

LAND REFORM IN POST-INDEPENDENCE ZIMBABWE: A CASE OF BRITAIN'S
NEO-COLONIAL INTRANCIGENCE?

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ABSTRACT

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The purpose of this thesis was to conduct an in-depth investigation, analysis, and interpretation of Britain's land policy in Rhodesia/Zimbabwe and its implications from 1890 to 2003. It assessed the extent to which the British government up-held its obligations to the 1979 Lancaster House Agreement on the question of land redistribution, and outlined the evolution of Britain's policy over time; considering its aims, implementation, and outcomes. This study showed how the policies pursued by Britain impacted the land reform program in Zimbabwe. It argued that the policies pursued and advocated by Britain, i.e. economic liberalization, respect for "property rights" and the rule of law, did not promote, and neither did they result in a fair distribution of land. Economic liberalization prioritized the interests of the rich landed classes of the colonial era, as well as those of other emerging social and political elites. Thus, Britain's land policy in post-independence Zimbabwe led to the development of a politically and economically unstable neo-colonial state.

For Chiyevo with love.

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INTRODUCTION

The purpose of this thesis is to conduct an in-depth investigation, analysis, and interpretation of Britain's land policy in Rhodesia/Zimbabwe and its implications from 1890 to 2003. Pivotal studies, for example, Robin Palmer's classic: *Land and Racial Domination in Rhodesia*, 1977, provide a good understanding of the internal factors that culminated in Rhodesia/Zimbabwe's land problem. Particularly, Palmer focuses on the legal, ideological, and practical excesses of Rhodesia's white minority government which enabled it to expropriate the bulk of the arable land to the disadvantage of the African majority; and the political means by which this inequality was maintained. Nevertheless, this thesis is unique because of the time period it covers as well as its treatment of Zimbabwe's land issue within the context of British colonial policy. It will assess the extent to which the British government up-held its obligations to the 1979 Lancaster House Agreement on the question of land redistribution, and outline the evolution of Britain's policy over time; considering the aims, implementation, and outcomes. White commercial agriculture was the mainstay of Zimbabwe's economy, a scenario that had large implications for the resulting land policies. The dual economy created during colonialism would prove to be difficult to dismantle in the post-independence era. This thesis will show how the policies pursued by Britain impacted the land reform program in Zimbabwe. It argues that the policies pursued and advocated by Britain, i.e. economic liberalization, did not promote, and neither did they result in a fair distribution of land. Economic liberalization prioritized the interests of the rich landed classes of the colonial era as well as those of other emerging social and political elites. These interests were protected by the liberal democratic principles: property rights and the rule of law, as established at Lancaster.

The first chapter will show how a dual economy: a thriving white sector based on agriculture and various industrial interests and a structurally underdeveloped African sector that served as an involuntary market and labor reserve for the former, was developed and organized. Settler interests were deeply entrenched in Southern Rhodesia, propped by discriminatory land legislation such as the Land Apportionment Act of 1930, the Land Husbandry Act of 1951, and the various Land Tenure Acts. These laws produced an inequitable pattern in land distribution, which would over-spill into the independence era.

The second chapter deals with the complicated details that led to Zimbabwe's independence. Of particular interest are the different parties and interests involved in the independence issue: the settlers, African nationalists representing the landless peasants, the international community, and Britain. The climax of the chapter is the Lancaster House Agreement of 1979, which brought independence to Zimbabwe and established a market-based land policy. It is argued that the Lancaster Agreement was a compromise between the different parties whose interests were represented in Rhodesia's independence issue. While the African nationalists walked away with political power and legitimacy, the white settlers had some political and economic protections that were incompatible with the interests of the landless peasants and ex-combatants. At Lancaster, the future of the land issue in Zimbabwe remained uncertain given Britain's financial position and ideological commitments. Also, comparisons are made between the land policies established and implemented in Kenya, Malawi, and Zambia and the one that emerged at Lancaster in 1979. This illuminates the shortfalls and possible strengths of the Zimbabwe land policy making it easier to judge. It is argued that Lancaster established peace in Zimbabwe, but did not lay a stable foundation for land reform.

The third and final chapter deals with Britain's policy towards Zimbabwe's land reform program after 1980. It is argued, first, that Britain's policy cannot be understood in isolation from Britain's larger sub-regional strategic, political, and economic interests in Southern Africa. Secondly, it is maintained that Britain's domestic economic policies, specifically liberalization, influenced the nature of Britain's participation in the land reform program and its interaction with other stakeholders in the land issue: the government of Zimbabwe (GoZ), commercial farmers, and the landless poor. Even though economic liberalization and its emphasis on fiscal responsibility and frugality brought economic success in Britain, it also meant that Britain would be tight-fisted towards the land reform program. The international community: the International Monetary Fund, the World Bank, and non-governmental organizations advocated economic liberalization in Zimbabwe, a policy that prioritized large scale commercial production and foreign investment, and marginalized the rural poor. A market-based land policy was unfeasible and it essentially preserved pre-independence land distribution patterns.

As the factor between the British-advocated liberal economic ideologies and the cries of the landless, the GoZ was a critical stakeholder. The decisions that it made, based on its own priorities, greatly influenced the outcomes. It is those decisions and priorities that will be analyzed here in order to establish whether or not they engendered a sustainable solution to the land question. It is established that the GoZ lost faith in the peasantry and adopted an elitist policy similar to that in Kenya and Malawi. This policy had the same result as the one advocated by the British government, it marginalized the landless poor. When the landless rose in protest, the reaction of both governments-- British and Zimbabwean: denial and political opportunism, respectively, did not enable a peaceful resolution to emerge. Where the British government denied the existence of a "real problem" in order to avoid the financial implications, the GoZ

took advantage of the problem in order to maintain political power and legitimacy. Thus, while the answer to the prevailing crisis in Zimbabwe is squarely placed between the British and Zimbabwean governments, sight is not lost of the historical factors that preempted the actions of these parties.

Missing from the literature on land reform in Zimbabwe is a comprehensive analysis of the role of the landless peasants in policy formulation. Studies generally tend to look at the landless as passive stakeholders who tend to be mobilized by social elites: Chiefs, headmen, and other political leaders. While it is true that the elites have organized the peasants, provided leadership, disseminated information, and secured resources to enable the land struggle, it might be useful to look at what power the ordinary peasants have exerted on policymakers, and how this has influenced the direction and outcomes of Zimbabwe's land policies. Peasants in Zimbabwe have barely been passive. Some of their activities are documented in some studies: Chiviya's doctoral dissertation, "Land Reform in Zimbabwe: Policy and Formulation," 1982; Chitiyo's "Re-conceptualizing Zimbabwe's Land and War Veterans' Debate," 2000; and Moyo's "The Land and Agrarian Question in Zimbabwe," 2004. Chiviya's study provides a detailed analysis of land invasions by peasants/ or the "squatter" problem, immediately after independence. Chitiyo discusses peasant-initiated land invasions in the context of the war veteran-led land violence in the late '90s. Moyo does a brief and broad analysis of the issue in the period between 1980 and 2000. We need to know the extent of the "squatter" problem in the colonial era—if it existed, its nature in the post-independence period, and its policy implications.

In Southern Rhodesian history, a great deal has been said about the ideologies of the settler community and how these evolved overtime, and yet no corresponding studies have been done for the parties that took over power in 1980. The settlers were business-oriented and they

went to Mashonaland and Matabeleland hoping to find a “second gold rand.” It was only after they failed to find this “second rand” that they began to expropriate land and to develop agricultural estates, which agricultural development was intended to generate profit as well. They buttressed their capitalist ideologies with a series of discriminatory laws and statutes. These laws gave rise to the dualistic economy that was inherited at independence. Moyana’s *The Political Economy of Land in Zimbabwe*, 1984, was the first book to be written from the victim’s perspective, and it explores how Africans were systematically marginalized and affected by the land distribution patterns established during colonialism. No similar study has yet been done on ZANU ideology and their impact on the political-economy of land in Zimbabwe. Once independence was attained, ZANU ideology pertaining to the land became even fuzzier. It is this ideology, its development, and consequences that need to be conceptualized.

Thirdly, the field is masculine both in terms of the scholars who have produced major studies, and the subject actors; and yet women are today the backbone of agricultural production in Africa as a whole. There are prominent women on both sides, Britain and Zimbabwe, who directly influenced the land issue. Margaret Thatcher and Mbuya Nehanda are two names that immediately come to mind. It was Margaret Thatcher’s administration that resolved the long independence dispute in Rhodesia and imposed the Lancaster house conditions that would govern land reform in Zimbabwe. Yet her position is often submerged by those of her male subordinates such as Lord Peter Carrington. The feminist perspective is missing and women’s voices, especially as agents in policy design and implementation, are muted.

Lastly, this scholar has not seen any study that takes a multi-lateral approach to the land issue in Zimbabwe. Most works, including major studies such as Palmer’s *Land and Racial Domination in Rhodesia*, Moyana’s *The Political Economy of Land in Zimbabwe*, 2002, treat the

matter as a bilateral one between Britain/settlers and the Rhodesian Africans. Taylor and Williams in their work, “The Limits of Engagement: British Foreign Policy and the Crisis in Zimbabwe,” 2002, look at the contributions of international players, i.e. the Commonwealth, the EU, and other European countries in the land crisis, but taken from a British perspective. Perhaps broader perspectives that transcend the polarization which has become characteristic of the debate on land reform in Zimbabwe would facilitate a new understanding of this complex matter.

