



Case Study

Volume-06|Issue-07|2025

Land Ownership and Disputes, The Study of Gweru, Midlands, Zimbabwe

Dr Shadreck P. M Makombe

Academic researcher, Gweru, Zimbabwe.

Article History

Received: 10.05.2025

Accepted: 25.06.2025

Published: 05.07.2025

Citation

Makombe, S. P. M. (2025). Land Ownership and Disputes, The Study of Gweru, Midlands, Zimbabwe. *Indiana Journal of Humanities and Social Sciences*, 6(7), 8-11

Abstract: Among other advantages for the average Zimbabwean, land reform in Zimbabwe brought about improvements to rural economies, livelihoods, and access to long-locked natural resources. Notwithstanding these advantages, the program's tumultuous beginnings still plague it. Following the similarly chaotic Fast Track Land Reform Program and the current Land Reform Program, it started with the violent land invasions in the late 1990s. Many beneficiaries of the land reform program are now at risk of forced eviction and other serious human rights violations because current policies only provide holding rights rather than ownership, despite efforts to find long-term solutions to the security of tenure and title issue. Given that women make up over 52% of Zimbabwe's population and that they do 70% of the labor in the country's agricultural sector, it is clear that women and children are the groups most impacted in these situations. The Zimbabwe Constitution and other pieces of legislation and commission reports served as the major sources for this debate. Publications, media stories, official institutional reports, website content, and interviews were among the secondary sources employed in this study.

Keywords: Land ownership, Land disputes Land reform, Land Compensation

Copyright © 2025 The Author(s): This is an open-access article distributed under the terms of the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0).

BACKGROUND TO LAND CONFLICT IN ZIMBABWE.

Since the beginning of the twenty-first century, Zimbabwe's economy has been in decline, and this has coincided with the struggle between Zimbabwe and the West. Each side has a different interpretation of the causes of the tense diplomatic ties between Harare and the Western nations. The primary concerns, as stated by the Zimbabwean government, are that Zimbabwe was subject to sanctions from the West as a result of the losses incurred by its relatives during the Fast Track Land Reform Programme (FTLRP), which began in early 2000 (Mkodzongi and Lawrance 2019). This occurred shortly after the British government broke with its commitment to pay for land reform as part of the agreement to terminate the liberation war in Zimbabwe, which was made at the Lancaster House Conference in 1979 (Murisa 2019). Zimbabwe's Ministry of Agriculture received a letter from Clair Short, the British Secretary of International Development at the time, on November 5, 1997, stating that Britain will not pay for the land reform. We do not believe that Britain has a unique obligation to cover the price of purchasing land in Zimbabwe, as Short said in the letter. Our new government is pluralistic and unaffiliated with past colonial interests. As you are aware, my own Irish ancestry was colonized, not colonized. In 1998, the FTLRP began informally, but it was formally established by the Land Acquisition Act (LAA) of 2002 and subsequently Constitutional Amendment 17 of 2005 (HRW 2008).

Through the A1 and A2 models¹, the procedure changed the current land ownership and benefited over 150 000 additional farmers (Aaron and Mubonderi 2015). Before land reform, the bulk of the nation's most productive land was owned by 10% of the population (Chigora 2010). The former white commercial farmers sued the Southern Africa Development Community (SADC) Tribunal in an attempt to halt the land acquisition process, and the tribunal determined in 2008 that the process violated the SADC treaty despite Zimbabwe's 2005 amendment 17. The US, EU, and British governments immediately slapped sanctions on Zimbabwe after accusing the government of breaching property rights and a host of other human rights and freedoms. During the COPAC's (2009–2013) constitution-making process, the Government of National Unity (GNU) was anticipated to handle a number of important concerns, including the land question. Accordingly, the land issue was covered in great detail in section 72(3) of the 2013 Zimbabwean constitution. Regarding the forced land acquisition that began in the early years of the new millennium, section 72(3)(a) states that "no compensation is payable in respect of its acquisition, except for improvements effected on it before its acquisition, subject to section 295(1) and (2)."

Section 72(b) and 72(c) forbid anyone from going to court to demand compensation for land that the government has taken, but only to demand payment for improvements made to the land and to contest acquisitions that were carried out in a discriminatory manner in violation of section 59 of the same constitution. In this sense, it is believed that the GCA of

2020 was completed in compliance with section 72 of the Zimbabwean constitution of 2013. It might be argued that the land issue in Zimbabwe has a significant diplomatic and political weight, even if this was a constitutional obligation (Mararike 2018). In light of this, it can be argued that the administration's reengagement efforts and the slogan "Zimbabwe is open for business" contributed to the swift implementation of section 72(3) of the 7-year-old constitution by the 2nd Republic. These measures were successful in removing economic sanctions imposed on Zimbabwe by the United States of America (USA), the United Kingdom (UK), and the European Union (EU).

