

IAMA 14<sup>th</sup> Annual World Food and Agribusiness Symposium

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**Topic: Land Rights Administration and Its Impacts on  
Land Markets in Zimbabwe**

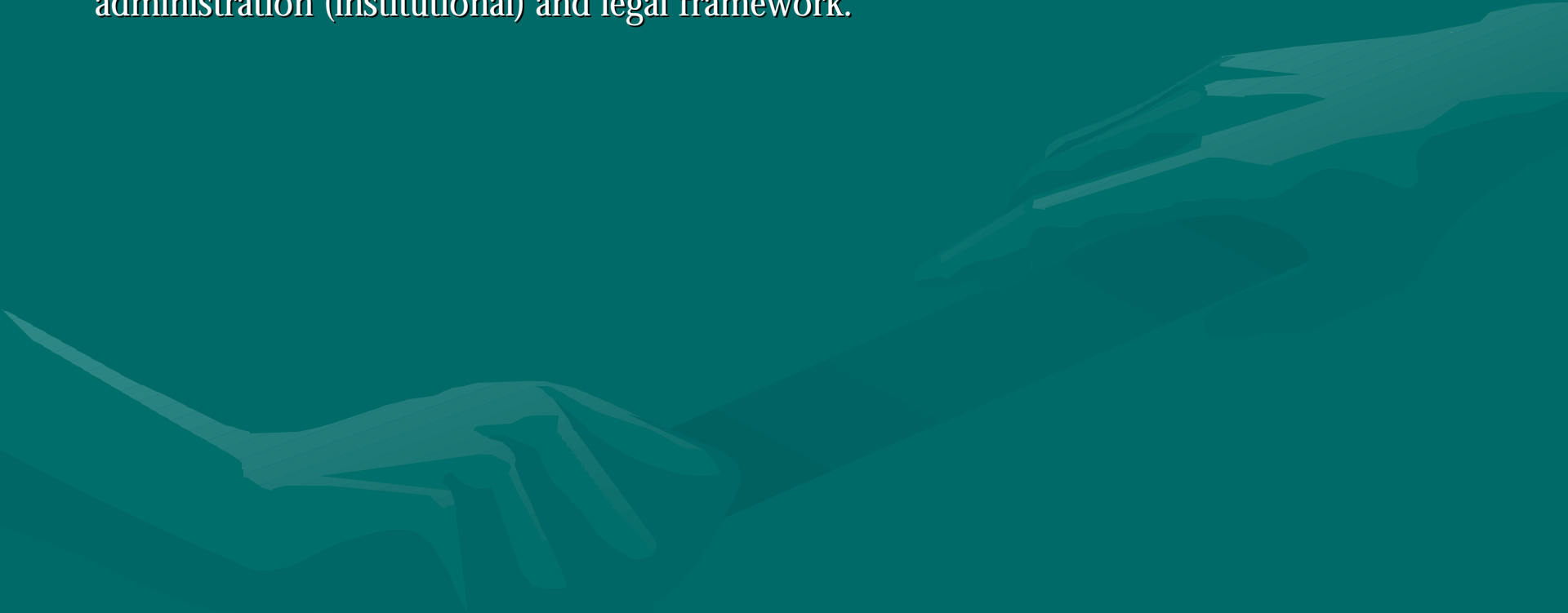
Presented by

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## **Introduction**

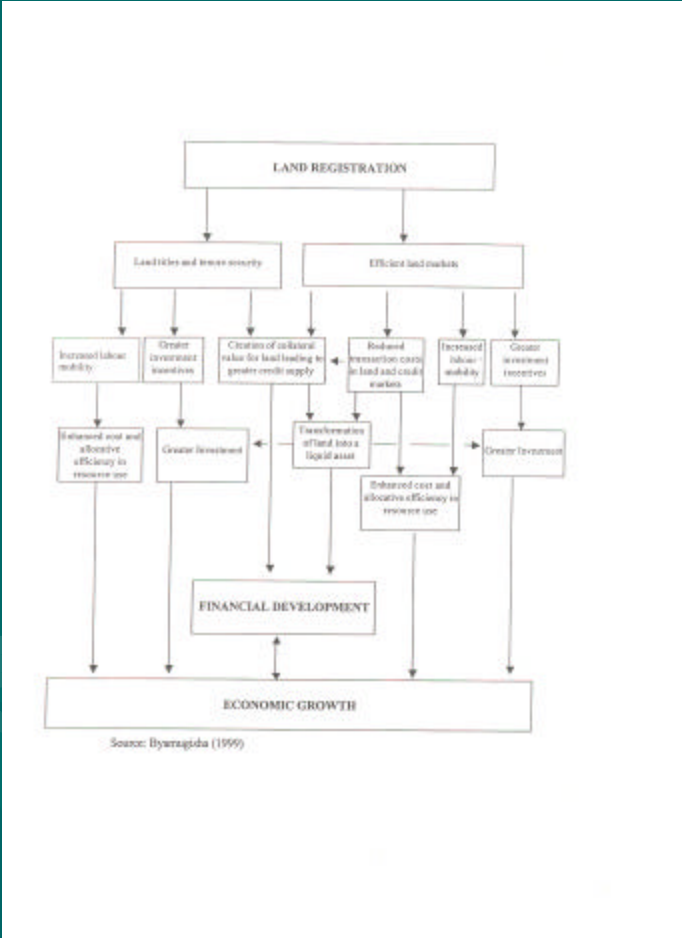
One of the major factors preventing proper functioning of a land market in the smallholder farming sector of Zimbabwe is absence of effective land administration (institutional) and legal framework.



## Aims

- To identify the types of land administrative authorities in the smallholder farming sectors of Zimbabwe.
