

# THE NATIONALIST NARRATIVE AND LAND POLICY IN ZIMBABWE

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## EXECUTIVE SUMMARY

A narrative is a selection of simplified stories that supports a particular interpretation of history. It expounds a moral 'truth' in order to legitimise authority and power.<sup>1</sup> In Zimbabwe an African nationalist narrative has been constructed around the 'lost lands' to justify the government's land reform programme. It recounts how British colonists stole the best lands without compensating the indigenous African peoples. It speaks of a culture where land, sanctified by custom, cannot be owned, but is shared equally by wise traditional leaders for the benefit of the community. It celebrates heroic struggles to recover the lost lands, regain the dignity of a wronged people, and defend the country's independence and sovereignty. And, like all good propaganda, the narrative has a kernel of truth that is repeatedly reinforced by leaders to convince their followers that any means are justified to claim their moral right.

Why is it necessary to challenge this narrative? Firstly, because it explicitly rejects inconvenient truths. It does not recognise, for example, that the international community and white Zimbabwean farmers consistently supported an equitable land reform process to correct historical injustices. It turns a blind eye to multiple farm ownership by the new ruling elite while communal farmers remain mired in poverty. And it ignores international law and the SADC Treaty whose tribunal ruled that the seizure of white-owned farms was both racist and unlawful. Secondly, the narrative has become entrenched as nationalist doctrine. As such, it shuts out alternative voices for constructive engagement on government policies based on principles of economic development and good governance. Any talk, for example, of strengthening property rights and developing land markets is dismissed as being foreign to African culture and its concept of ownership.<sup>2</sup> Few policy analysts today dare challenge the current resettlement policy based on state acquisition, ownership and the reallocation

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<sup>1</sup> Jean-Francois Lyotard (1984) *The Postmodern Condition*, University of Minnesota

<sup>2</sup> Preamble, Communal Lands Development Plan (1985)

of agricultural land. And, thirdly, the narrative is exclusive and divisive. Instead of 'Zimbabwean' meaning a citizen of Zimbabwe, it has come to mean a black Zimbabwean. It separates the majority 'us' from the minority 'them', who are demonised and denied their constitutional rights to protection or to own land on the basis of their race or political affiliation.

Above all, examining the nationalist narrative on land will open the door to understanding how it has been constructed by the ruling elite for its own political ends; how it has justified deeply flawed policy decisions on land; and how it has trapped policy analysts in a circular and stultified debate. Only when we unshackle the mental underpinning of this narrative can we re-enter the debating arena with the confidence that different policy options can be robustly contested with intellectual integrity, rigour, and goodwill.

The question that has baffled so many, including Zimbabwe's friends and supporters, was why such a promising lower-middle income country, with one of the strongest agricultural and industrial sectors in sub-Saharan Africa, suddenly embarked on a controversial land reform programme which plunged the country into an intractable political and economic crisis? This article argues that a core contributing factor was the construction of a nationalist narrative of lost lands. This narrative initially justified state control over land and a command approach to policy implementation in the 1980s. After 2000 it re-emerged to legitimise the seizure and nationalisation of white-owned commercial farmland. Today it is used to oil the wheels of a patronage system that includes the seizure of foreign-owned mines, banks and businesses.

## INALIENABILITY OF LAND

The narrative began to take shape when the winds of change swept through Africa in the 1950s and 1960's, when the cauldron of discontent over the Land Apportionment Act (1930) and the Native Land Husbandry Act (1951) became the focus of nationalist agitation for independence. It was not just the loss of Ndebele and Shona lands in the 1890s that were a source of grievance, but the subsequent expulsion of whole African communities from European Farming Areas after World War II that made the land issue the centre piece of the nationalist narrative and emblematic of the liberation struggle itself.