It is believed that this study will make two interrelated contributions. First, it will uncover some of the factors that could help us to explain why and how the issue of land redistribution in Zimbabwe evolved into a crisis that culminated in massive land invasions and the GoZ’s “fast track” resettlement program. Secondly, the study enables us to analyze and reconstruct Britain’s policy and behavior, as the Imperial power, towards land reform in Zimbabwe; helping us to understand Britain’s interests and strategy as manifested in the policies it adopted at various stages of the issue’s development. The questions that the study seeks to address are:

- What factors shaped Britain’s policy towards land reform in Zimbabwe?
- In what way did the Lancaster House Agreement represent a turning point in addressing the issue of land redistribution and resettlement in Zimbabwe?
- To what extent did subsequent British policies towards, and responses to Zimbabwe’s land reform efforts enhance or hinder the prospects for a peaceful resolution of the problem?
- What historical factors or developments account for the failure of British and Zimbabwean governments to reach agreement on the implementation of the Lancaster House settlement accords?

- In what ways did Britain's "smart sanctions" and international campaign to isolate Mugabe's government over the land resettlement issue succeed or fail to bring about peaceful resolution of the conflict?

Research for this study was primarily internet-based due to time and financial constraints. Hansard on-line: www.parliament.uk/hansard was valuable for British Parliamentary debates, ministerial statements, reports, speeches, and other official publications, while the Foreign and Commonwealth Office website: www.fco.gov.uk provided essential policy information that was relevant to this study. The British Embassy website in Harare: www.britishembassy.gov.uk also had limited, but useful information about Britain's land policy in Zimbabwe. Academic search engines such as Lexus Nexus were particularly useful in the retrieval of newspaper articles dealing with the Zimbabwe land reform at different historical periods, which were interesting because they tended to reflect the attitudes and conceptions, both British and Zimbabwean, existing at the different times. News service websites, for example, www.bbc.co.uk, which is a British state organ, and has therefore published numerous articles on the Zimbabwe crisis on a daily basis, have been useful to this effect. The British Government in formulating its policy has tended to depend on information provided by Zimbabwe's major opposition party, the Movement for Democratic Change (MDC) and human rights organizations such as the Human Rights Watch (HRW) that operate in the country. The British government considers these organizations to be reliable source of information since they operate from within Zimbabwe or "on the ground;" thus it was vital to employ them in this study. Through the MDC's official website, <http://www.mdczimbabwe.org>, election manifestos, Presidential speeches, and other papers outlining the opposition's policy proposals, were accessed; making it possible to see how and why the British government collaborates with the opposition. The HRW posts various

reports about the Zimbabwe crisis on its website: <http://www.hrw.org>. Other databases and search engines used included Google, Academic Search Premier, JStor, and WorldCat, through which various academic and non-academic materials, such as journal articles and books, memoirs, theses and dissertations, and non-print material were found. The author also benefited substantially from some telephone conversations she had with Dr. James Kamusikiri. He was prepared to provide an eye-witness account of the Lancaster House negotiations and the positions of the respective delegations. Also, the author paid a visit to the Zimbabwean Embassy in Washington DC. in the Spring of 2004, where she had the opportunity to talk with Dr. Elita Sakupwanya the Minister Counselor, about Zimbabwe's challenges with land reform. The officials at the British Embassy in Washington D.C. were not co-operative. It would have been useful to this study had the perspectives of hierarchically placed government officials, especially on the British side, had been engaged through interviews. Although several written records exist, which document these perspectives, perspectives are dynamic and change consistently, and thus it is those changes that this study was particularly interested in capturing.

CHAPTER ONE

The British Empire: Development of Settler Agriculture in Southern Rhodesia (1890-1969)

Introduction

Spreading the “3 Cs”-- “Civilization, Christianity, and Commerce”-- was the rationale offered for colonizing Africa, “the dark continent.” To this day debate continues on how Africa has benefited from its colonial experience. Apologists for colonialism would argue that colonialism benefited its subjects and may even have imposed a burden on the colonizers.¹ Africa benefited from the infrastructure, education, commerce, and medical expertise brought by Europeans. A closer analysis of colonialism, however, will show that the benefits tended to be self-serving and often were outweighed by the final legacy of dysfunction and ruthless dictatorship that ensued.

One of the several places where this statement is amply illustrated is in then Southern Rhodesia, where the Europeans gradually and systematically displaced and pauperized the native Africans by a combination of means: treaties/ covenants, military and other forms of force, a series of self-serving laws, discriminatory policies, and ideological intrigues. Colonialists replaced the communal African land tenure system and created the myth of the lazy, primitive, and savage natives who needed a heavy hand to guide them towards civilization and productivity. The myth was used to rationalize the displacement of Africans. This paper will trace the origins of unequal land distribution in Southern Rhodesia under the colonial regimes. Further it will analyze the economic “development” that transformed Southern Rhodesia, and later Zimbabwe, into Africa’s bread-basket.

¹ See Ian Ian Smith, *The Great Betrayal* (London: Blake Publishing Ltd, 1997). In this autobiography Ian Ian Smith exalts the European civilization and sees its triumph in Southern Rhodesia, and Africa at large, as a blessing to the native Africans. This point of view was prevalent amongst many white Rhodesians, and persists to this day.

Rather than using the traditional definition of “development,” i.e. the higher the per capita income, the higher the level of development, as some scholars would do,² this paper will employ Amartya Sen’s theory that the essence of “development” is not just poverty alleviation, but also the means to allow people to live meaningful lives with greater *substantive freedoms*. These freedoms, include: democracy; an extension of economic opportunities, characterized by unrestricted participation on the markets and in the labor force; access to such basic necessities as educational institutions and healthcare facilities; the provision of safety nets to protect people from harsh economic conditions and poverty; and the people’s right to critical information. For Amartya Sen, these substantive freedoms are constitutive of development. Development itself depends upon the expansion of these freedoms. Therefore, development and freedom are for Amartya Sen inter-connected, and they reinforce each other.

It is believed that this analysis will provide a solid contextual background against which Zimbabwe’s post-independence problems may be understood. In order to be able to evaluate the full impact of European activities, it will be necessary first to analyze the pre-colonial societies, and how they were transformed by the advent of colonialism.

The Pre-colonial Societies

An analysis of the situation in Mashonaland and Matabeleland prior to the European invasion of 1890 would not reveal a story of famine, laziness, inefficiency, and barbarism. Africans did not practice subsistence agriculture alone, rather, they were involved in a complex agricultural economy that produced both food and cash crops. They used their land to plant a variety of crops such as finger millet, bulrush millet, sorghum, maize, rice, peanuts, bamara

² See for example Motague Yudelman, *Africans on the Land* (Massachusetts: Harvard University Press, 1964), 4.

groundnuts, cow peas, some vegetables, and tobacco. The Shangwe people of Inyoka,³ for example, were famous tobacco producers and manufacturers, trading their processed tobacco with their neighbors, especially the Ndebele. Later, European tobacco-growers produced their tobacco in the very same way that the Inyoka had done, with the only difference being in processing.⁴

Africans experienced times of hardship due to climatic factors such as drought (*shangwa*). According to Beach, “Droughts are, and have been, remarkably common on the Southern Zambezia plateau.”⁵ There is a one in five chance that the area will receive subnormal rainfall every year and sometimes drought is experienced even when the rains come because they either come too early or too late in the season, or they are either too heavy or too light to be effective.

Geographical factors also influenced agricultural patterns. As compared to American soils, African soils tend to be infertile and unsuitable for intensive cultivation due to a variety of unique environmental and human factors.⁶ Africa has the oldest geology, which means that it is the oldest continent. Animal life has been exploiting the continent for the longest time. The African continent was a plateau at the center of Pangaea, where the fertile soils were eroded and deposited in parts that now form other continents. The pattern of human settlement in Africa testifies to the limited availability of arable land suitable for human settlement; for example, there are large concentrations in the Nile valley; Atlas Mountain region in Morocco; West Africa especially around the area that forms present-day Nigeria; the Great Lakes region of East Africa

³ Inyoka is an inhospitable area that is known for its malaria and sleeping sickness, which the Shangwe people remarkably cultivated before the advent of imperialism.

⁴ Barry Kosmin, “The Inyoka Tobacco Industry of the Shangwe People: The Displacement of a Pre-colonial Economy in Southern Rhodesia, 1898-1938,” in *The Roots of Rural Poverty in Central and Southern Rhodesia*, ed. Robin Palmer and Neil Parsons (California: University of California Press, 1977), 273.

⁵ David Beach, “The Shona Economy: Branches of Production,” *The Roots* (see note 4), 43.

⁶ Kefa Otiso (Professor of Geography, Bowling Green State University, Ohio) in discussion with the author, September 17, 2005.

where Uganda, Malawi, and Ethiopia are located; and the Drakensburg Mountain region in South Africa. Water availability is another limiting factor in agricultural production. Seventy-seven percent of the continent is in the tropics so irrigation is less efficient. The introduction of new cash crops such as wheat, and the mass production of other non-edibles such as tobacco during colonialism exacerbated soil degradation.