In 2016, the Zimbabwean government, led by Robert Mugabe at the time, started the land compensation process in accordance with the 2013 Constitution. The actual work towards this goal did not begin until March 2018, with the formation of the Inter-Ministerial Compensation Committee (IMCC) and Joint Technical Compensation Committee (JTCNC), even though the initiative's target date was September 30, 2018. The parties decided that 3.5 billion USD will be distributed to the farmers via the GCA. Through the Joint Resource Mobilization Committee (JRMCC), which is made up of representatives from the parties to the GCA, the funds would be generated, as agreed, mostly from the international community. In March 2018, the IMCC was formed to provide policy direction in order to get at the figure, with the assistance of a JTCNC. Government and farmer representatives made up the committee. Remarkably, the negotiations had difficulty determining the values of the developments on the properties in question until, with the help of the World Bank (WB) Valuation Technical Team and funding from the EU and UNDP, independent assessors were hired to complete the work between September and December 2019 (CFU 2020).

LAND COMPENSATION AND LAND CONFLICT IN ZIMBABWE.

The core issues arising from the land reform at the local and global levels will probably not be addressed by this progress, which will only cover the surface. First, the sense that the payout would quiet the former white commercial farmers led to the passage of the guiding articles in the 2013 constitution. The development was an attempt to reconcile the needs of the indigenous people with those of the European farmers. According to Murisa (2019), the development will enable the indigenous people of Zimbabwe to reclaim their ancestral resource, which was stolen by the Europeans during colonialism. This conversation also focused on the durability of the land compensation agreement in resolving the land issue. Overall, this conversation revealed that Zimbabwe's history of land ownership and acquisition since 1890 would significantly affect the GCA's viability (Murisa and Bloemen 2018). In light of this, section 72 of the Zimbabwean constitution was primarily created as a compromise to address the

following realizations: all land, which by 2000 was recognized as white-owned commercial land, was obtained by the colonial administrations through a number of compulsory Acts against the wishes of the local populace; and the improvements on the farms were financed by a number of methods, including loans, some of which were still outstanding when the farms were forcibly taken over. In light of this, section 72(3) of the Zimbabwean constitution guarantees the return of land to the indigenous people that has been taken from them by the white minority since 1890, while also granting the whites a substantial payment for the construction of improvements on the same property. In order to do this, the government agreed to pay farmers regardless of how much they produced from their property over a period of more than a century. The white farmers still own the farms' title documents, whereas the resettlement farmers only have offer letters and lease agreements, and some of them lack any documentation at all to demonstrate their ownership of the property. According to Murisa (2019), this predicament is likely to lead to a future property ownership conflict of a similar kind, particularly when the country's political administration changes.

The financing component of the GCA caused a new problem among Zimbabweans at the grassroots level. According to a recent study on the topic, 85% of Zimbabweans believe that former farm owners shouldn't get compensation (Murisa, 2019). Although hundreds of thousands of Zimbabwean households were able to find housing because to the land reform initiative, the country's land need is still growing. Since the FTLRP's inception, the increasing demand for land has outpaced land redistribution, which is being carried out by district and provincial lands committees. According to this study, there are lengthy waiting lists at every land office, and residents are hoping to be given property based on a variety of models. Due to this need and the high level of land underutilization, the government started to reduce the size of certain major farms based on region while also reclaiming the vacant plots. Some Zimbabweans on the waiting list believe that they are being purposefully excluded from the land reform initiative, even though the government's slow pace on this procedure presents less of a hurdle. The fact that all tax-paying Zimbabweans, regardless of their land ownership status, would be responsible for paying the government's requested debt exacerbates the problem. It seems less logical to keep pushing for land redistribution since the same people who benefited from the land reform are not producing. In order to prevent the error that happened in the early 2000s, when the majority of those who acquired property remained disabled 20 years after obtaining the land, despite benefiting from the different agricultural assistance programs, there are demands for the government to provide land on a merit basis.