By sanctifying the inalienability of customary land and invoking the notion of chiefly trusteeship, the nationalists created a unifying narrative – both in the name of African tradition and the ideology of the struggle, socialism. The essence of this narrative was the state's role as the custodian of land on behalf of the people:

In respect of agriculture, we have no difficulty because our own traditional system is identical with the Marxist-Leninist approach: at least insofar as ownership of land is concerned. Land has never belonged to individuals... It has always belonged to the people as a whole. We must go back to that traditional position... What we would

like to see established is a system which brings land into the ownership of the people as a whole. This means the state will act as the custodian for the whole people.<sup>3</sup>

In seeking to forge the tenets of communal tenure with those of socialism, the nationalists simplified the narrative, ignoring the fact that customary tenure was a tradition largely invented by the colonialists.<sup>4</sup> They downplayed the fact that traditional production systems consist primarily of economically independent households with their own gardens, fields and livestock. Despite calls for 'individual title' by smallholder farmers,<sup>5</sup> the narrative stressed traditional methods of labour co-operation: 'The government policy on co-operatives is based on the functions of traditional societies in Zimbabwe, which have always worked together in the form of *nhimbe* or *ilima* during harvesting.'<sup>6</sup> The narrative then went on to underline the moral imperative of socialism while denigrating capitalism and, implicitly, markets as well.

Socialism ... rests fundamentally on the principle of morality. It is a moral question first and foremost. ... Surely, our own political history, with the obnoxious system of land deprivation and concentration of resources in the hands of a racial minority very familiar to us, demonstrates vividly the injustices that attend the capitalist system.<sup>7</sup>

The Zimbabwean government's alternative to markets was centralised planning. So it was that the Communal Land Development Plan of 1985 envisaged the state's hand in planning villages, determining farm sizes, allocating land on a leasehold basis, and evaluating farmers' performance. Only the state would have the right to subdivide or sell communal farmland. Typically, an inter-ministerial Co-ordinating Committee and a National Coordinating Committee involving 20 ministries and departments were to oversee the programme's planning, coordination and implementation at national, provincial and district level.

For all the seriousness with which the government deliberated on these plans, they came to naught. The top-down command style of planning and implementation had not only proved to be impossibly inefficient and alienating, but the Land Tenure Commission of 1993 found that smallholders in the communal areas were actively opposed to it. By the 1990s, it had been largely shelved and forgotten. As the government's land policy began to focus almost

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<sup>3</sup> Robert Mugabe (1983) *Our War of Liberation: Speeches, Articles, Interviews* (1976-1979). Mambo Press: Gweru

<sup>4</sup> Terrance Ranger (1983) *The Invention of Tradition in Colonial Africa*. Cambridge University Press

<sup>5</sup> Zimbabwe Farmers Union submission to the Land Tenure Commission, 1994

<sup>6</sup> *The Herald*: 'Transformation to Socialism the Main Aim,' September 9, 1983.

<sup>7</sup> Inaugural address by Prime Minister Robert Mugabe at a series of lectures entitled *The Construction of Socialism in Zimbabwe* launched by the Zimbabwe Institute of Development Studies in 1984.

exclusively on resettlement, so the communal areas again became a backwater of neglect and poverty. What remained was state control over communal land, and the President as its trustee.

### UNSUSTAINABLE RESETTLEMENT MODEL

The most obvious way for one farmer to compensate another for the transfer of land would be to simply buy it. To assist poor but deserving black buyers, the state could simply have provided soft loans with repayment moratoriums to acquire land from white farmers. But, by denigrating capitalism and markets as un-African and exploitative the narrative justified the state capture and control of commercial farmland for resettlement. It envisaged a central role for the state which, represented by the President, would repossess the land from white farmers and – not unlike traditional leaders – redistribute it equitably amongst its black subjects. Initially, the beneficiaries were to be the poor and landless Zimbabweans who could not afford to buy land. Indeed, the narrative saw no reason why they should pay for land that had been ‘stolen’ in the first place. But, especially after 2000, it would justify the seizure of commercial farms and reallocate them to any black Zimbabwean, whether rich or poor. Beneficiaries had only to believe in the narrative’s moral authority: that they were simply taking back what was rightfully theirs. Thus, without any sense of irony, Bishop Abel Muzorewa, the former Prime Minister of Zimbabwe Rhodesia (1978-79), would say that he only wanted land that was taken from his forefathers without compensation. He called his action a ‘correction of injustice’.<sup>8</sup>

A more insidious side-effect of state control, however, was the financial implications of the resettlement model. Since the narrative precluded individual ownership or transfers via a land market, the state first had to pay for the land then reallocate it, but without any institutional mechanism of recovering the costs of either the land or the infrastructural development that was needed to support newly settled farmers. In essence, the contradiction was this: the more land and resources that were acquired to make a success of resettlement, the greater the government’s financial burden. Within the nationalist narrative, therefore, lay the seeds of a land policy which would produce an economically unsustainable model of resettlement. Its ramifications would reverberate throughout subsequent policy decisions which were driven by the need to meet political commitments written into the narrative, but without the financial means to deliver them.