The Southern Zambezia plateau, where present-day Zimbabwe is located, is divided into three main regions. First is the flat highveld comprising 25% of the country. At an altitude of over 4 000, it is cool, well watered, and fertile. Second is the middleveld, comprising 40% of the country, at an altitude of between 3 000 and 4 000, it is dissected and undulating unlike the highveld, and was eventually turned into African reserves. Lastly, the dry and hot lowveld, constituting 35% of the country at an altitude below 3 000, it is in the Sabi-Limpopo and Zambezi valleys and infested with sleeping sickness-causing tsetse flies, thus making it unattractive to human settlement. Seventy percent of the country is covered with sandy soils, sandveld, of low soil fertility. Africans were pushed into this latter region while the Europeans settled the heavier loam and clay soils of high fertility under the argument that natives preferred lighter sandier soils. Beach has dismissed this rationale, and argued that soil preference amongst the Africans depended on the crops to be produced.⁷

Due to the erratic rain patterns and poor soil fertility, Africans practiced “shifting cultivation” prior to colonialism. According to Palmer, “The European settlers deplored... this system of land rotation cultivation which they dubbed ‘slash and burn’ and failed to perceive that it was less a relic of barbarism than a concession to the nature of the soil.”⁸ Under this

⁷ Beach, “The Shona Economy,” 41.

⁸ Robin Palmer, *Land and Racial Domination in Southern Rhodesia* (London: Heinemann, 1977), 15.

agricultural system a piece of land was cultivated for a period of time before it was abandoned for another plot when output declined. Low population density made this system possible.

Another factor affecting food production and availability was poor storage facilities. The food storage huts (*matura*) although tightly sealed, absorbed atmospheric moisture, resulting in spoiled grains. Food could therefore not be stored in large quantities over several years. All of these factors combined to make food production a challenge, which meant that in particularly bad years hunting and gathering became the means of survival.

In spite of these environmental factors, the Africans adapted, by incorporating a diversity of activities of which agriculture and pastoralism were central. Of secondary importance was internal and external trade with Muslims and later the Portuguese. Raiding, and hunting and gathering were also practiced. Hunting, gathering, and raiding were practiced mostly during periods of drought, and were therefore not considered by the people to be major economic activities. The Ndebele were by and large pastoralists, and subsequent studies revealed that they were also successful agriculturalists. The Shona were mainly agriculturalists, who “had been producing regular food surpluses for the purpose of internal exchange prior to colonialism... the variegated economy of the decades immediately prior to colonialism had given the Shona more security than they had ever before enjoyed, or were to enjoy again...”⁹ Despite the unreliable seasonal rainfall that they experienced, the Shona agricultural enterprise had developed to the point of becoming an all-year activity, especially in the Duma area of south eastern Rhodesia.¹⁰ The Shona also practiced animal husbandry and attached great value to their cattle. Beach has provided a contextualized argument that cattle had both economic and social value within Shona

⁹ Terrence Ranger, “Growing from the Roots: Reflections on Peasant Research in Central and Southern Africa” *Journal of Southern African Studies* 5 no.1 (Oct.,1978), 110.

¹⁰ See Mtetwa, “The Political and Economic History of the Duma People of South-eastern Rhodesia,” Ph.D. diss., University of Rhodesia, 1976.

society.¹¹ Cattle could be killed for meat and hides, milked, sold in order to acquire other material resources, used for the payment of *lobola*, the bride price, and relied on during years of crop failure, and thus cattle were the people's insurance. "Peasantization"¹² was well underway before the advent of colonialism.

Trade was another important economic activity that was practiced. Salt and iron were the major items of internal trade. A flourishing salt industry developed in the Zambezi valley and was still in operation in 1859.¹³ The Njanja of Wedza were the famous master-Ian Smiths, and had firmly established an iron industry by 1857. Salt and iron products were traded for livestock, ivory, and food. By the 13th and 14th centuries trade had been established between the Shona and India. Shona miners mined gold, which African Muslims took to the coast and exchanged for imported cloth, beads and ceramics. Trade and mining were of secondary importance since they were engaged in to guard against *shangwa* and to acquire goods. By the 19th Century when the Europeans arrived, Shona miners had extracted all the gold.

Land Tenure Systems

The system of communal-based land tenure has often been perceived as "primitive." Two scholars in particular have denigrated these systems. Johnson Omotunde argues that the communal form of ownership is inefficient.

The costs and benefits of taking certain actions in respect of land do not impinge on the actors. Hence we will expect that investments in and attached to land by individuals using their own private resources (especially human capital) will be almost non-existent. Instead land-consumption, that is, leaving a land less productive than one found it, will be rampant. Moreover, with no clear property rights in land the issue of whether or not freedom of contract to sell or rent land exists, our third criterion, is irrelevant.¹⁴

¹¹ Beach, "The Shona Economy," 46.

¹² See Giovanni Arrighi, "Labor Supplies in Historical Perspective: A Study of the Proletarianization of the African Peasantry in Rhodesia," *The Journal of Development Studies* 4 no. 3 (1970).

¹³ Beach, "The Shona Economy," 49.

¹⁴ Johnson Omotunde, "Economic Analysis, the Legal Framework and Land Tenure Systems," *Journal of Law and Economics* 15 no.1 (Apr., 1972), 271. Omotunde defines efficient systems as those that facilitate wealth increases and maximization, thus they are favorable to the rapid development of agriculture. Such systems must fit into these

Richard Pipes also writes:

The imaginary evolutionary progression from one to another economic ‘stage’ was said to be accompanied by the emergence of property, allegedly unknown in mankind’s most primitive phase of ‘savagery’ when all things were held in common.¹⁵

Among these ‘primitive’ peoples were the early Germanic tribes, ancient Greeks, Eskimos, and Africans. Pipes considers property ownership to be important, even more-so than the right to vote because it preceded, and is therefore a prerequisite for civil rights and liberties.¹⁶ European settlers in Rhodesia denigrated African land tenure systems as ‘communal’ since they believed that ‘individual freehold title was the highest form of evolution in land tenure.’¹⁷

The African land tenure systems tend to be misunderstood. Indeed there were differences between the European and African systems. For example, “Europeans thought of land grants made to them by Africans as grants of ownership: Africans as grants, more or less temporary, of occupational use.”¹⁸ It is worth quoting Palmer at length when discussing the differences in attitude regarding land:

No one in the world owns land absolutely. The restrictions will vary from place to place; in England, for example, a person might not be able to build a factory on “his” land; in Rhodesia a European cannot sell “his” land to an African; while in Shona society no one can dispose of rights to land to a third party, except to the next of kin in the case of senility or death. In terms of obligations there are various similarities between black and European rural communities in the sense that there is very strong social pressure to be a good neighbor and offer help and hospitality to those in need. Such obligations were rather stronger in Shona society and extended to acknowledging the authority of the land-giver, the ward headman, which did not apply to Europeans. The main difference was that Europeans tended to hold land as part of a very small community, generally the nuclear family. However, sometimes, as in the case of many

criteria: (a) clear definition and allocation of easily identifiable and legally enforceable property rights in land, allocated to specific individual owners, (b) the method of distributing wealth created from using land must create an incentive for economic agents to use land in its most valued uses net of transaction costs, i.e. a “cost-reward” method, and (c) no restrictions or prohibitive factors on the sale of land, which lower the profitability of investments in and attached to land, hence lowering the equilibrium level of investments in and attached to land.

¹⁵ Richard Pipes, *Property and Freedom* (New York: Random House Inc., 1999), 79.

¹⁶ *Ibid.*, 281.

¹⁷ Palmer, *Land and Racial Domination*, 18.

¹⁸ *Ibid.*, 16.

Afrikaners, land was held by an extended group, while Africans held land as members of a much larger community, the ward (*dunhu*), and beyond that the chiefdom (*nyika*). Nevertheless, the rights of ownership held by such communities were quite as strong and as firmly embedded in law as the ‘individual’ rights of the Europeans. Shona chiefdoms in fact covered virtually the whole of Rhodesia, and there were very few parts of the country where there was not one clear individual, a ward headman, who was able to give permission to settle. The chiefdoms themselves, often as a result of wars and conflicts over land were almost always contiguous and defined by ‘rivers, minor streams, ridges or imaginary lines between hills and trees.’ As Beach points out: “A chiefdom might not occupy all its land, but it would know its frontiers and it would be most sensitive to any invasion by strangers.” The Europeans chose to disregard such factors, and they were also guilty of seriously underestimating the security inherent in Shona land tenure, whereby “because the land and its resources belong to the community, every full member of this community has an inalienable right to a reasonable share according to his requirements.”¹⁹

Barrows and Roth directly criticize Omotunde’s hypothesis that individualized land tenure increases security and agricultural investment. They undermine Omotunde’s hypothesis by analyzing whether European models of land tenure facilitated wealth increase and maximization in the African countries in which they were established. These include Kenya, Uganda, and Zimbabwe. Barrows and Roth conclude that, “the economic theory generally used to analyze various types of land tenure is often inadequate” because “the empirical evidence from Africa suggests that land registration has had very little effect on investment demand.” They contend that whether individualized tenure is preferable to evolving systems of traditional tenure in attaining certain agricultural development objectives “is an empirical question that cannot be resolved by theory alone, since the effect of the policies applied are to a great extent determined by their content.”²⁰ They add that other crucial factors determine agricultural development, for example, the opportunities that are open to farmers and the institutions governing land control. This argument is consistent with Amartya Sen’s theory of development. It seems that the traditional Shona land tenure system was based on egalitarian principles, unlike the one that was

¹⁹ Palmer, *Land and Racial Domination*, 17.

²⁰ *Ibid.*, 296; and 265-66.

later imposed by the subsequent colonial regimes. It was also 'efficient' because it amply met the people's needs and even produced surpluses that could be traded for profit.

