

12. WOMEN, LAND USE, PROPERTY RIGHTS AND SUSTAINABLE DEVELOPMENT IN ZIMBABWE

INTRODUCTION

The marginalization of women in all aspects of development had characterized the development landscape for a long time and this is not sustainable. Women had been on the fringes of development for a long time even though they command a very large number in population. For example in Zimbabwe they constitute 52% of the national population. A lot of factors had been put forward to try and explain why women had been lagging behind their male counter-parts; there is no conclusive reason that had been agreed in the field of academia. Various circumstances are being proffered as the reasons for women marginalization in development and these include political, social and economic. This research examined how land rights and land use had led to sustainable development in Zimbabwe. Women empowerment is critical to sustainable development because it is an attempt to achieve development through upliftment of marginalised groups of the society. Access to land can go a long way in empowering women because it gives women access to means of production that had for long been dominated by males. Women had limited land rights and this had serious social and economic ramifications which negatively affect sustainable development. Lack of land rights is the major cause of high prevalence of absolute poverty among women and their marginalization in development. Empowering women through access to land is therefore critical in improving their social status and will also go a long way in enhancing agricultural productivity and food security. Women need access to productive resources and to be integrated in all developmental projects to alleviate poverty and ensure sustainable development because it give them access to resources that make them productive.

Throughout history and worldwide, land has been recognized as a primary source of wealth, social status and power (Komjathy & Nichols, 2001; FAO, 2002). It has been regarded as the ‘God given natural resource,’ (Ison & Wall, 2007), and as ‘the basis for shelter, food and economic development,’ (Komjathy & Nichols, 2001). They further hypothesized it as major source of employment opportunities and livelihood strategies in rural areas. However it is becoming increasingly scarce resource in both rural and urban areas. Land as a resource had been the source of many conflicts all over the world due to its scarcity. FAO (2004) in its analysis of role of land described it as a social asset, crucial for cultural identity, political power and participation in local decision making processes. Land is therefore an

important resource in production, and accessing secure land rights can go a long way in empowering people and moving them out of marginalization. Access to land is critical (Komjathy & Nichols, 2001; FAO, 2002), because it is a crucial asset for food production and a key factor for shelter, community development, empowerment and sovereignty in many African countries, especially Zimbabwe.

In most of today's societies, there is a great gender inequality in access to land, housing and infrastructure. Gaidzanwa (1995) revealed that access to land in Zimbabwe is based on the patriarchal systems. Patriarchy is a social system in which: males hold androcentric rights; males predominate in roles of political leadership, moral authority, social privilege and control of property; and, in the domain of the family. Fathers or father-figures hold authority over women and children (Hooks, 2004). Whilst equitable access to land is a basic human right, and many organizations are fighting for women to be granted fair access to land, in Zimbabwean rural communities, distribution, access and ownership of land is biased towards the male counterparts at the expense of women (Gaidzanwa, 1995). Patriarchal tendencies have hindered women from applying for land in their own right (Hooks, 2004), resulting in most of them preferring their husbands to do the application process and own the land on their behalf. In such a situation, the women can only live on the land and carry out agricultural activities with their husbands' permission or approval. Costa (2010) observed that in these contexts, women would lose their land rights in situations of their husbands' death, in case of separation or divorce, or when forced displacements take place.

United Nations Economic and Social Council Commission on the status of women actually stated that 'land rights discrimination is a violation of human rights,' (UN Habitat, 1999). A lot of developing countries still lack adequate provisions that assist women to acquire land rights independent of their husbands or male relatives (FAO, 2004; Costa, 2010; United Nations, 2013). Their legislations do not provide for women's independent land rights, in situations where they exist, mechanisms to enforce it are often absent or weak, leaving women vulnerable and exposed to abuse and this contributed to their poverty and discrimination (Costa, 2010). So women's direct access to land through purchase or inheritance is severely limited, yet they may have greater management and use rights than men (FAO, 2010; United Nations, 2013). The 2004 African Gender and Development Index (AGDI) findings from 12 African countries (Benin, Burkina Faso, Cameroon, Egypt, Ethiopia, Ghana, Madagascar, Mozambique, South Africa, Tanzania, Tunisia and Uganda) revealed that women's access to land was, on average, less than half of that enjoyed by men (FAO, 2004).

Zimbabwe like other Sub-Saharan countries has cultures that have similar restrictive traditional laws (Gaidzanwa, 1995). Women are seen just as mere household producers and are mostly customarily given indirect access to land, which are acquired through kinship relationships either as wives, mothers, sisters and daughters (Mots'oene, 2014). Rocheleau and Edmunds (1997) added that, women enjoy access to a variety of forest and rangeland resources across the

WOMEN, LAND USE, PROPERTY RIGHTS AND SUSTAINABLE DEVELOPMENT

rural landscape but find themselves with restricted access to land because they do not hold titles to the land they are using, which is always held by the male relative. The formal land titling or land tenure systems have vested greater powers of exclusion in land ownership in men, where women had been excluded from owning land in their own right, which will allow them to make meaningful investment on land for better production. Even where formal title is given through joint ownership between husband and wife, women have lesser rights and may lose use rights in times when severed relations exist between them and their male relatives. Characteristically women have less authority in important decisions made over land such as when to buy or sell the land. In most aspects of life, women compared to their male counter-parts, had assumed second class citizenship. It is against this background that the paper seeks to examine how access to land helped in the empowerment of women. Further, the paper seeks to find out how women empowerment through accessing land rights had contributed to sustainable development.