The case of Innezdale of Sokis Farm (Mhondoro Ngezi Kadoma)

Approximately 222 households invaded Innezdale property between 2000 and 2005, and the Zimbabwean government forcibly purchased the property in 2005. The settled households were then given assurance that their settlement was in order after applying for offer letters via the District Lands Office. For the last 20 years, these families—of whom more than 50 are led by women—have been living on the farm, erecting permanent buildings, and acquiring land and cattle. The District Lands officer, Mr. Clever Kunonga, informed the Innezdale inhabitants in 2018 that Silverton Engineering (PVT) LTD had been offered the same farm on which they had been residing for almost 20 years, without their offer being formally withdrawn or canceled. The corporation is a brand-new organization with three female directors (Daisy Chiyaka, Yvonne Sigauke, and Gladys Chivere). Its physical location is in Bulawayo. The same Lands officer, Mr. Clever Kunonga, received USD \$4,400 in 2005 as "fuel" for travel and a "processing fee" for the offer letters, with USD \$20 going to each home. When the company's attorney, the police, and the Lands officer arrived at the farm with eviction notices from the Land Office in early 2019, they immediately destroyed the homes and property of more than fifty families after the offer letter for Silverton was contested in court and through the Lands Office. However, this action was stopped after several stakeholders intervened. All of this was carried out in spite of the fact that the Land Commission is responsible for handling disputes pertaining to agricultural land and that, more significantly, Section 74 of the Zimbabwean Constitution states that "no person may be evicted from their home, or have their home demolished, without an order of Court made after considering all relevant circumstances." In March 2019, a temporary injunction was requested to prevent Silverton from harassing the locals while the matter was being resolved by the appropriate government agency. All of this has failed because the business keeps threatening to demolish and remove the people. Since they lack solid tenure and live in continual dread of recurrent breaches, the families are unable to carry out their daily tasks, including farming, which is their primary source of income, since they have not yet received offer letters. Due to their frequent court appearances, these family have been unable to prepare their property during the last two years. Due to the unstable tenure and ongoing threats of forcible eviction, the Innezdale community was once again unable to properly use their property as the end of 2019 approached and the agricultural seasons approached. security of tenure for the whole community and compensation for those whose land and housing rights have been infringed.

Case of Yorkshire Farm Gweru

One of the worst examples of gender-based abuses that may be common among Zimbabwe's land reform beneficiaries is the case of widowed Mrs. Sibonisiwe Chipato. It is obvious that many incidents are missing ignored because of the political character of the

reform, or that, as in this instance, no corrective action can be done because of fear of political retaliation or political power. The first people to benefit from Zimbabwe's land reform were the veterans of the mostly male liberation fight. As seen by this scenario, the majority of those veterans are now retired, but a sizable portion have also gone away, often leaving widows and families as beneficiaries. Even the law is unable to defend Mrs. Chipato in this situation. Due to the political character of the land reform, many more people may have experienced similar breaches and been unable to find any kind of justice or action. After the perceived (male) head of the household leaves, these widows, divorcees, female veterans, and their dependents are particularly susceptible to being forcibly evicted. Plot 14 of Yorkshire of Fife Scott Block was assigned to the late Mr. T. Chipato, who was a veteran of the liberation fight and had a legitimate offer letter for the plot. His wife and his three children received equal parts of the property upon his death in 2002. A written will included all of this information. When Mrs. Chipato received the startling news that her huts on the farm had been demolished, one of her sons had been forcefully evicted, and their property and crops had been destroyed, she was terminally sick and in the hospital sometime in 2008. A woman named Eria Bonkwani had abruptly shown up with an offer letter, claimed ownership of the same land, and illegally evicted her while taking advantage of her gender and poor health.

After recovering, she fought the offer letter and the occupation of her property in the courts and the land office, where she was acknowledged as the legitimate owner in both instances. Following that, she returned to the property in 2014 with a confirmed offer letter, a court order, and a letter of support from her farm neighbors. Next to the ruins of her old property, she reconstructed her residence. Mrs. Chipato was unlawfully and violently evicted by Mr. Bonkwame, who dispatched men to demolish her huts and property shortly after she had planted her crops anew, despite the court orders and offer letter. Since then, she has been unable to access the property, and political actors, the ambiguity surrounding tenure security after land reform, and inconsistent legislation have thwarted her attempts to get redress. Mrs. Chipato was sent to the High Court for a review of the ruling when she attended the local Lands Commission office on October 2, 2020. Reparations and court order enforcement were the remedies sought.

REFERENCE

1. Mararike, M. (2019). Zimbabwe Economic Sanctions and Post-Colonial Hangover: A Critique of Zimbabwe Democracy Economic Recovery Act (ZDERA) 2001–2018. *International Journal of Social Science Studies*, 7(1), 28–39. Available at: <https://doi.org/10.11114/ijsss.v7i1.3895>. Accessed on 23 August 2020.
2. Mathanda, E. (2020). US Govt slaps Sanyatwe, Ncube with Sanctions. *Zimbabwe Independent*, 11