Although the tenure system was egalitarian, these traditional societies were not classless. A rich upper class could afford the luxuries of elaborate stonewalls around well built huts, servants, ample livestock, and various delicacies. This upper class existed alongside an underclass that had few or no cattle, and less elaborate huts. Most of this information was derived from archeological evidence gathered at the site of the ancient Shona state at Zimbabwe that rose after 13th century, reached its peak in the late 14th century, and collapsed by 16th.²¹

The Advent of Colonialism

In early 1888, John Moffat, a British official persuaded Lobengula the Ndebele King to sign a treaty to protect the riches in Matabeleland and Mashonaland. It is alleged that when he signed the treaty, Lobengula claimed to be not only the King of the Ndebele, but also the Shona and Kalanga people. This treaty put all these territories under the British sphere. Lobengula could not sign another treaty with any other European treaty-seeker, and in return, Lobengula hoped to gain British protection from the Transvaal Boers. On October 13, 1888, Lobengula, under the influence of a British official/missionary C.D. Helm, and his most senior *indunas*,²² Lotshe and Sikombo, signed the Rudd Concession. Charles Rudd, Rochfort Maguire, and Francis Thomason represented Cecil John Rhodes at the meeting with Lobengula. The terms of the Rudd Concession were:

- (a) Lobengula's heirs and successors would be paid one hundred thousand pounds sterling every month;

²¹ David Beach, *The Shona and Zimbabwe: 900-1850* (New York: Africana Publishing Company, 1980) 36-51.

²² Chiefs, councilors, or senior members of the King's council. It is said that Lotshe and Sikombo had been bribed.

- (b) One thousand Martini-Henry breech rifles and one thousand rounds of suitable ball cartridges would be delivered to Lobengula;
- (c) Either an armored steamboat to be kept on the Zambezi River would be delivered to Lobengula, or else he would be paid five hundred thousand pounds sterling.

On his part, Lobengula granted Cecil Rhodes and his men,

the complete and exclusive charge over all metals and minerals situated and contained in my kingdom, principalities and dominion together with full power to do all things that they may deem necessary to win and procure (find) the same and whereas I have been much molested of late by divers (*sic*) persons seeking and desiring to obtain grants and concessions of land and mineral rights in my territories, I do hereby authorize the said grantees, to take all necessary and lawful steps to exclude from my kingdom all persons seeking land, metals, minerals, or mining rights there-in, and I agree to grant no concessions of land or mining rights from and after this date without their consent.²³

Historians question the validity and authenticity of both the Moffat Treaty and the Rudd Concession on the grounds that Lobengula was not “King” of both Mashonaland and Matabeleland, and yet his “X” signature opened the doors to both provinces. Palmer also points out that even as king, Lobengula had no right in customary law to sell land because land was not a marketable commodity. In any case, this “legality” culminated in the first phase of the dispossession process.

When European colonization began, Lobengula claimed that he had been deceived. Hoping to exploit to his own advantage the enmity between Cecil Rhodes and one Edouard Lippert, Lobengula signed another treaty on April 22, 1891 with Lippert’s associate Renny-Tailyour. The Lippert Concession was a land concession that granted,

The sole and exclusive right, power, and privilege for the full term of 100 years to lay out, grant, or lease... farms, townships, building plots and grazing areas; to impose and levy rents, licenses and taxes thereon, and to get in, collect and receive the same for his own benefit; to give and grant certificate... for the occupation of any farms, townships, building plots and grazing areas.²⁴

²³ As quoted by Andre Proctor and Ian Phimister, *People & Power* (Harare: Academic Books (Pvt) Ltd., 1991), 215.

²⁴ See Palmer, *Land and Racial Domination*, 27-28.

Cecil Rhodes bought the Lippert Concession and was able to consolidate his control over Mashonaland and Matebeleland.²⁵ This transaction “legally” transferred thousands of hectares of African land to Cecil Rhodes and marked the beginning of the commodification of land. The Africans remained on the land, but no longer had any legal rights of possession. Customary law was replaced with a “legal” fact or fiction: a fact for the Europeans, a fiction at this time for the Africans. In 1894 Lobengula unsuccessfully tried to have the treaties revoked by sending a delegation to England seeking Queen Victoria’s intervention.

The drama that would lead to the eventual displacement of Africans from their land began in earnest in 1889 when Rhodes formed the BSAC, for the particular purpose of exploiting the lands north of the Limpopo where a “second rand” was believed to be located. According to Palmer, “Gold was the prime motive behind the occupation of Mashonaland, and land was regarded very much as a consolation prize [. . .] Rhodes also anticipated that a rich Mashonaland would act as a counterweight to the Transvaal and so reassert British political supremacy in South Africa.”²⁶ In light of these goals, the Pioneer Column, a group of diverse personalities including quasi-aristocrats, speculative companies, fortune hunters mostly of British extraction, Americans like W.H. Brown, some missionaries, 500 armed policemen, 350 Nguni laborers, 117 wagons, and 2 000 oxen was immediately assembled under the leadership of the “quixotic” Leander Starr Jameson.

The BSAC was lacking financial resources so Cecil Rhodes gave the participants a free reign to seek out their fortunes as they could, and employed them instead of experienced administrators to design and implement policies. Each pioneer was verbally promised, “a free

²⁵ Cecil Rhodes paid Edouard Lippert 30 000 British South Africa Company (BSAC) shares at one pound each, 20 000 United Concessions Company shares at one pound each, 5 000 pounds cash, and land grants of 32 000 acres in Mashonaland and 48 000 acres in Matabeleland.

²⁶ *Ibid.*, 26; and 25.

farm of 1 500 morgen (3 175 acres) and 15 gold reef claims of 400 by 150 feet,” and “for political reasons... no undertakings on paper could be given- it was the gold claims which were the more highly prized, and many pioneers sold their land rights for about 100 pounds to speculators like Frank Johnson and Sir John Willoughby while still on the march to Salisbury.”²⁷ The BSAC then obtained a Royal Charter, which gave it a quasi-government role. The British Government by giving a charter hoped to save its over-stretched treasury, and would keep an eye on the company through the British High Commissioner in South Africa, who was also Governor of the Cape. The High Commissioner resided in Cape Town, and the distance between Salisbury and the Cape hindered effective control due to poor communication lines and distance. Cecil Rhodes would become Prime Minister of the Cape from July 1890 until 1896,²⁸ once more ensuring the company’s political influence and absolute sovereignty.

The Pioneer Column invaded Mashonaland and Matabeleland in June 1890 and on September 13, 1890 the Union Jack was raised at the site that became Salisbury. A fort was built, and settlers “swarmed like bees across Mashonaland looking for gold-fields...”²⁹ Events in South Africa, especially the struggle between the Boers and the British for political and economic supremacy, had large implications on territories beyond South Africa. The Shona, representing eighty-five per cent of all Africans in this territory, and the Ndebele were invaded in order to create a balance of power between competing European interests in the region.

By 1893 it was clear to both the company and its agents that there was no “second rand.” In 1892 only 779 oz of gold were produced in Mashonaland and the BSAC’s shares began to fall on the London market. The Company was on the verge of bankruptcy. Loans from the de Beers

²⁷ Ian Phimister, *An Economic and Social History of Zimbabwe 1890-1948* (London: Longman, 1988), 216

²⁸ Rhodes resigned as Prime Minister as a result of a political scandal involving the Jameson Raid, which is discussed in detail latter in the paper.

²⁹ Phimister, *An Economic and Social History*, 216.

Company, which Rhodes controlled, and a sharp reduction in expenditure by employing settlers as civil servants, i.e. magistrates, policemen, and administrators, who were rewarded with vast lands kept the Company afloat. According to Phimister the company set up,

a system of extravagant land concessions... used both to reward companies and individuals for past services and to encourage speculative interest in Mashonaland. Sir Willoughby's calculated defiance of the Portuguese at Beira in 1891 was rewarded with 600 000 acres. Dunbar Moodie... was allowed to carve out a fiefdom of over 60 000 acres in the Melsetter district after his trek to the Eastern Highlands in 1892-3, equally huge grants were lavished on Copenhagen (Mashonaland) Company, on Chartered Goldfields Ltd., on Moore's Rhodesia Concession, and others . . .³⁰

Some frustrated pioneers returned to South Africa and, as a desperate measure, the BSAC now turned to Matabeleland hoping to find mineral wealth and to loot Ndebele cattle.

The pretext for an invasion of Matabeleland, as suggested by Jameson, came with the Victoria Incident of July 1893, when Ndebele parties raided Shona villages near Fort Victoria causing the few operational mines and farms to shut down as laborers were killed and others fled. The Victoria Incident caused BSAC shares to drop, and hence the need for a war of conquest against the Ndebeles. A military force of 672 was assembled under the Victoria Agreement; of this force, 414 invaded Matabeleland. Those taking up arms against the Ndebele were promised a free farm of 6 350 acres in Matabeleland, with no obligation to occupy the land. Each man was granted 15 reef and 5 alluvial gold claims, and the Ndebele cattle were to be halved between the BSAC and the settlers. Between October and November the Ndebeles were defeated at a cost of 66 000 pounds.

In 1894 an expert mining engineer informed Cecil Rhodes that there was no "second rand" in Matabeleland. What followed was systematic theft and brutal displacement of the Africans as an alternative source of profit was sought. Between

³⁰ Phimister, *An Economic and Social History*, 8-9.

100 000 and 200 000 Ndebele cattle were stolen by the BSAC and its agents between 1894 and 1895. “Armed gangs of settlers and police equipped with Maxim machine guns rode around the countryside seizing what they could. If people refused to show where cattle were hidden, they were killed.”³¹ J. M. Orpen said that the invaders “seized the farms wherever they wanted them, and when these were pegged out on top of each other --as they often were-- they had to rearrange matters as well as they could. Only after all this had been settled could any provision be made for the Matabele natives.”³² At the end of 1894, Rhodes and Jameson visited England to gather support for the troubled BSAC. They received heroes’ welcomes from both the public and the Royal family, and managed to convince their hosts that Mashonaland and Matabeleland were rich in mineral wealth.