WOMEN, LAND RIGHTS IN ZIMBABWE: A HISTORICAL PERSPECTIVE

In Zimbabwe the disposal of land from native Africans by whites has greatly contributed to marginalization of black majority in all aspects of life. The land apportionment Act of 1930 was the damaging piece of legislation that was used to dispose black Zimbabwean of their land. It divided the land of Zimbabwe into European and African lands. The Africans who were the majority were given 30% of the land and the whites who constituted only a quarter of the national population were given 51% of the land (Manjengwa et al., 2014). The scarcity of land among the African population was the genesis of marginalization of women in the ownership of land. The colonial system with its land grabbing system destroyed the African land holding systems that led to women losing some of their land rights. In Zimbabwean black societies, women were allowed their piece of land where they grew their crops such as groundnuts, round nuts and even maize. The land holding systems in the colonial era exhibited a racial superiority where the whites were the dominant race that held land rights. This changed after the attainment of independence in 1980 where the black took over from racial dominance and they were the ones that controlled land rights. The land rights therefore seen to be defined on racial basis and therefore took very little cognizance of the gender issues on land holding (Muzondidya, 2007) Land right in Zimbabwe therefore overlooked a lot of significant issues of rights that include rights of the minority groups, rights of women and the rights of farm workers (Moyo et al., 2001; Murisa, 2011; Muzondidya, 2007). Muzondidya 2007 further argued that rights of minority groups such as children, women and ethnic groups were not reflected in the land reform policy of the country, which was mainly defined in terms of the racial binary. Women were therefore economically, socially and politically marginalized despite constituting the majority of people in poverty. This marginalization especially

through alienation of land rights deprived them of sources of livelihoods and minimized their ability to diversify their livelihoods.

Soon after gaining independence in 1980, the Zimbabwean government embarked on land redistribution programme and by 1995 the government had purchased 2.9 million hectares of land (Chitsike, 2003). The initial target was to resettle 18,000 households on 9 million hectares of land but was later revised to 162,000 households (Chitsike, 2003). The land reform programme was heavily handicapped by some of the provision of the Lancaster House Constitution that only allowed government to access land through the willing buyer willing seller basis. In terms of providing land for women the whole process of land redistribution was silent of gender issues hence it did not give women their land rights (Gaidzanwa, 1995).

Land titling in the resettlement reflected patriarchal systems of land holding where women could only access land through their male relatives e.g. husbands or brothers. Land was registered in the name of the husband and he was entrusted to hold the land rights on behalf of the family. This severely limits women to make productive use of the land. In situation where their rights are poorly or not defined, they do not have incentives to invest in the land hence they are likely to experience poor production (Horrel & Krishnan, 2002). The patriarchal nature of the land holding system in Zimbabwe is a true reflection of many Shona societies that had deep seated structures that work to suppress women right and promote male rights in the society. Women in most Shona societies had very little power within the household and are constantly under supervision of their male counterparts (Horrel & Krishnan, 2002). They further argued that women are regarded as minors in these societies hence they are subjects not only to their husbands but also to the relatives of their husbands. Such traditional practices effectively work to disenfranchise women from key decision making processes in the household and the family. As a result their views in issues that pertains farm productivity are not included in the planning and management of farming activities. Consequently only male related issues are reflected in the farming systems. Males are therefore the ones that determine which crops to grow, and under which hectrage. This is not sustainable because it is the voice of the marginalised that needs to be heard in and development intervention. These should be the chief architects and engineers of development (Chambers, 1983). Sustainable development should look into the needs of the marginalised and excluded with the major aim of improving their conditions and the ultimate goal of empowering them. The disproportionate marginalization of women on land rights and exclusion of women in decision making processes on land is a disempowerment and marginalization of women strategy that had kept them out of development. The last phase of land reform in Zimbabwe was the Fast Track Land Reform Programme, which was characterized by a lot of violence. The delayed land redistribution process in Zimbabwe prompted war veterans and other land hungry Zimbabweans to occupy white commercial farms and other derelict farms throughout the country. This prompted the government of Zimbabwe to embark on a chaotic Fast Track Land Reform Programme. This programme was characterized

WOMEN, LAND USE, PROPERTY RIGHTS AND SUSTAINABLE DEVELOPMENT

by violence and coercion (Muzondidya, 2007). It was administered on military basis, where war veterans were directing operations and had established structures that supervised farm occupation and allocation of pieces of land (Murisa, 2011). The most notorious organization was the committee of seven that was dominated by war veterans and was superintending operation in the farms. The violent and chaotic nature of the land reform worked to effectively exclude women from the land redistribution process (Murisa, 2011; Goebel, 2005). According to Goebel 2005 most of the violence mainly in form of rape and assault was targeted to women and children. The most affected were women farm workers who were often accused of supporting the white commercial farmers, hence were treated with suspicion of betraying the struggle for land acquisition dubbed the third Chimurenga (the third version of war of liberation). Women therefore, because of their vulnerability could not participate in such shambolic land reform programme. However some women who had good political connections managed to get access to land in the same process. They used their political connections to get access to land but the programme recorded marginal increase in the number of women who accessed land from previous 4% to 18% (Mutopo, 2011; Manjengwa et al., 2014).