- March 2020. Available at: <https://www.theindependent.co.zw/2020/03/11/us-govt-slaps-sanyatwe-ncube-withsanctions/>. Accessed on 23 August 2020.
3. Bloomberg. (2021, January 7). Available at: <https://www.bloomberg.com/news/articles/2021-01-07/zimbabwe-s-kuvimba-seeks-1-billion-for-2021-acquisitions-capex>. Accessed on 13 July 2021.
4. Mavhunga, C. (2020). Zimbabwe Welcomes Removal of Its Banks from US Sanctions List. *VOA*, 22 May 2020. Available at: <https://www.voanews.com/africa/zimbabwe-welcomes-removal-its-banks-us-sanctions-list>. Accessed on 20 August 2020.
5. Mkodzongi, G., & Lawrance, P. (2019). The Fast-Track Land Reform and Agrarian Change in Zimbabwe. *Review of the African Political Economy*, 46(159), 1–13. Available at: <https://doi.org/10.1080/03056244.2019.1622210>. Accessed on 27 August 2020.
6. Murisa, T. (2019). *African Arguments*, 8 November 2018. Available at: <https://africanarguments.org/2018/11/08/heyameric-a-time-end-zimbabwe-economic-punishment-zidera/>. Accessed on 23 August 2020.
7. Murisa, T. (2019). To Compensate or Not To? Revisiting the Debate on Compensation for Former Large Scale Farmers in Zimbabwe. *SOVIO Insights Policy Issues*, May 2019. Available at: <https://www.sivioinstitute.org/wp-content/uploads/2019/05/To-Compensate-or-Not-To.pdf>. Accessed on 23 August 2020.
8. Muyeche. (2017). *Commerce and Management Perspectives*, 3(1), 15–19. Available at: <https://www.longdom.org/articles/zimbabwes-debt-problem-lessons-for-the-future.pdf>. Accessed on 17 August 2020.
9. Njikizana, J. (2020). Zimbabwe is offering land back to BIPPAs and black farmers. Betrayal or the law? Here are the facts. *The Zimbabwe Mail*, September 2020. Available at: <https://www.bilateral.org/?zimbabwe-is-offering-land-back-to>. Accessed on 29 July 2021.
10. Raftopoulos, B. (2013). The 2013 Elections in Zimbabwe: The End of an Era. *Journal of Southern African Studies*, 39(4), 971–988. Available at: <https://doi.org/10.1080/03057070.2013.862101>.
11. Rwodzi, A., & Mubonderi, B. (2015). The Dilemma of the Patriotic Front and the Influence of the Zimbabwe Rhodesia Government on the Final 1979 Lancaster House Constitution. *The International Journal of Humanities & Social Studies*, 3(9), 2321–9203.
12. Saungweme, T., & Odhiambo, N. M. (2018). A Critical Review of the Dynamics of Government Debt. Available at: https://www.researchgate.net/publication/327724597_A_Critical_Review_of_the_Dynamics_of_Government_Debt_Servicing_in_Zimbabwe. Accessed on 24 August 2020.
13. Shaban, A. R. A. (2020). Fact check: Zimbabwe not under any EU sanctions. *Africa News*, 16 March 2020. Available at: <https://www.africanews.com/2020/01/16/fact-check-zimbabwe-not-under-any-eu-sanctions/>. Accessed on 18 August 2020.
14. Singh, M. (2018). U.S. Sanctions to Remain Until Zimbabwe Demonstrates Reforms: Official. Available at: <https://www.reuters.com/article/us-usa-zimbabwe-sanctions/u-s-sanctions-to-remain-until-zimbabwedemonstrates-reforms-official-idUSKCN1LT2ZZ>. Accessed on 26 August 2020.
15. The Conversation. (2020, August 5). Zimbabwe Wants to Raise Money Through a Sovereign Bond. Why this is ill-advised. Available at: <https://theconversation.com/zimbabwe-wants-to-raise-money-through-a-sovereign-bond-why-this-is-ill-advised-143753>. Accessed on 27 August 2020.
16. The Chronicle. President Mnangagwa's Inauguration Speech in Full. Available at: <https://www.chronicle.co.zw/president-mnangagwas-inauguration-speech-in-full/>. Accessed on 21 August 2020.
17. The Economist. (2021). Zimbabwe Makes Initial Compensation Payment to White Farmers. Available at: <http://country.eiu.com/article.aspx?articleid=891157872&Country=Zimbabwe&topic=Economy&subtopic=Forecast&subsubtopic=Policy+trends&oid=1640882747>. Accessed on 13 July 2021.
18. UK Sanctions and Anti-Money Laundering Act 2018. Available at: <https://www.gov.uk/government/publications/zimbabwe-sanctions-guidance/zimbabwe-sanctions-guidance>. Accessed on 16 August 2020.
19. Zi. Available at: <https://zimfact.org/zimbabwes-us35bn-farmer-compensation-plan/>. Accessed on 29 July 2021.
20. ZIDERA Constitution of Zimbabwe Lancaster House Conference, 1979 er, 1997.
21. SADC Tribunal ruling on Zimbabwe land dispute, 2008.