On September 10, 1894 the British Government appointed a Land Commission to assign land to the Ndebeles, and by October 29 it had created two native reserves. These reserves, the first ever, at Gwaai and Shangani, were approximately 3, 000 and 3, 500 square miles, respectively. The BSAC chose the Commission’s Chairman, Judge J. Vincent, and a second member, Capt. H. M. Heyman,³³ while Capt. C. F. Lindsell represented the Imperial Government. The Shangani reserve lay squarely in the tsetse fly belt, and both reserves were dry and unsuitable for human habitation. The Imperial government believed that the reserves were temporary and would protect Africans from abuse by European landlords, and that there would be no massive evictions of Africans from European land in the future. African labor was required on the European farms and there was an expectation that Africans would continue to “help” on

³¹ Phimister, *An Economic and Social History*, 220

³² As quoted by Palmer, *Land and Racial Domination*, 29

³³ Heyman later became the Managing Director of Willoughby’s Consolidated, which owned over one million acres of land in Rhodesia.

European acreage. Further, the reserves were located far away from mines and other markets, lacked roads and railways, thus ensuring African farms operated at great disadvantage.

A Native Department was also established to administer every aspect of African life. The company's position was bolstered by the 1898 Native Reserves Order in Council, which stipulated that "from time to time" the BSAC was to "assign to the natives...land sufficient for their occupation... and suitable for their agricultural and pastoral requirements."³⁴ The consequence was the creation of more African reserves. By the turn of the century it was clear that in spite of the Imperial Government's intention to "keep an eye" on the BSAC through a Resident Commissioner stationed in Salisbury, the BSAC had the upper hand in policy making, and subsequently the Imperial government's power diminished to a limited veto over BSAC initiated policies.

By March 1899, 15.8 million acres had been acquired by Europeans, 9.3 million of which were owned by Companies that held the land for speculative purposes.³⁵ Millions of hectares were also held by individual families. Missionaries, in particular Catholics, acquired almost a third of a million acres by 1901. For example, Knight-Bruce, the Anglican Bishop of Mashonaland, acquired more than 40 farms, all of which were over 3, 000 acres in size.³⁶ These farms tended to be situated in the most fertile lands with heavy clay soils. Most people were not immediately evicted from the land that now belonged to Europeans; rather they were required to pay rents to their landlords in order to remain on the land. This renting practice produced a sharecropping system reminiscent of the American South in the 19th Century.

Various taxes were introduced between 1894 and 1923: hut tax, poll tax, dog tax, dipping fees, grazing fees, among others. Taxes were paid in the form of livestock, crops, and money,

³⁴ Phimister, *An Economic and Social History*, 31.

³⁵ Palmer, *Land and Racial Domination*, 36.

³⁶ *Ibid.*, 37.

and were often seized at gunpoint by Native Commissioners³⁷ and armed policemen. These taxes were imposed not only as a means of revenue, but also in order to force Africans into either the reserves or the labor market. Taxation was an effective method by which Africans were removed from their traditional agricultural practices and placed in the position of wage labor. This labor market operated on two levels: one for Europeans and another for the majority- the Africans.

In order to be productive on mines and farms, Europeans came to depend on a system of forced labor. Palmer noted that:

[. . .] conditions of work were generally appalling. Not only was there frequent recourse to the *sjambok* or *chikoti*, the hide whip, both by employers and the young inexperienced Native Commissioners... but there were also numerous fatalities in the small primitive mines, and many employers were not above picking quarrels with their workers towards the end of the month with the predictable, and intended, result that workers fled their employment unpaid.³⁸

Headmen were required to give up gangs of men on a quota system, and were whipped for failing to produce the required numbers. Villagers fled their homes at the sight of approaching armed policemen, who force-marched people to work sites. These hardships were worsened by the drought and renderpest of 1895-6, which killed 90% of the remaining Ndebele cattle.

It was against this backdrop that the First Chimurenga Wars of 1896-7 broke out. Palmer reconsidered his earlier argument that land was the primary cause of the risings, and contended that other hardships such as forced labor and taxation were the primary factors. By 1896 people had only lost their land on paper and not in practice.³⁹ Palmer's argument, however, seems to underestimate the connection of the land issue to all the other hardships experienced by the Africans. For example, although people had not been evicted from their land they were now

³⁷ Native Commissioners were in charge of land allocation, tax collection, pass administration when pass laws were introduced, appointment of chiefs and headmen, amalgamation and subdivision of tribes, and presiding over African criminal and civil cases.

³⁸ Palmer, *Land and Racial Domination*, 43.

³⁹ *Ibid.*, 42.

subject to rents and other levies, which were at the discretion of landlords. It is also possible to trace back the system of forced labor to the issue of land ownership. Clearly, many factors are involved in trying to explain the complex totality out of which the First Chimurenga conflict arose.

Taking advantage of the abortive Jameson Raid, which took a majority of the settler forces to the Transvaal, the Shona revolted in March, followed by the Ndebele in June, 1896.

Palmer says that,

The risings... were the most violent, sustained, and highly organized instance of resistance to colonial rule anywhere in Africa. They were a genuine people's war, in which individuals fought because they chose to, not because they were ordered to by their leaders. A wide cross-section of society was involved, not merely, as so often elsewhere, simply the official army. The European casualties were much higher than in any comparable revolt; 372 were killed and 129 wounded, representing about 10% of the entire European population.⁴⁰

The uprisings were brutally suppressed, for example, people were dynamited out of the caves in which they had taken refuge. In the aftermath of the uprising the High Commissioner issued Proclamation No. 19, October 14, 1896. This was intended to regulate the resettlement of the Ndebele on the land they had lost. The Ndebele were to be settled evenly so that their political power would be abrogated and every European farmer assured of a supply of resident labor. The Proclamation enabled the Native Department vetting of annual labor agreements which ensured African residents had the opportunity and land to cultivate their own crops. European farmers, who were wary of state interference in their affairs with their tenants, disregarded the Proclamation. These policies were ineffective as European settlers exercised their freewill, promoted their interests at gratis, and completed the first phase of dispossessing the native families.

⁴⁰ Palmer, *Land and Racial Domination*, 55.

Agriculture, which had always been the mainstay of the African economy continued, but under European domination. From the time of their arrival in 1890 through the early 20th Century, Europeans depended upon African peasants for food, seeds, and labor. African farmers were compelled to sell their produce to European storekeepers and traders who either imposed low prices, engaged in outright theft, or refused to pay cash demanding to barter consumer items for the African produce. Phimister asserts that,

Most ‘farmers’ were primarily transport riders, store-keepers, or traders, who bought- and sometimes stole food from their African neighbors, while even ‘the most elaborate farm consisted of little more than a collection of thatched huts and up to ten ploughed acres of land.’⁴¹

Thus, Phimister argues that the traders represented “institutionalized raiding” of the peasants for the ultimate benefit of the European sector.⁴² In addition, discriminatory laws were introduced in order to prop up European agriculture. These laws included the Masters and Servants Ordinance of 1901 and the Native Pass Ordinance of 1902, which were “designed to regulate the mobility of black labor and stabilize employment under contract.”⁴³ The Masters and Servants Ordinance made it a criminal offense to either desert or break a contract. The Pass law required every adult male to register with the authorities, and allowed employers and the police to control movement, check where people had worked, and direct them where settlers required laborers. The Rhodesia Native Labour Bureau (RNLB), 1903, was a means to forcibly recruit people to work in mines. The Private Locations Ordinance, 1908, declared that:

(a) all arrangements with tenants to be written rather than verbal and witnessed by a Native Commissioner;

⁴¹ Palmer, *Land and Racial Domination*, 40.

⁴² Ian Phimister, “Peasant Production and Underdevelopment in Southern Rhodesia, 1890-1914,” *African Affairs* 73 no.291, 225.

⁴³ J. K. Rennie, “European Farmers, Black Tenants and Landlord Legislation: Southern Rhodesia 1890-1930,” *Journal of Southern African Studies* 5 no.1 (Oct., 1978), 95

(b) owners occupying their land to have a license each year for every adult male at 1/- each, on their farm; and

(c) absentee landlords to pay 5/- and have a maximum of only 40 adult males on each farm of 3, 175 acres.

This Ordinance, which appeared to be directed at absentee landlords, was passed with the intention of increasing the labor supply for the mining industry. Further, it alleviated the pressure to provide more reserves on which to resettle Africans evicted from European land by shifting African labor from agriculture to the mining sector.

There was a boom in African peasant agriculture between 1896 and 1908 owing to the availability of markets and continued occupation of what was now European land; active steps were taken after 1907 to expand European farming. Phimister points out that, “[p]easant prosperity aggravated the ‘uncertainty’ of labor supplies and increased mining costs, particularly wages,”⁴⁴ threatening European production. To contain costs, an Estates Department was set up in 1908 to promote European settlement, and information offices under a Superintendent of Emigration were opened in London and Glasgow. That same year the Department of Agriculture was reorganized to enhance specialist expertise in European agriculture. From 1909-13, serious efforts were made to increase tobacco production; men were sent to study tobacco production in America, while expert Greeks were hired to oversee production. The tobacco industry was subject to booms and busts and it was highly regulated by state policies. Ranching, like tobacco production, was an indigenous agricultural practice and it was expanded. In 1912 a Land Bank was established to provide credit facilities to only European farmers, pouring capital into the European sector. The prominent feature of early twentieth century Rhodesia was the “structural underdevelopment” of the peasant sector and the consolidation of the European hold on the best

⁴⁴ Phimister, “Peasant Production,” 222.

land due to their advantageous political and economic position. A “dual economy” characterized by a successful and expanding European sector, and an impoverished and unstable African sector, emerged. Dualism was encouraged in both the law and the development policies adopted, and this duality intensified between 1914 and 1930 as the society moved towards total segregation.