WOMEN'S LAND RIGHTS IN ZIMBABWEAN CUSTOMARY TRADITIONS

In most Zimbabwean societies there are very strong patriarchal systems where women are continuously regarded as minors and are only allowed land through their male relatives (Gaidzanwa, 1998). Under such tradition wives and daughters have no land rights but can only access these rights through their male relatives. This situation is obtaining against the backdrop of massive contribution of women in agriculture and food security. Women are the majority participants in agriculture as they constitute the majority workforce (Mutopo, 2011; Goebel, 2005). In some cases the discrimination of women in accessing land is really unwarranted as women had proved to as productive as their male counter-parts and in some cases they could surpass their production levels (Goebel, 2005). The secondary rights can only allow them use rights while real land rights remain located in their male counter-part. This feature remains a permanent imprint in most societies in Zimbabwe despite attempts to change this situation and bring women at parity with their male counter-parts. New laws are taking too long to eradicate these traditional practices. For example the government of Zimbabwe soon after independence tried to overhaul the skewed patriarchal system that dominated Zimbabwean societies by enacting legislation that would help to uplift the conditions of women, but they remain overshadowed by traditional practices. The Legal Age of Majority Act was an attempt to give women legal status to represent themselves just like any other human being at the age of 18 (Goebel, 2005; Moyo & Kawewe, 2002). This piece of legislation allowed women legal equality with their male counter-parts and allowed them to hold land rights. This moved them from the minor status that underpinned their disenfranchisement in holding land. The legal Age of Majority of 1982 was an

attempt to open opportunities for women acquire land right just the same way men did. However strong patriarchal systems continued to sideline women in accessing real land right. The government though they enacted the legal Age of Majority that allowed equality between the gender divide they also had strong traditional beliefs that women cannot hold land in their own right. Gaidzanwa, 1995 commended that the government had no serious intention and lacked the political will to give women land rights because the President of the country and his deputy were quoted in the local media as saying women cannot hold land rights in a marriage system. They further argued that if women want right they should decide not to marry. Such utterances especially coming from those holding powerful position in the country, reflect strong patriarchal notions which waters-down all efforts of empowering women through accessing secure land rights. As a result, despite massive land redistribution that happened in the fast track land reform programme less than 20% of the land was given to women (Goebel, 2005). Those who benefited were not the ordinary women in the rural areas, who constituted that majority of those in poverty but those who had political connections specifically those who were connected to the ruling ZANU Pf party. Women groups fought an arduous struggle for women emancipation especially women participation in politics and women land rights. These efforts yielded when the government allowed for joint ownership and entitlement of land between the husband and the wife especially in resettlement areas. However, this did very little to improve the situation of majority of women in rural areas who are in customary marriage (Goebel, 2005). These could not jointly register on the leases and titles of the land due to the nature of their marriage, which were not recognized in the legal systems.

The domination of culture in most facets of African lives was the major impediment factor in the empowerment of women through accessing of real land rights. In most Shona societies the lives of women are conspicuously misrepresented and at most not represented due the subservient roles that they hold in these societies. These strong cultural practices had straddled across all facets of life, which include the social, economic and political circles. The result was the failure of women issues to be escalated on national and economic agenda (Moyo & Kawewe, 2002). The nature of political economy in Zimbabwe allowed for domestication of women in most African societies. This had been allowed because most men leave their rural homes for towns and cities in search of employment and in most of these cases women are left in the rural areas looking after the rural home. Women live under the care of their husbands who stays in urban areas. This kind of practices had led to development of the ideology of domesticity among African women who are socialized into accepting and believing that they are to stay at home allowing their husbands to fend for them and the family (Moyo & Kawewe, 2002). This effectively prevented most of the women from acquiring important assets that could be used to make productive use of land. Unlike women, men had been able to acquire important assets such as ploughs and drought power that are critical in the agricultural production.

The customary laws that are more dominant in African societies had a lot of ramification on women access to land and use of that land. The dominant patriarchal systems do not allow women to inherit their husband's land rights or the property they worked to build (Vambe & Mpfariseni, 2011). Such rights are vested in the male relative who can be the male's kins or her elder son. Women and daughters are not considered and generally excluded in the process. This practice works to deprive women of their sources of livelihoods and offends the principles of equality and natural justice (Vambe & Mpfariseni, 2011). It violets the provisions of international agreement and conventions such as the Convention of Elimination of All forms of Discrimination Against women and the United Nation's universal declaration of Human Right Article 17 which provides for every human being to have access to property right. The universal declaration of human right therefore provide for women to have property rights. Property rights are therefore human rights recognized internationally. What is worrisome is that the traditional systems seem to practice double standards in that sons even when they are minors in some cases are preferred to inherit father's property ahead of their mothers who is more senior in terms of age and experience in agriculture. This obtaining situation therefore spells out the position of women in the some Shona societies. Women are perpetual minors when it comes to land holding but they are the majority of workers and active participants in agriculture as men are usually away working in cities and towns (Mutopo, 2011). They are actually the de facto household heads who had the responsibility to produce and control production at household level. The position that women hold in the absence of their husbands put them at a critical position in terms of responsibility in agriculture, which does not commensurate with the authority that they hold on land. It therefore calls for total empowerment of women if we are to achieve sustainable development. They need to have land rights that should allow them to invest in the land, which will also result in higher production and food security bot at household level and national level. The user rights that most the women have are not sufficient for them to invest in the land mainly because the rights are not secure as they can lose them at any time and in most cases do not allow women to have access to sufficient land (Daley & Englert, 2010; Chigwenya, 2013). The insecure land rights that most women have, had a lot of ramifications on the production and management of landed resources. According to Fortmann et al. (1997), the insecure land rights that most women have prevent them from investing in good land management practices such as tree planting that will help in the conservation of land and the environment. In their study in two Zimbabwean villages they found that women are less willing to participate in such land management practices, as only 44% of women were into tree planting and other land management practices as compared to 83% men. The obtaining situation is not good for the environment and does not augur well with the tenets of sustainable development. Issues of environmental sustainability are very critical to sustainable development. There is need to take measures to protect and manage our environment for our benefit and the benefits of generations to come.