- To assess the existing administrative authorities effectiveness in dealing with land market-related disputes.

# Theoretical Framework: A Theoretical Framework Linking Land Registration to Financial Development and Economic growth



## Study areas

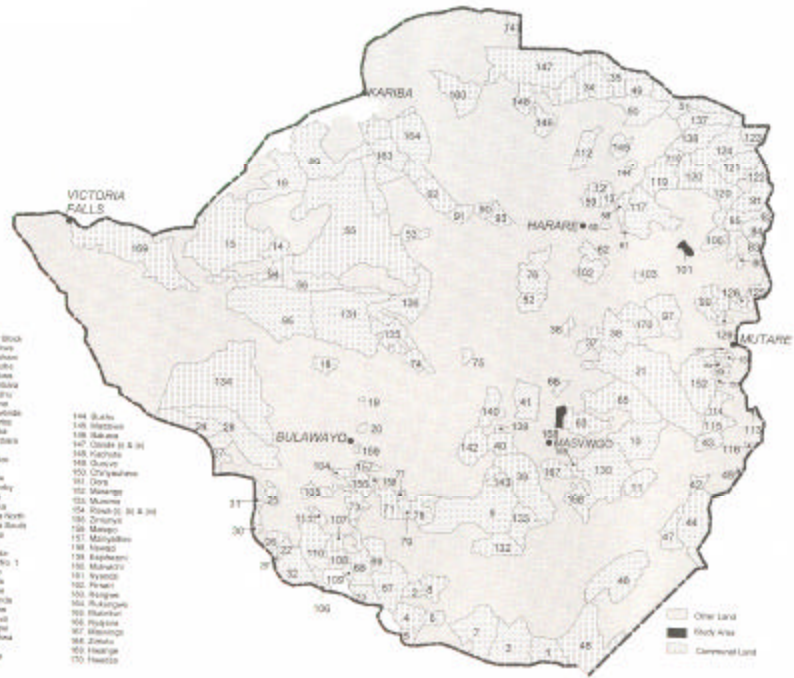
### 1. Communal Areas (41%, land sizes-1.5 to 4.5 hectares)

- ❑ The Communal Land Act
- ❑ “traditional freehold”
- ❑ Makes up 41% of the total area of Zimbabwe
- ❑ Land sizes vary from 1.5 to 4.5 hectares
- ❑ Located in agro-ecological zones least suitable for dry land agricultural production