Intense conflict emerged between the three European stakeholders: the Crown, the BSAC, and the European settlers. The settler population, which grew between 1908 and 1914, was antagonistic regarding the company’s claim to ownership of unalienated land. Fluctuating land prices that were fixed by non-resident company officials further aggravated this problem. The second conflict was between the company and the Imperial Government. The company wanted the best land, including that allotted to Africans in the native reserves, to be reserved for European settlers. The Imperial Government, on the other hand, wanted to maintain adequate reserves to meet African’s future needs. The settlers used their majority representation in the Legislative Assembly to reject the BSAC proposal to make Southern Rhodesia a fifth province of the Union of South Africa in 1923. Instead, they voted for “Responsible Government,” meaning that Southern Rhodesia became a “self-governing” colony, where the constitution could not be changed without the British government’s approval and total independence could only be conferred by the British Parliament. The company and the settler governments had one thing in common; both were self-serving at the expense of the native population. Land policies that favored European settlers did not crumble with BSAC rule, but actually intensified under the settler government.

This “new government” appointed the Morris Carter Commission to consider the possibility of a land policy that was consistent with settler’s views and not Colonial Office

practices, and to decide if the country was to be split into European and African areas. In its 1926 report, the Commission said that:

[. . .] however desirable it may be that members of the two races should live together side by side with equal rights as regards the holding of land, we are convinced that in practice, probably for generations to come, such a policy is not practicable nor in the best interests of the two races, and that until the native has advanced much farther on the paths of civilization, it is better that points of contact between the two races should be reduced.⁴⁵

Political, economic, social, and psychological reasons were advanced in support of segregation.

European farmers feared that without segregation stock theft would increase and African “scabby livestock” would spread diseases to, and breed with their own livestock, land values would depreciate, immigration would slow down due to European insecurity, and Africans would molest European children. It was recommended that there be no indiscriminate purchase of land by members of either race. The criteria for European occupation were location and soil fertility. In the African case, the sole criterion was “average acreage per family rather than income of that acreage... It [was] a pattern based on a static concept, that is, land is the only factor of production, and the aim of land policy is to provide land enough for each African family to subsist.”⁴⁶ In order to increase the reserves’ carrying capacity and to improve efficiency, a rural development program was started in 1926 by the American missionary D.E. Alvord. Reserves were “centralized,” which meant categorically rearranging villages into homestead, grazing, and farming areas. This program collapsed in the 1930s because of poor funding and understaffing. It was restored in the ‘40s by the Department of Native Agriculture, which was formed within the Division of Native Affairs.

The Land Commission’s recommendation became the basis of the Land Apportionment Act of 1930, “the European Man’s Magna Carta,” which replaced the Private Locations

⁴⁵ Quoted by Yudelman, *Africans on the Land*, 69.

⁴⁶ *Ibid.*, 70

Ordinance of 1908 with Imperial approval. The idea of apartheid and “separate development” built around territorial segregation, and desire to divide Europeans and Africans into non-competing blocs inspired the Act. It established European, Native, Undetermined, Forest, and Unassigned Areas. Members of each group were to hold land only in their designated areas. Africans were apportioned 28.5 million acres, 21 million of which were reserves and 7.5 million of which were Native Purchase Areas in which blacks could purchase land on a freehold basis. The European area was larger than 49 million acres. A Native Land Board was established to recommend the sale of land in purchase areas to Africans, to prescribe conditions prior to the granting of land, and to seize underutilized land. The Purchase areas lacked water, roads, and capital for their development. In addition, Africans in these areas were denied title deeds in order to “avoid high administrative costs and the possibility of illicit land dealings.”⁴⁷ In the 90, 000 acre “Undetermined” area, Europeans could sell their land to Africans, upon which it became “native area.” The 590, 000 acre “forest area” was preserved for reforestation. The 17, 793, 000 acres of “Unassigned” area was mostly in remote, dry, tsetse fly regions, and later assigned to meet the Africans’ growing needs. Africans could not hold land in European areas unless they were tenants, and similarly, Europeans could not occupy land in African areas unless they were educators, missionaries, or traders. This Act went further than any other previous law in facilitating active dispossession, and coming in the light of the Great Depression it exacerbated poverty and suffering. Moyana argues that the Land Apportionment Act did more to galvanize mass African nationalism, which had hitherto been elitist, than any other law in Southern Rhodesia.⁴⁸

⁴⁷ Oliver B. Pollack, “Black Farmers and European Politics in Rhodesia,” *African Affairs* 74 no. 296 (July, 1975), 268.

⁴⁸ Henry Moyana, *The Political economy of Land in Zimbabwe* (Gweru: Mambo Press, 2002), 106-7.

Segregation was introduced not only in agriculture, but to all aspects of life, including education, medical, and social facilities. In 1931 and 1934 the Maize Control Acts and the Cattle Levy Acts were passed. These Acts subsidized European farmers through a 10% levy imposed on African produce, and instituted a two-price system. “These formal checks on African competition in the produce market simply supplemented what was still the main discriminatory device: the distance of African lands from the consumption centers and lines of communication.”⁴⁹

A series of laws passed during the Great Depression hit African farmers the hardest. The Industrial Conciliation Act of 1934 restricted Africans from qualifying for apprenticeships or skilled work, and from joining trade unions. Even those laws which appeared to alleviate the plight of the Africans had unintended consequences, for example, the 1936 Land Apportionment Amendment Act (No. 31). It extended the time limit for the abolition of rent agreements to 1941. Unless the Minister of Native Affairs was convinced of the availability of suitable land for tenant resettlement and adequate notice was given, tenants could not be evicted. This would appear to have the beneficial effect of extending African leases, but was in fact enacted to avoid the problem of creating new African reserves for displaced tenants. Doing this avoided conflict for a period of time. In 1936 the Sedition Act was passed to repress expressions of political and religious discontent. A Consolidated Land Apportionment Act was passed in 1941 to do away with “kaffir farming” or sharecropping. It also established native townships in the native areas where “detribalized Africans” could live. Act No. 14 of 1945 and the Native Accommodation and Registration Act were also passed. Together these laws made every African working in a European area a temporary visitor, and also created labor reservoirs by establishing native urban areas where it was lawful for Africans to occupy, but not to own land.

⁴⁹ Arrighi, “Labour Supplies in Historical Perspective,” 220.

By 1941 when the Natural Resources Act was passed, Southern Rhodesia was approaching an ecological crisis. Poor farming methods in both European and African sectors, combined with overcrowding in the African sector precipitated the impending crisis. During this same period, European demand for land increased due to returning World War II servicemen and the growing number of immigrants. The destruction caused by World War II in Britain saw many families migrate to Southern Rhodesia, giving rise to the second phase in the dispossession process. African servicemen returning also needed to be resettled. There was also a boom in the African population, which grew by 700, 000 between 1941 and 1948 although the land apportioned for Africans remained the same. By 1945, overcrowding had become a major problem in African areas. 10 reserves were 100% - 150% overpopulated, while 19 were 50% - 100% overpopulated, 21 were 10% - 50% overpopulated, and 3 were 1% - 10% overpopulated. Africans invaded whatever land was accessible regardless of whether it was European, unassigned, or for individual tenure.

Land degradation was extremely severe in the European sector. Underdevelopment in the African sector was institutionalized in law and deed, while the European sector, when judged on its own terms, was very much mismanaged. Phimister says that, “soils in several important maize and tobacco regions were either exhausted from continuous cropping or scarred by erosion.”⁵⁰

Arrighi adds that,

the substitution of maize for traditional crops (millets, ground-nuts, sweet potatoes), which were less land-consuming but which had become more difficult to dispose of on the market, gained momentum in the 1930s, probably relieving the shortage of cash income in the short-run but leading to faster soil erosion in the long run.⁵¹

Tobacco plantations suffered because eelworm infestation increased as soil fertility declined.

Phimister blames the attitude of the farmers,

⁵⁰ Phimister, “Discourse and the Discipline of Historical Context,” 264.