Customary laws and practices that are dominant in most African societies had been responsible for the impoverishment of women. They had exposed women to some grueling experiences characterized by life challenges. These practices are so restrictive on the advancement of women and their economic emancipation (Peterman, 2011). The major impediment in women advancement is the lack of access to resources that are critical for empowerment such as secure land rights. Secure land rights enhance agricultural productivity and lack of such rights among women is the chief cause of the negative economic outcomes among them (Peterman, 2011). He further argued that insecure land rights negatively affects the health of women. This is not sustainable because women as human capital cannot be as productive as the other healthy people. The quality of human capital is very essential in the production system because the healthier they are the more productive they are and the more sustainable the livelihoods they engage in.

LAND RIGHTS, LAND USE AND EMPOWERMENT

The secondary land rights, which mostly women hold, seriously disempowered them and this also affects their decision making processes, especially on issues regarding land use. In most cases the right to decide on land use allocation is vested in patriarchal lineages where this authority is ascribed to elderly men. They have the right to make critical decision on land on behalf of family or clan (Oxfam, 2001). They can decide whether the land is to be bought, sold or the use to be given to the pieces of land they own. Women only have use rights which they can access through their male relative. According to Boserup (1970, cited in FAO 2010), women farming systems are characterized by communal ownership of land with usufruct rights. They seldom own land they cultivate and in situation where they own land it is in fewer amounts. On average women own land, which is less than half of that held by their male counterparts (FAO, 2010). This then handicap them in terms of production, where their pieces of land do not allow them to make productive use the land.

The secondary rights held by women are therefore important drawbacks in the empowerment of women and had contributed immensely to their marginalization. It is important therefore for women to acquire real land rights on equal terms with their male counter-parts if any improvement in their social and economic status of women is to be realised. Land rights will give them access to means of production, which will make them productive and in the process help to uplifting their conditions and avoiding economic and social marginalization (Gaidzanwa, 1998). She further argued that the existing subservient roles that women have in the society makes their male counter-part very import social figures and make them the only conduit through which they can access land. This gives women torrid time to maintain these relationships even in situations they are abused. They will stay in such severed relationships for fear of losing these secondary land rights. This makes women very vulnerable socially and economically and this is not sustainable. The situation is more difficult for divorced women who had an extra and arduous task of proving

to relevant authorities that they have custody of their surviving children in order to continue enjoying land rights. They are at a risk of losing that land to greedy husband's relatives. Some of them will get portion of land from their parents, who on compassionate grounds often offer them a more safe use rights. In such situations they will need to leave their matrimonial homes to go and stay with their parents.

The secondary rights that most women hold over land are not enough to allow them to make economic use of the land as in most cases they cannot invest on the land because they do not have real rights over it. Their pieces of land are usually difficult to use as they will be marginal and hence demands a lot of inputs, of which most women because of their economic status do not have. These use rights can only enable them to carry out very minor economic activities that will bring in very little in terms of cash that is critical in empowering them (Meer, 1997). Their contribution to economic development is therefore very marginal as their production is mainly subsistence and does not allow them to venture into meaningful economic activities. Women constitute the majority of rural population and the number of people in absolute poverty (Mutopo, 2011; Peterman, 2011; Mutopo & Chiweshe, 2014). The limited access to land by women also restricts them to grow mainly vegetables and other non-commercial crops such as groundnuts and round nuts. This situation is obtaining despite the fact that these women have the ability produce cash crops just the same way their male counterparts and the fact that women constitute the majority of able bodied work force in most rural areas (Fortmann et al., 1997). They play a very critical role in agriculture, which is a sector most of them are employed. In Sub-Saharan Africa for example, they are 54.9% women employed in agriculture and in other countries the figures are even high, for example in Mozambique they constitute 60% and Tanzanian 81% (Arisunta, 2010). They are also the major producers of food crops such as maize, rice and cassava in the Sub-Saharan Africa (FAO, 2010). According to Geisler (2001) women in South Africa have managed to supplement their husband's wages through productive engagement in farming of cash crops. This therefore shows that there is no basis for marginalizing women in agriculture and giving them land right will increase production and food security both at household level and national level. The result will be sustainable development where the previously marginalised groups of the society will be empowered to actively participate in development. Giving secure land rights to women will transform the structural conditions that had marginalised women and resulted in their vulnerability and disempowerment. It will political empower them and created an opportunity for addressing inefficiencies in farming (Moyo et al., 2000).