There were three ways in which the state tried unsuccessfully to bridge this ever-widening financial gap. The first was to gradually erode the constitutional, legal and property rights of commercial farmers, and thereby reduce the amount payable in compensation for land. Rather than paying market-based compensation, a ‘fair’ price was to be administratively determined. At the same time, a ‘reasonable’ period for paying compensation would be

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<sup>8</sup> SW Radio Africa, 24 January 2008

redefined and extended. After 2000, the government paid less and less for land, improvements and equipment, and eventually, with the nationalisation of most commercial farmland in 2005, nothing at all. A second method of reducing the cost of resettlement was to provide less and less support for new settlers. In its original conception in 1980, the provision of infrastructure and extension services was seen as a sine qua non for new settlers to make a success of farming. But no sooner had an intensive resettlement programme begun when an 'accelerated' programme was designed to settle families urgently. Planning procedures were therefore cut to a minimum and only basic infrastructure provided.<sup>9</sup> After 2000, not even the rudiments of infrastructural and extension support were provided for those settlers occupying commercial farms. The third method of reducing resettlement costs was to transfer responsibility for paying compensation for land. As the resettlement programme faltered, demands for Britain to resume funding became more strident. Eventually, in 2000, Zimbabwe passed Constitutional Amendment No.16 which made Britain responsible for paying compensation to white commercial farmers whose land had been compulsorily acquired.

#### STATE CONTROL OVER LAND

State control over the communal land was extended into resettlement areas by issuing those who occupied it with various permits. As one World Bank report noted: "It would be difficult to imagine a less secure form of tenure: uncertain duration, broad powers of termination on the part of the Ministry, and few rights to compensation for investments."<sup>10</sup>

The ruling party then used its narrative to exercise control over commercial farms and their white owners. As a first step, an increasingly powerful executive undermined the restraining hand of the judiciary. In the name of the narrative's moral imperative, farmer's fundamental rights were systematically undermined after 2000 by *post hoc* legislation and other legal changes that were described by a UN mission as 'openly at variance with the doctrine of natural justice.'<sup>11</sup> After 2000, the rule of law itself was suspended as court orders were ignored and personal protection withdrawn. Land disputes were no longer to be settled through the courts of law, but by negotiation, supplication, and the prerogative of the executive. The latest count shows that barely 200 out of Zimbabwe's original 4,800 white farmers remain on the land. Worse, over 200,000 farm workers lost their jobs, and their families lost access to housing, schools, clinics and other social services.<sup>12</sup>

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<sup>9</sup> Appendix E, Intensive Resettlement: Policies and Procedures (Zimbabwe, 1985).

<sup>10</sup> World Bank (1991) Zimbabwe: Agricultural Sector Memorandum. Washington D.C.

<sup>11</sup> UNDP (2002) *Zimbabwe: Land Reform and Resettlement*, New York.

<sup>12</sup> Sachikonye, L (2003) *The Situation of Commercial Farm-workers after Land Reform*. Report: Harare.

With the state's control over land, hardly anyone in Zimbabwe today enjoys secure property rights. Communal farmers lack transferable rights, resettlement farmers' permits offer no protection, and white commercial farmers are still prey to predatory government officials. A1 settlers who seized land after 2000 are being forced off land by those A2 farmers who are being issued with 'offer letters'. But even these confer little security because of the wide discretionary powers granted to the Minister to cancel them.<sup>13</sup> All those possessing land are subject to party sanction and are beholden to the state to continue farming their land.

#### THE ROAD AHEAD

Informed debate on restoring property rights and agricultural productivity requires re-examining the premises and implications of the nationalist narrative. The fundamental question is whether property rights should vest primarily in citizens or the state. It means going back to the principles and practices that underlie economic development, human rights, and calibrating land policies to reduce poverty through pro-poor agricultural development and economic growth.

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<sup>13</sup> UNDP (2002). *Ibid.*