⁵¹ Arrighi, “Labor Supplies in Historical Perspective,” 219.

who did not care what happens... as long as ... they can get as much wealth out of the land as quickly as possible... Land was simply abandoned after two successive crops, stripped of tree cover and exposed to the elements, with the result that Mashonaland contained 'thousands' of acres of wreckage by the start of the 1940s.⁵²

Some European farms collapsed as farmers went bankrupt because of the ecological plight. A case in point is Charles Southey's farm, Sunnyside, in the once fertile Mazoe Valley. As a result, Phimister says, "[p]roduction of basic foodstuffs...fell further and further behind demand... maize output declined in absolute volume as well as in relative terms between 1945 and 1949. By the end of the decade the colony was spending £ 750, 000 p.a. on imported maize. The situation in the beef industry was almost as alarming."⁵³

The ecological problem was nationwide, yet the government blamed African land tenure practice and published the 1948 Native Reserves Land Utilisation and Good Husbandry Bill. "It sought to change the existing system of land tenure into a 'hybrid tribal- capitalistic... [one] of individual holdings and communal grazing,' in which good husbandry practices were enforced under threat of dispossession."⁵⁴ The Bill became the Native Land Husbandry Act (NLHA) of 1951, which was fully implemented by 1955. According to the Rhodesian Government, the purpose of the NLHA was:

- (a) to provide for a reasonable standard of good husbandry for the protection of natural resources by all Africans using the land: the Act contains powers to enforce these provisions;
- (b) to limit the number of stock in any area to its carrying capacity and, as far as is practicable, to relate stock holding to arable land holding as a means of improving farming practice;
- (c) to allocate individual rights in the arable land and in the communal grazings (*sic*) so far as possible in terms of economic units; and where this is not possible due to over-production, to prevent further fragmentation and to provide for the aggregation of fragmentary holdings into economic units;
- (d) to provide individual security of tenure of arable land and individual security of grazing rights in the communal grazings (*sic*);

⁵² Ibid., 264-5.

⁵³ Ibid., 268.

⁵⁴ Arrighi, "Labor Supplies in Historical Perspective," 274.

(e) to provide for the setting aside of land for towns and business centres (*sic*) in the Reserves.⁵⁵

Through the Act, the state asserted legal control over peasant production. Department of Native Agriculture was rejuvenated and it revamped its program of “centralization.” By 1954 some 13 million acres had been centralized. Africans resisted “centralization” because it fragmented families, land holdings, and rigidly controlled their farming practices. It also worsened soil infertility. Destocking was also ruthlessly enforced. The livestock carrying capacity of the reserves was assessed and a five year destocking program was in operation by 1945. The program ended in 1948 after surpassing its initial target.

The NLHA proved to be a controversial piece of legislation. It has been considered a revolutionary manifesto for African rights by some scholars such as Yudelman, who called it “one of the most far-reaching land reform measures in Africa⁵⁶ [. . .] revolutionary [. . .] it represents a change of vast proportions in the lives of those living in the African areas.”⁵⁷ Palmer’s view is to some extent consistent with Yudelman’s since he argues that the NLHA was designed to create a loyal urban and rural middle class, while simultaneously satisfying the needs of the country’s rapidly expanding secondary industry by denying urban workers access to farmland.⁵⁸

Duggan’s argument diverges from the above points of view, especially the first. His argument is consistent with the economic conditions in Southern Rhodesia during this period. Specifically, secondary industry had slowed down and stopped growing altogether after 1957.⁵⁹ The NLH as implemented was not revolutionary since it forced Africans to fund the initiative.

⁵⁵ William R. Duggan, “The Native Land Husbandry Act of 1951 and the Rural Middle Class of Southern Rhodesia,” *African Affairs* 79 no. 315 (Apr., 1980), 230.

⁵⁶ Yudelman, *Africans on the Land*, 117

⁵⁷ *Ibid.*, 225-6

⁵⁸ Palmer, *Land and Racial Domination*, 243-4.

⁵⁹ Proctor and Phimister, *People and Power*, 243.

The Native Development Fund received a \$2 million loan, but was required to pay this back. Secondly, it forced men to decide whether or not they would be permanent cultivators or wage workers in the towns. This did more to stabilize labor than to create an urban or rural middle class. Thirdly, plot sizes were fixed except for polygamists. The small plot sizes and the destocking exercises meant that peasant production could not rise above subsistence levels.⁶⁰ Finally environmental initiatives encouraged segregation not conservation.⁶¹ The result of the NLH was that by 1959 more than one quarter of the reserve families entitled to land were landless. Hence, Duggan sums it up by saying that:

[. . .] it is preferable to view the NLHA as a compromise between the settler farmers and secondary industry, ending migrant labor but not fostering an African middle class in the reserves. The NLHA was not the beginning of decolonization on the Kenyan model, but rather resulted from a constellation of forces more reminiscent of South Africa.⁶²

The Act was violently opposed both in the cities and the rural areas. Productivity continued to fall, and governmental enthusiasm for the NLHA waned. The NLHA proved to be a failure.

The Europeans used their political power to resist Government interventionism. In 1946 they voted out the United Party that had an interventionist program, and voted for the racially exclusive laissez-faire Liberal Party, which focused its attention on the African sector. Although the franchise remained non-racial in Southern Rhodesia, the income-based qualification was so high that by 1948 only 258 blacks compared to 47, 000 Europeans could vote. African disenfranchisement meant the inability to elect a government that would be sensitive to African needs. This political exclusion and mass African resistance to the NLHA gave rise to nationalistic politics with the emergence of various political parties. In Salisbury in 1955, the City Youth League (CYL) was established. It emerged in Bulawayo in 1957 as the African

⁶⁰ Ibid., 232-3.

⁶¹ Ian Phimister, "Discourse and the Discipline of Historical Context: Conservationism and Ideas about Development in Southern Rhodesia 1930-1950," *Journal of Southern African Studies* 12 no. 2 (Apr., 1986), 274

⁶² Duggan, "The Native Land Husbandry Act," 230.

National Congress (ANC), under Joshua Nkomo. In its statement of policy, the ANC laid out the following principles: “NATIONAL UNITY,” regardless of race, color, tribe, and creed; political, economic, and social equality for all; loyalty to the Crown; individual initiative and free enterprise under some degree of governmental control; and higher standards of living.⁶³ The ANC was elitist and alienated the peasants. It demanded changes within the existing system in a peaceful and orderly manner, rather than total reform. In spite of its moderate and peaceful platform, it was banned and its leaders detained. The more militant National Democratic Party (NDP) was formed in January 1960 and clashed with the Government in the “Zhii riots.” Peasant opposition to the NLHA intensified during 1961 and the NDP was banned in December, and its leaders were also imprisoned. The first party to align with the peasants was the Zimbabwe Peoples Union (ZAPU), formed in January 1962. Led by Nkomo, it organized the Land Freedom Farmers.⁶⁴ Peasant opposition to the NLHA and the formation of ZAPU culminated in acts of sabotage. Forests were burned and electrical and railway lines destroyed, marking the beginning of the Second Chimurenga War. In September 1962 ZAPU was also banned.⁶⁵ Leadership of ZAPU under Nkomo was under attack due to his absences from the country and the “reformist” stance of ZAPU. In 1963 the Zimbabwe African National Union (ZANU) was formed with a mandate of absolute confrontation with the government.⁶⁶ ZANU sent its first contingent of five men to the People's Republic of China for military training in September 1963.⁶⁷ The strength of early African nationalism in Southern Rhodesia was compromised by the absence of a

⁶³ For a copy of the ANC's statement of policy, see Proctor and Phimister, *People and Power*, 244.

⁶⁴ These were farmers who left the reserves and settled on unused Government and white-owned land.

⁶⁵ It survived as the People's Caretaker Council (PCC).

⁶⁶ See Proctor and Phimister, *People and Power*, 245; and Martin Meredith, *The Past is Another Country: Rhodesia 1890-1979* (London: Andre Deutsch Limited, 1979).

⁶⁷ Jakkie Cilliers, *Counter-Insurgency in Rhodesia* (London: Croom Helm, c1985) 5.

charismatic leader. It was also weakened by rivalry, and ideological and ethnic differences within and between the different nationalist organizations.

In 1961 a full Constitutional Conference between Britain and Southern Rhodesia was held. Its result was “a far-reaching franchise reform” integrating the African middle class into the political system.⁶⁸ A new Constitution was introduced, which ensured the election of Africans to the Assembly. Loney asserts that,

The Proposals represented the maximum concessions to African advancement which could be made without losing white support. Indeed, the new constitution had to be sold to the white electorate in terms which minimized the speed of possible African enrolment and the African influence which would result.⁶⁹

The white minority was still able to effectively legislate at will. White voters, who saw the new Constitution as paving way to majority rule, opposed this minimal enfranchisement of the majority black population. Britain gave up its right to veto discriminatory legislation. It surrendered its power to reserve or disallow legislation emanating from the Southern Rhodesian parliament, or to legislate directly for Southern Rhodesia on matters within the Southern Rhodesian parliament’s jurisdiction. The only limitation placed on Southern Rhodesia’s government was that a two-thirds majority vote in the Legislative Assembly was required in order to make ordinary amendments to the constitution. Amendments to entrenched clauses, which encompassed the Declaration of Rights and franchise qualifications, required both a two-thirds majority and either the approval of the British government or a majority vote of the registered electorate from each race in a referendum. These provisions re-enforced Southern Rhodesia’s state as a self-governing colony.

⁶⁸ These constitutional reforms had been attempted in 1957, but were abandoned for failing to create the desired constituency

⁶⁹ Martin Loney, *Rhodesia: White Racism and Imperial Response* (Middlesex: Penguin Books Ltd., 1975) 124.