The secondary rights that most women have are highly uncertain and in most cases poorly defined. These tenurial rights are not titled in any formal documentation neither are they customarily acknowledged. In Zimbabwe the situation that most women find themselves in is defined by a combination of customary laws and inherited colonial laws that are working to keep women marginalised (Mutopo, 2011). Furthermore the rights are subject to change and these changes

rarely take into consideration the needs and rights of women and in most cases women are always on the losing side mainly because their rights to land are not recognized and there are no institutions that support women land rights. In very few situations where these rights are defined by the customary laws, it is very difficult to reconcile women and male land rights mainly because the customary laws do not have gendered land policy and then dominant patriarchal system that is in many societies prevent women land rights. This effectively alienation of women on land rights and hence minimize their contribution to their empowerment and development. As a result, women constitute the majority of the poor in the society (Horrell & Krishnan, 2002). The new demographic trends show that there are increasing numbers of female headed households, which therefore calls for a greater need for women empowerment so that they can be able to look after these families. To achieve this, institutions and policies should be put in place to support women empowerment and such interventions are likely to improve probabilities for women to economically contribute to development (De Villard et al., 2000 in FAO, 2010). Restricted access to land and poorly defined land rights does not only work to keep women in perpetual poverty but also limit their contribution to economic development and this does not augur well with tenets of sustainable development which calls for support of the marginalised groups of the society.

The disempowerment of most women is predicted on the fact that their rights to land resources are heavily dependent upon their marital status (Gaidzanwa, 1998). This construction put most women in a very vulnerable position economically, since it pushes women out of decision making processes involving land. They can therefore not decide on which crop to grow, how much land to be allocated to which crop because all these responsibilities are located in their male counterparts. The situation is reinforced by some deeply seated perception that women in agriculture simply exist as house wives responsible for baby care and running household chores (Mkandawira & Matlosa, 1995; Gaidzanwa, 1995; Mutopo, 2011). They are therefore regarded as peripheral actors in agriculture which is regarded as male domain. However women are very critical actors of household agriculture labour and had shown that they can make huge contribution to agriculture and in some cases can match production figures of their male counter-parts, for example in Ghana women coco farmers were able to match yields of their male counter parts (FAO, 2010).

The insecure tenure of women land rights are the major drivers of their vulnerability because they can hardly afford them to be economically viable. They cannot venture into viable commercial farming because of the sizes of land they hold (Mutopo, 2011). They therefore concentrate on production of women crops, which are labour intensive and require a lot of patience. These crops also had low market values hence cannot be very useful in the economic empowerment of women. In cases of land appropriation women are often victims of land grabs especially by the male relatives (Gaidzanwa, 1995; Horrell & Krishna, 2002; Cooper, 1997). This is because traditional customs do not recognize women as custodians of land

WOMEN, LAND USE, PROPERTY RIGHTS AND SUSTAINABLE DEVELOPMENT

rights and such practices are more likely to leave women in dire conditions of poverty as they will have been dispossessed of their means of production. However, women in resettlement areas enjoy some freedom from their husband's relatives mainly because families in resettlement areas exist as nuclear families unlike in communal areas where there are extended family ties. Giving women access to land and creating institutions that support land rights can make them as effective as males. Most husbands do really feel socially threatened when their wives have a reliable source of income hence they will do whatever is in their capacity to keep them economically handicapped so that they can force them to depend on them (Oxfam, 2001).

Women rights are often taken for granted yet they play a very important role in the society. They are de facto heads of households and in such situations they are bestowed with responsibility of food production for the family. Women in particular constitute the majority in the rural population (85%) (Karanja, 1999), and are most affected by poverty. This situation is obtaining against the backdrop of the critical role they play in the economy. They are responsible for producing half the world's food, they contribute 75% of agricultural labour and responsible for processing and storage of 90% of food (Mehra & Rojas, 2008). In developing countries, women's contribution to food security is even higher (over 60%) (Mehra & Rojas, 2008). Giving women access to land has therefore have far reaching consequences as it has the potential to increasing agricultural production by between 20% and 30% and reduce poverty by between 12% and 17% (Women Thrive Worldwide, 2009). This will significantly contribute towards achieving the Millennium Development Goal which aimed to halve poverty by 2015. It is also a fulfillment of human rights to development as dictated by the United Nation High Commission, which argued that any development that alienates other human beings is travesty to development. The Beijing Declaration in its article 35 also supports the same argument as it calls for equality to access to economic resources, which include land (Chigwenya, 2013).

WOMEN LAND RIGHT AND AGRICULTURAL PRODUCTION

The land rights that the majority of women hold are not secure and heavily depend on their relationship with their male counter-parts. Most of the rights are communal with very few holding freehold. Most of those with freehold land tenure rights got them in the fast track land reform where they were issued with 99 year leases by the government. Women with real rights were mostly widows who had used their political connections to access land during the chaotic Fast Track Land Reform (Murisa, 2011; Mutopo, 2011; Murisa, 2014). Some had benefited from the improved land policy that allowed women to acquire real rights through joint ownership of land with their husbands. However even in joint ownership patriarchal systems continue to dominate such that joint ownership is just spelt on paper but in actual fact men dominate all facets of land ownership. They have a bigger and louder

say and also overriding decisions over land as they are the ones who determine which crops and the hectareage to be put under each crop. It is also their crops that consume the bigger share of land and the income driven from these crops is held under the control of males. In the joint ownerships, the real practice prescribes males as customary and traditional owners of land, and therefore has the final say on land.

In terms of production, those with freehold land rights seemed to perform marginally better than those without. The case study from Zvimba rural area showed that those with secure land rights were not among the poor agricultural performers. Even though they were not among the best performers they performed reasonably well as some of them could achieve production figures of three tons per hectare. [Table 1](#) below shows maize production per hectare in Zvimba.