# Communal Lands of Zimbabwe

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| 1  | Chibwa      |
| 2  | Chimpen     |
| 3  | Chivi       |
| 4  | Chivumbe    |
| 5  | Chiredzi    |
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| 7  | Chimwani    |
| 8  | Chitungo    |
| 9  | Chinhoyi    |
| 10 | Chivhu      |
| 11 | Chikanda    |
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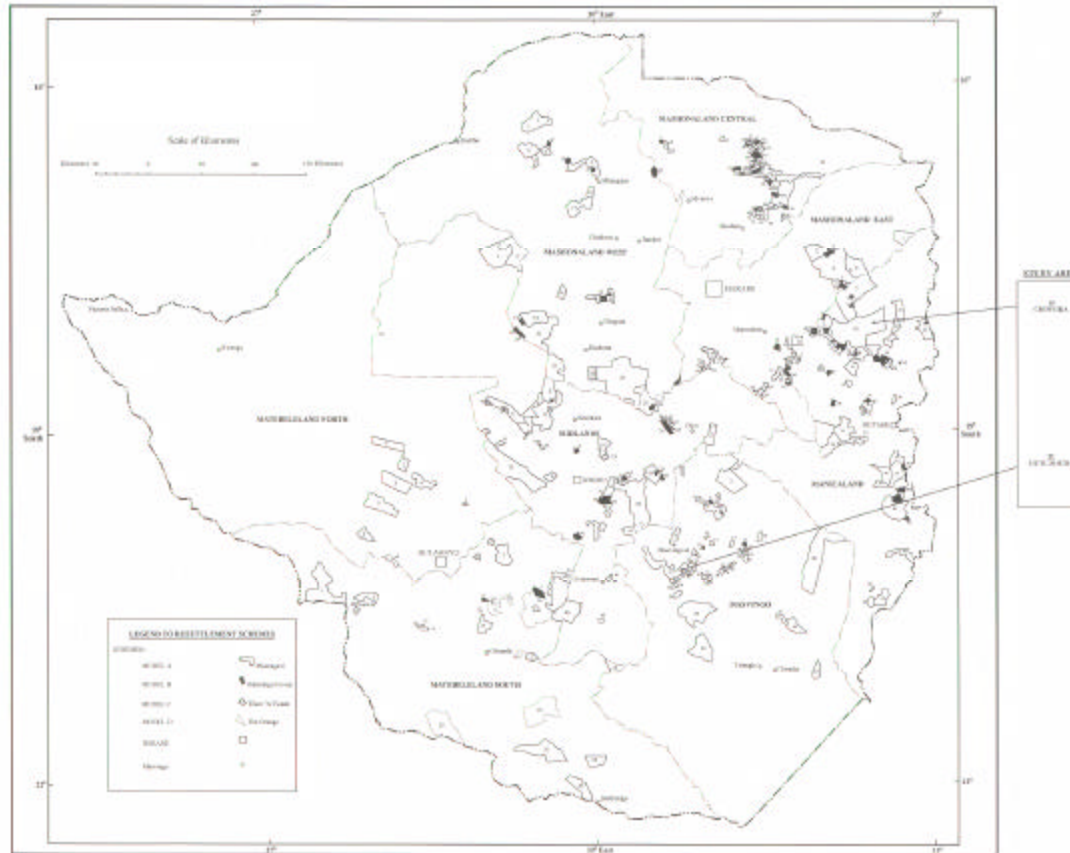


Other Land  
Study Area  
Communal Land

## 2. Resettlement Areas

- Permit System
- Land remains property of the state
- There is no compensation for developments upon permit expiry or revocation.
- Land must be used exclusively for the benefit of the permit holder only
- Makes up 9% of total area of Zimbabwe
- Average land size is 5 hectares

