to lead land repossession. Some people believe that this was a way of punishing the MDC support base, which was seen to be hand in glove with white commercial farmers, who were thought to be funding them. One interviewee noted, "Almost everyone fair-minded person outside government sees through the cynical manipulation of the land question for Zanu PF's political ends."

Constitutional Impediments and Amendments

The most significant of the terms of the Lancaster House Agreement was the right of all white farmers to retain their land for at least ten years. British aid was available only for

the purchase of land belonging to white farmers who chose to sell (hence the aspect of willing seller). Only “underutilised” land could be compulsorily purchased, and that at the full market price, which the owners could convert into foreign currency. In exchange the UK agreed to fund half the cost of a resettlement scheme for black farmers. This funding from the British government did not take the form expected by the former colony: small amounts were made available in phases, and the money was not given to the Zimbabwean government.

Chairman of the Lancaster House Conference, Lord Carrington, in a statement issued on 11 October 1979 acknowledged the centrality of the land issue and the enormity of the resources needed to redress the colonial legacy:

We recognise that the future of Zimbabwe, whatever its political complexion, will wish to extend land ownership. The costs would be very substantial indeed, well beyond the capacity, in our judgement, of any individual donor country and the British Government cannot commit itself at this stage to a specific share in them. We should however be ready to support the efforts of the Government of Independent Zimbabwe to obtain international assistance for these purposes (Partial record of the Lancaster House negotiations).

One interviewee noted that the desperate need to formally right wrongs concerning the land issue in Zimbabwe led to the call for the 1998 Donor Conference as a way of engaging the international donor community and other interested parties. Talks between President Mugabe and the European Union (EU) Commissioner for Development, Mr Joao Pinheiro, in January 1998 culminated in the hosting of the Land Donor Conference held from 9 to 11 September 1998 in Harare. In his inaugural address to the Land Donor Conference, President Mugabe highlighted the growing impatience of black Zimbabweans at the slow pace of land reform and warned that, “If we delay in resolving the land needs of our people, they will resettle themselves. It has happened before and it may happen again.” Donor pressure ensured that the Lancaster House “willing seller” condition persisted and, with escalating land prices, this meant that very little land redistribution actually occurred. Mugabe’s press secretary, George Charamba, was quoted later in 2001 as saying that legal hurdles and the explosion in land prices ruled out any other approach to land reform. This was therefore taken as justification of the manner in which the 2000 land reform occurred.

In February 2000 a draft constitution was prepared, which included a clause to make compulsory acquisition easier by allowing the government to seize land from white owners, who would then receive compensation from the British government. ZANU PF propaganda had declared that this new constitution would be a final break with colonialism, but it was rejected in a national referendum. The parties and organisations that campaigned for the rejection of the proposed constitution did not emphasise the poorly dealt with issue of land. A significant reason for rejection, however, was the allocation of powers (the executive powers of the president).

The Position of the National Archives of Zimbabwe

The National Archives of Zimbabwe (NAZ), as the custodian of all public records (national documentary heritage), was established in 1935 through an Act of parliament. The oral history programme was established in 1968, with the intention of preserving the history of the Europeans alone. Only English language interviews were held. Preservation of oral histories for two indigenous languages, Shona and isiNdebele, commenced in 1977 and 1981 respectively. Prior to independence the main focus of the NAZ programme was on preserving the heritage and history of the white minority. The oral history programme in the post-independence era had a different motive, namely to capture the histories of other indigenous minority groups and under-documented aspects of Zimbabwean issues, political, economic and social.

The history of the post-2000 land reform programme has been the preserve of the media, historians, economists and political scientists. NAZ therefore documents such histories as they unfold, to complement secondary sources. The growth and expansion of the oral history collection has been a direct result of NAZ efforts and collaboration with key stakeholders, and the government of Zimbabwe has been very supportive of the project. The Printed Publications Act of 1975 gives NAZ the authority to collect and preserve all locally printed publications within Zimbabwe; what is lacking, however, is the preservation of oral records. Because increasing numbers of private studios are not complying with the NAZ audio-visuals policies, policies are needed to make NAZ the custodian of all locally produced audio-visual materials relating to Zimbabwe's cultural heritage. Numerous documentaries on the subject are being made by outsiders and sold out of Zimbabwe.

There is no time like the present for Zimbabwe, through the role played by NAZ, to appreciate the importance of preserving its heritage in all formats for posterity. NAZ occupies a unique position in that unlike other private media and information centres, which give access to information according to their own discretion, it is mandated to grant the public access to this material.

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