Table 1. Maize Production (Tons/ha) in Zvimba

<i>Maize production (tons/ha)</i>	<i>Land rights (%)</i>			
	<i>Usufruct</i>	<i>Communal</i>	<i>Lease</i>	<i>Freehold</i>
Less than 0.5	48	24	1	–
0.5–1	13	4	2	2
1.1–3	–	–	4	1
More than 3	1	–	–	–
Total	62	28	7	3

Source: Survey, 2013

There is still a clear distinction between the crops that belongs to males and those that belong to female. In all situations the male crops were dominant in terms of hectareage and investments. In a case study of Zvimba communal areas, female crops were allocated on average a sixth of the family arable land and receive very little or no investments. This land was supposed to be further divided for 2–3 crops, which further diminish the economic viability of the piece of land. Women in Zimbabwe are among the poor in asset possession. They neither hold enough land nor have the means to make their land productive (Manjengwa et al., 2014; Horrell & Krishnan, 2002). They do not have enough income, fewer livestock and less machinery to make their land productive (Horrell & Krishnan, 2002). According to Horrell and Krishnan (2002), the thin asset base is the major limiting factor for women to diversify their livelihoods. Even though widowed women in resettlement areas in Zimbabwe have the same land size as their male counter-parts their production remains comparatively lower than their male counter-parts. Their households also remain poorer than their male counter-parts. The male crops also receive most or all of the farm inputs such as fertilizers, manure, pesticides and in most cases they use hybrid seeds while women utilise open pollinated varieties (Horrell & Krishnan, 2002). Even in terms of prioritization, women's crops get the

last priority as they are planted last after the male crops usually towards the end of rain season.

A significant number of women were holding communal land rights which they gained through joining community organizations such as cooperatives. These community organizations were established by donor agencies, which encourage women to work in groups especially in community nutritional gardens. Communal land rights in co-operatives were dominated by divorcees and widows who usually find it difficult to be allocated land in their villages. However, land allocated for these communal agricultural activities is very small and cannot allow them to make meaningful contribution to economic development. For instance they are allocated only 12 square meters per women in communal gardens, which only allow them four vegetable beds. These communal gardens are also affected by lack of inputs which severely limits their productions as they do not have pesticides and fertilizers that will boost their production. For example the butter nut project was severely affected by pests and diseases that completely wiped the entire crop. Another challenge is lack of a ready market for their horticultural produce. They only rely on the local demands, which fetch low prices leading to low returns.

Land leases were introduced just after the 2000 fast track land resettlement programme in Zimbabwe. These leases given in form of 99-year land leases, and were granted to A2 farm holders. These leases were granted so as to help the new farmers to access credit facilities from financial institutions. They were introduced after realization that black farmers who were allocated farms under the A2 scheme were failing to put their lands to productive use due to lack of financial resources. However, banks and financial institutions were refusing to accept these leases as collateral security because of political overtones in the whole land reform process. The whole resettlement programme was regarded as a political gimmick, irrational and with very little economic value, hence the refusal of accepting 99 year government leases as collateral security. As a consequence, beneficiaries were forced to only use their meager resources to fund their agricultural activities resulting in low utilization of land and low productivity. They sometimes rely on government handouts for farming inputs however these are not reliable, as they often come well after the commencement of the farming season, and inadequate to allow large scale commercial farming and usually are allocated along political allegiances.

The user rights, which most of the women are holding are only allowing them to produce very little as the majority of them are managing only less than a tonne per hectare. Women are only permitted by their husbands to grow groundnuts, roundnuts and sweet potatoes on their allocated spaces. The rest of the land is utilised by their husbands to grow cash crops, and food crops to sustain households. Only a few (1%) women were managing to produce more than a tonnes per hectare. This is necessitated by the facts that most women do not own large pieces of land and have limited decision making powers on land allocation at family level, they also do not have capital and inputs to invest on their land and all these factors weigh down women in the empowerment process. It is only those with more secure rights

(99 year leases and freehold) who were performing marginally better. Normally, these were the widows farming on their late husbands' pieces of land.

LAND RIGHTS, WOMEN EMPOWERMENT AND SUSTAINABLE DEVELOPMENT

The land reform programme in Zimbabwe has been an arduous struggle for women empowerment but the struggle still continues because the majority of women still struggle for land rights that enhances empowerment. The obtaining situation right now does not afford sustainable development because women who constitute the majority in the country they still constitute the majority of those in poverty (Mutopo & Chiweshe, 2014). They still constitute the majority of disempowered population in agriculture because they do not have enough land to engage productive agriculture and they also lack sufficient assets to carry out their agricultural activities, Very few women who had benefited from the land reform programme as an estimated 18% had benefited from the land reform (Manjengwa et al., 2014). The whole programme of land redistribution was shambolic and the land rights given in the process were poorly defined. They gave people offer letters, which were not registered in the deeds office for secure and protected land rights. It therefore created opportunities for corruption where these offer letters were issued to various tenants and when such situations involve women, they are the ones that are on the losing side. Land as an important resource requires stable institutions that protect property rights. It is only when such institutions are in place those women and any other vulnerable groups can think of secure land rights. It is only when people have secure land right that they can engage in productive agriculture that will lead to sustainable development. The situation obtaining in Zimbabwe is that people with political connection can manipulate the situation of offer letter when they want land and they can use their connection to have these offer letters and dispossess sitting tenants (Murisa, 2011).

Women access to land is also defined by their ability to negotiate and bargain access to land in a system that is highly patriarchal. However such skills and bargaining power is lacking among women. They are therefore always found losing when it comes to negotiations on land rights. Women therefore need to be skilled so that they stand a chance to succeed when it comes to negotiations for access to land. The prevailing situation where women's land rights are defined by their relationships with men is not sustainable. They need to put the situation in their hands not to depend on ties to men. This put them at a very vulnerable position and exposes them to exploitation. There is need to put in place institutions that safeguards the rights of women to land.