# Zimbabwe Resettlement Schemes

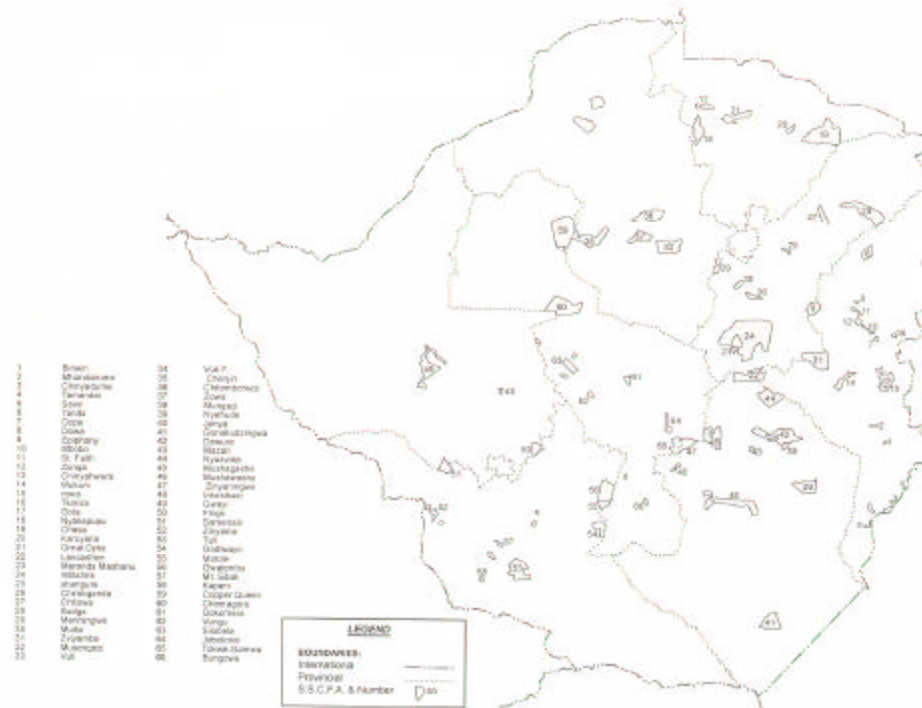




### 3. Small Scale Commercial Farming Sector

- ❑ “Title deeds” and leasehold-Land is registered and surveyed. Property rights are supposed to be as clearly defined and function as in a typical freehold system. A plethora of problems prevent this from happening, the main ones being the following:
  - ❑ original conditions of ownership
  - ❑ inheritance problems
  - ❑ weak legal framework
  - ❑ deliberate neglect by both pre and post independence governments
- ❑ makes up 4% of total area of Zimbabwe
- ❑ Average land size: 125 hectares

# Zimbabwe Small Scale Commercial Farming Sector



## Research methods

- ❑ formal questionnaire surveys
- ❑ key informant interviews



## Key land administration and land rights issues

### Land administration

In all three smallholder tenure categories studied three kinds of land administration authorities operate, and they fall into the three broad groups:

- civil authority
- political authority
- traditional authority

There is contestation among the three over who has the powers to register land rights, allocate and administer land and resolve disputes.

This vagueness in the role each of the three and their tendency to jostle for supremacy rather than complementing each other increase the tenure insecurity of the smallholder farmers of Zimbabwe.

## **(b) Land rights issues**

- Rights to land are not alienable.
- Land cannot be sold, mortgaged or rented.
- Land is not a commodity.
- It is not regarded as being for sale or purchase.
- The ownership of land is vested in the local group or extended family structures.
- Rights can be claimed by individuals by reason of their membership in this group.
- Individuals have only usufructory rights.
- Strangers (non-members) may receive land allotments but they do not have the same privileges, especially regarding inheritance by their children.
- Land is heritable through the male line (patrilineal).
- Married women have user rights to the land belonging to their husbands' kinship group, but they are not themselves landowners.
- On the death of her husband a woman may remain with her husband's group, retaining her user rights but if she remarries outside her late husband's group she loses any land rights she had formerly enjoyed with this group.
- Single, separated and divorced women are largely excluded from land ownership.

## Discussion

1. Due to weak land administration framework, exacerbated by confusion surrounding nature of land owners' disposal rights there is gross abuse of power by influential people, for example:
  - SSCFA-a farmer lost his farm to a local businessman who clandestinely colluded with the responsible authorities
  - CA and RSA-traditional authority and local authority corruptly allocate land meant for communal grazing to outsiders for favours
2. Suppression of formal land sales and rentals even in deserving cases, examples:
  - Tobacco farmers who need more land to meet rotation requirements
  - Elderly and sick people
  - Peri-urban
3. Sellers are powerless to bid for fair prices for their land

## Conclusions and implications

- ❑ Very little is known about the situation of land markets in three studied farming sectors of Zimbabwe.
- ❑ Land sales and rentals are illegal, but under conditions of scarcity, confusion on land owners' disposal rights and population pressure land sales and rentals are rampant and there is a lot of opportunist behaviour among the multitude of land administration players.
- ❑ There is an urgent need to formulate a national land policy, which addresses among other things, issues related to land rights and land administration in the smallholder sector of Zimbabwe.