Women also need to move away from growing crops with low market values and start to grow cash crops that will allow them to reap more from their agricultural production. This will economically empower them and allow them to acquire assets that will make them more productive on land. They can then be able to have drought

power, plant hybrid crops and the result will be more production. This will go a long way in uplifting their conditions and help in sustainable development. Women and children are the most vulnerable people of the society, when their conditions are improved this will led to sustainable development. When they are economically empowered they will be able to participate in the decision making processes in the society and this will open our societies to democratic systems, which is important for sustainable development. The situation obtaining in Zimbabwe is that women constitute the minority of those who benefited from the land reform, thus making it difficult to fulfill the tenets of sustainable development. They need to be given land rights so that they can effectively participate in economic development through agriculture (Mutopo, 2011).

Land right and women empowerment remains an elusive concept in Zimbabwe. The major problem is that society remains strongly embedded in a culture that disenfranchise women from accessing land right. There are strong belief systems that land rights are men's rights and the only safe way for women to access land rights is through marriage (Mutopo, 2011). Women are only allowed secondary rights, which effectively prevent them from accessing and controlling production. These beliefs therefore continue to alienate women from the means of production and this has the greater probability of impoverishing them. This is not sustainable because everyone has the right to economic resources and in order to achieve sustainable development it is the marginalised groups of the society that need to be uplifted economically. Opportunities still exist in Zimbabwe because of existence of institutions that promote women empowerment such as women in politics and women and land groups, but there is need to move away from being talk show to be real organisation that champion women issues .They should come up with policies that are actionable and enforceable. The situation obtaining so far is that even in situations where women have equal shares with their husbands, it is the husband that controls most of the activities on the land. They are the ones who determine what is to grown and how much hectarage is to be allocated to what crop (Gaidzanwa, 1995; Chigwenya, 2013). Male-controlled crops are to be cultivated first and they get the most best agricultural lands and consume most of the inputs. This therefore works to effectively keep women disempowered and maintain their roles as subservient subjects of the household and the society. This is not sustainable because it is travesty of justice and equality, which is important as enshrined in the United Nations Universal Declaration of Human Right Article 17. Access to land should empower women and this should be done through availing real rights to women so that they can make meaningful contribution to development and in that way help to reduce people in poverty. In that way they will be contributing positively to one of the sustainable development goals of halving the people in poverty by 2015. Land titling should not only be reflected on paper but should see land right being equally shared between males and females. This will allow women to make economic use of the land and contribute to production, which will ensure food security.

There is need for women to own productive assets such as livestock and ploughs, which are very critical in the process of their empowerment. This will allow them to make productive use of land which will make them active economic agents. This will in turn improve their social status and make them critical decision makers in the society (Manjengwa et al., 2014; Peterman, 2011). According to Peterman (2011), women with secure land rights have more respects from their male counterparts and again have high decision making powers. Access to land is therefore an important empowerment tool for African women who are in perpetual struggle for personhood and recognition in societies that have institutionalized discrimination of women (Nkiwane, 2000; Moyo et al., 2000). Land ownership with secure rights goes a long way in developing a sense of nationalism and independence (Manjengwa et al., 2014).

CONCLUSION

Woman in Zimbabwe have tenurial rights that can hardly empower them because they have very little economic value. Most women had user rights or communal right. Very few had real rights over their land they are using. Even those with joint ownership, which give them equal rights with their husbands, it was their male counterparts who have overriding powers and seem to be in control of agricultural activities. Those with user rights are even worse off as they are not allowed to grow their crops in right quantities. They are growing non-cash crops like ground nuts and round nuts on very small pieces of land as compared to their male counterparts who grow cash crops such as cotton, tobacco and maize and usually on bigger pieces of land. These crops bring the bulk of family income. The 99-year lease that some women were given are not helping much as these leases are not recognized by most financial institutions. They can hardly use these leases to develop their lands. Lack of access to land with real rights has done a lot in disempowering women. They are economically weak as compared to their male counterparts and contributed to their low social status in the society. Males also own more important farming equipments in their names unlike women who own mainly kitchen utensils, which cannot be used for any productive farming business.

REFERENCES

- Arisunta, C. (2010). *Women, land rights and HIV in Zimbabwe, The case of Zvimba communal rights in Mashonaland west province* (Msc. Soc.sci. Thesis). Fort Hare Institutional Repository, South Africa.
- Chambers, R. (1983). *Rural development: Putting the last first*. Harlow: Prentice Hall.
- Chigwenya, A. (2013). *Contemporary issues in rural development, insights from Zimbabwe*. Germany: LAP Publishers.
- Chitsike, F. (2003, December 2–5). *A critical analysis of land reform programme in Zimbabwe*. A paper presented at 2nd FIG regional Conference on Management of Land, Marrakech, Morocco.
- Cooper, M. (1997). *Women and world development: An education and action guide*. London: Pearson.
- Costa, B. (2010). *Women's rights and access to land: The last stretch of road to eradicate hunger*. Italy: Actionaid.

WOMEN, LAND USE, PROPERTY RIGHTS AND SUSTAINABLE DEVELOPMENT

- Daley, E., & Englert, B. (2010). Securing land rights for women. *Journal of East and African Studies*, 4(1), 91–113.
- FAO. (2002). *FAO land tenure studies: Gender and access to land*. Rome: FAO Publishing Management.
- FAO. (2004). *The state of food insecurity in the world*. Rome: FAO.
- FAO. (2010). *Gender dimensions of agricultural and rural employment: Differentiated pathways out of poverty, status, trends and gaps*. Rome, Italy: FAO.
- Fortmann, L., Antonio, C., & Nabane, N. (1997). Fruits of their labour: Gender, property rights and tree planting in two Zimbabwean villages. *Rural Sociology*, 62(3), 295–314.
- Gaidzanwa, R. (1995). Land and the economic empowerment of women: A gendered analysis. *SAFERE: Southern African Review*, 1–12.
- Gaidzanwa, R. (1998). *Policy making tools Southern Africa*. Harare: SAPES.
- Geisler, G. (2001). *Women and remaking politics in Southern Africa*. Harare: Weaver.
- Goebel A. (2005). Zimbabwe's fast track land reform; What about women? *Gender, Place and Culture*, 12(2), 145–172.
- Hooks, B. (2004). Understanding patriarchy. In *The will to change: Men, masculinity, and love* (pp. 17–25). New York, NY: Washington Square Press.
- Horrell, S., & Krishman, P. (2002). Poverty and productivity in female-headed house-holds in Zimbabwe. *Journal of Development Studies*, 43(8), 1351–1380.
- Ison, S., & Wall, S. (2007). *Economics, financial times*. London: Prentice Hall.
- Karanja, P. W. (1999). Women's land ownership rights in Kenya. *Third World Legal Studies*, 10, Article 6.
- Komjathy, K., & Nichols, S. F. (2001). *Women's access to land- Fig Guidelines. Principles for equitable gender inclusion in land administration: Background report and guidelines* (Fig Publication No. 24). Frederiksberg, Denmark: International federation of surveyors.
- Manjengwa, J., Hanlon, J., & Smart, T. (2014). Who will make the best use of African land, lessons from Zimbabwe. *Third World Quarterly*, 35(6), 980–995.
- Meer, R. (1997). *Land and authority, Perspectives from Southern Africa*. Johannesburg: Polson.
- Mehra, R., & Rojas, M. H. (2008). *Women, food security and agriculture in global market place*. Washington, DC: ICRW.
- Mkandawira, L., & Matlosa, B. (1995). *Agricultural politics in Zimbabwe: A case of ESAP*. Harare: SAPES.
- Mots'oene, K. A. (2014). Is women's increased accessibility to land a path to sustainable development? The case of Urban Maseru, Lesotho. *Journal of Social and Development Sciences*, 5(4), 176–181.
- Moyo, O. N., & Kawewe, S. M. (2002). The dynamics of racialised, gendered, ethicized and economically stratified society: Understanding the social economic status of women in Zimbabwe. *Feminist Economics*, 8(2), 163–181.
- Moyo, S., Rutherford, B., & Amanor, D. (2000). Land reform and changing social relations for farm workers in Zimbabwe. *Review of African Political Economy*, 27(84), 184–202.
- Murisa, T. (2011). Local farmers groups an collective action within the fast track land reform in Zimbabwe. *Journal of Peasant Studies*, 38(5), 1145–1166.
- Murisa, T. (2014). Democratisation and control: Fast track and local government reforms in Zimbabwe. *Journal of Contemporary African Studies*, 32(1), 79–99.
- Mutopo, P. (2011). Women's struggle to access and control land and livelihoods after the fast track land reform in Mwenzezi Zimbabwe. *Journal of Peasant Studies*, 38(5), 1021–1046.
- Mutopo, P., & Chiweshe, M. (2014). Large scale land deals, global capital and politics of livelihoods: Experiences of women small holder farmers in Chisumbanje Zimbabwe. *International Journal of African Renaissance*, 9(1), 84–99.
- Muzondidya, J. (2007). Jamabanja: Ideological ambiguities in the politics of land and resource ownership in Zimbabwe. *Journal of Southern African Studies*, 32(2), 325–341.
- Nkiwane, T. (2000). Gender, citizenship and constitutionalism in Zimbabwe: The fight against amendment 14. *Citizenship Studies*, 4(3), 325–338.
- OXFAM. (2001). *Oxfam handbook of development*. Oxford: Oxfam.
- Peterman, A. (2011). Women's property rights and gendered policies: Implications for women long-term welfare in rural Tanzania. *The Journal of Development Studies*, 47(1), 1–30.

A. CHIGWENYA & P. NDHLOVU

- Recheleau, D., & David, E. (1997). Women, men and trees, gender power and property in forest and agrarian landscapes. *World Development*, 25(8), 1352–1371.
- UN Habitat. (1999). *Women's rights to land, housing and property in post-conflict situations and during reconstruction*. Nairobi, Kenya: UN Centre for Human Settlements.
- United Nations. (2013). *Realizing women's rights to land and other productive resources*. New York, NY: United Nations Human Rights Office of the Commissioner.
- Vambe, B., & Mpfariseni, B. (2011). Negotiating property rights in Southern Africa through novel magora panyama: A legal perspective. *Journal of Literacy Studies*, 27(3), 93–110.
- Women Thrive Worldwide. (2009). *Women and agriculture: Growing more than just food*. Washington, DC: Women Thrive Worldwide.

Average Chigwenya

*Department of Landscape Architecture and Urban Design
National University of Science and Technology
Zimbabwe*

Pardon Ndhlovu

*Department of Landscape Architecture and Urban Design
National University of Science and Technology
Zimbabwe*