The government introduced other laws that effectively paralyzed Africans. The Subversive Activities Act of 1950 was passed as a result of the strike of 1948. This Act authorized the government to ban meetings and literature considered to undermine constitutional government. The Public Order Act of 1955 authorized the government to detain and restrict anyone without charge or trial. The government enacted the Unlawful Organizations Act, the Native Affairs Amendment Act, the Preventive Detention Act, the Law and Order Maintenance Act, and the Emergency Powers Act, “whose provisions were so sweeping that, if fully enforced, would have obliterated any notion of liberty and individual rights.”⁷⁰ For Africans these laws enabled the government to curb freedom of speech, movement, privacy, assembly and association, to arrest and detain without trial, to control businesses and employees and prevent interference with all services deemed to be essential, and to suppress African political parties. In 1965 the Tribal Trust Lands Act was passed. It changed the name of Native Reserves to Tribal Trust Lands and created European trustees for the land. Legally, this meant that Africans lost any semblance of ownership and could not make decisions concerning the land on which they were settled. Britain, which had veto power and was the legal “guardian of African interests,” “made no attempt to intervene.”⁷¹

The Land Tenure Act of 1969 replaced the Land Apportionment Act of 1930. It imposed new restrictions on Africans and permanently divided land on a racial basis. European and black areas consisted equally of 45 million acres despite the 1:100 population ratio. The Act made any African living in a European area “a sojourner whose right to domicile and ownership there were at the discretion of the Europeans.”⁷² It also regulated the employment of Africans in urban areas and their use of schools, hospitals, hotels, and provided for the eradication of “black spots”

⁷⁰ Martin Meredith, *The Past is Another Country*, 28.

⁷¹ *Ibid.*, 28.

⁷² *Ibid.*, 63.

in European areas. Complementing the Act was the 1969 constitution, which did away with the possibility of future African rule. Ian Smith went further than any previous government in buttressing European supremacy in Rhodesia, while at the same time, Africans continued to be evicted from the land.⁷³

Conclusion

One can argue that the first 90 years of colonial rule in Southern Rhodesia produced a dual and racially segregated economy, with an African sector that was structurally underdeveloped, and a European sector that was cash-crop oriented and existed at the expense of the former. Secondly, although the Imperial government had power to theoretically determine policy design and implementation, in practice it was marginalized largely because of its hesitancy and indecisive approach when dealing with the European settlers. As a result it was used by the various regimes in their efforts to advance European political and economic supremacy in the colony. Once the Imperial government could no longer be trusted to serve colonial settler interests as it had done for the first seventy-five years of colonial rule, it was replaced unilaterally in 1965. Lastly, European settlers politicized the land issue. European power and interests were vested in the land and in order to protect this power, a series of exclusionary policies continued to be implemented. The control and political repression of Africans happened through the new legal and judicial system, the very systems that would be called upon in the future to ensure the “fair” treatment for black and white Zimbabwe.

⁷³ A case in point was the heated and internationally known Tangwena Saga, in which Chief Rekayi Tangwena and his people resisted forceful and arbitrary eviction from their ancestral lands over several years. Realizing the government’s unrelenting persistence Chief Tangwena, now an old man, joined the armed struggle in 1969. Nonetheless, he and his people were removed from the land. The Tangwena people are quite unique in Rhodesian/ Zimbabwean history because they never gave up their rights to their land, and after independence in 1980, they got it back.

Once again we return to Amartya Sen's definition of development. Africans were not able to engage in the marketplace on an equal footing with those who colonized them. They were restricted in their access to the labor force. Basic necessities such as education, healthcare and social safety nets were neither accessible nor available. By any of Amartya Sen's criteria one can only conclude that the benefits of colonization never materialized for the vast majority of the population. The "3 C's" may have brought Christianity to the natives, but Civilization and Commerce were to remain the purview of the colonists. The Imperial legacy was of total neglect of the African majority and a pattern of appeasement to the small white minority, a white minority that is entrenched in law and the duality of Rhodesian life. The ruthless pursuit of self-interest on the part of white Rhodesians would prove to be the most destructive legacy of this period.

CHAPTER TWO

The Road to Lancaster: British Policy towards Ian Smith's Rebel Regime (1965-1979)

Introduction

This analysis explores Britain's decolonization policy in Southern Rhodesia, and stretches from the early '50s to the Lancaster House Conference of 1979. Its major thrust will be on the land policy that emerged at this conference. The discussion will encompass four major themes:

- the Central African Federation (CAF), 1953-63, in which the Anglo-Rhodesian dispute that culminated in a Unilateral Declaration of Independence (U.D.I) in 1965 originated;
- the complicated and protracted independence negotiations that ensued between Britain and Rhodesia, which ran alongside the black nationalist insurgency that was aimed at establishing majority rule and re-claiming the land expropriated by the white settlers;
- Britain's long term political and economic challenges in the context of the Cold War, the rise of mass nationalism in the colonies, and the emergence of Pan-Africanism and the Civil Rights Movement in the United States;
- and lastly, the treatment of the land issue in the other former British colonies of Kenya, Malawi, and Zambia.

These issues shed light on the nature of Anglo-Rhodesian relations and the forces that combined in order to bring about a settlement at Lancaster.

The question that the analysis tries to address is whether the Lancaster House agreement established a sustainable and realistic land policy for Zimbabwe. It will be necessary to see what

sort of outcomes emerged in all four places: Kenya, Malawi, Zambia, and Zimbabwe, given their common historical experiences. It finds that the Lancaster House land policy imposed more limitations on the future government of Zimbabwe than its equivalents in Kenya, Malawi, and Zambia. The conditions imposed on Zimbabwe in 1979 had been either expunged from the constitutions of the other former colonies immediately after independence, provisions resulting from post-colonial constitutional reform in Malawi and Zambia, or entirely unique. The land policy established at Lancaster was the result of long-term political and economic decline on Britain's part both in Rhodesian and global affairs, limited political clout on the African nationalists' side, and deeply entrenched white Rhodesian agro-industrial interests. At Lancaster the Rhodesian whites had the most solid and well established interests, while Britain was for the first time in the history of Anglo-Rhodesian relations trying to assert some authority. On the other side were the African nationalists challenging both British and settler hegemony. Thus, the land policy that emerged was a balance between the relevant parties' widely divergent interests and different degrees of political and economic clout.

The Central African Federation: 1953-63

The protracted Anglo-Rhodesian conflict that culminated in a U.D.I. in 1965 had its roots in the Central African Federation. Britain formed the Federation in 1953 by amalgamating Southern and Northern Rhodesia, and Nyasaland, as a counterweight to Boer hegemony in central-southern Africa. The Federation's founders expected the integration of the three territories to foster rapid economic development and to curb racial extremism through a policy of "partnership." "Partnership" meant "the co-operation of all races to the full extent of their capacity in developing a country in the best interest of all its inhabitants."⁷⁴ The partnership

⁷⁴ Lewis H. Gann and M. Gelfand, *Huggins of Rhodesia: The Man and His Country* (London: Allen & Unwin, c1964), 224.

model was not equality, but as described by the Federal Prime Minister, Sir Godfrey Huggins, it was to be the “relationship between a rider and his horse.”⁷⁵ In spite of this colonial attitude towards partnership, white opinion particularly in Southern Rhodesia, was divided. Some opposed partnership for fear of eventual black domination. These groups favored “separate development.” On the other hand, white elites and industrialists supported the Federation as they would benefit from expanded markets and an increased revenue base. Concerned that federation would lead to a spread of apartheid-like policies into their territories, the Africans in Northern Rhodesia and Nyasaland opposed the amalgamation. The Federation created a powerful economic entity, but it was one that would marginalize African political and economic interests--exacerbating conflict.

Economic development in the Federation was unbalanced. Southern Rhodesia, the senior partner, had by 1964 apportioned over seventy percent of all the capital invested in the Federation.⁷⁶ Expensive infrastructure such as the Lake Kariba dam and the University College of Rhodesia and Nyasaland were constructed in Southern Rhodesia at federal expense. Southern Rhodesia also passed along its £ 88.4 million debt at the time of the founding of the Federation. Northern Rhodesia was contributing the largest share of revenue to the federal budget, £ 75 million from copper exports vs. £ 18 million from tobacco exports in Southern Rhodesia. Nyasaland was the poorest member of the Federation, serving as a captive market and a labor reserve. Optimism in the early years was high and the Federation attracted western capital and human resources from a constricted post-war European economy.

⁷⁵ See Martin Loney, *Rhodesia: White Racism and Imperial Response* (Middlesex: Penguin Books Ltd, 1975), 99.

⁷⁶ Ian Douglas Smith, “Southern Rhodesia and its Future,” *African Affairs* 63 No. 250 (Jan., 1964): 13.

Politically, white Southern Rhodesians dominated the Federation, their power vested in their majority status over the settlers in the other two territories.⁷⁷ Her Majesty the Queen had a representative in the Federation, the Governor-General. There was a cabinet presided over by a Prime Minister. Southern Rhodesia had fourteen elected members in the cabinet, Northern Rhodesia eight, and Nyasaland four. The Cabinet also included six figurehead Africans, and three European members who were responsible for African interests. The three territories retained the same constitutional status as they did prior to Federation. Southern Rhodesia remained a self-governing colony with the only limitation on its power being that all legislation differentiating between Africans and Europeans needed Royal approval. Sovereignty lay with the British parliament, which had the exclusive authority to revoke the constitution it had conferred. Northern Rhodesia and Nyasaland remained British Protectorates administered by the Secretary of State for the colonies on the British government's behalf. In 1957 Britain made concessions to the Federal government by reducing the proportionate influence of African representatives and its own powers in the Federal government. Military forces in the Federation were grouped together under the Central Africa Command. These were "highly efficient, and constituted the most proficient fighting force in sub-Saharan Africa."⁷⁸ Southern Rhodesia was able to politically dominate the Federation to the extent that at dissolution it would emerge stronger than ever. At the Victoria Falls Conference of 1963, which dissolved the Federation, the entire Central Africa Command force would move *en bloc* to Southern Rhodesia, boosting its political clout.

⁷⁷ Southern Rhodesia had 160 000 Europeans; Northern Rhodesia, 50 000; and Nyasaland, 5 600.

⁷⁸ Smith, "Southern Rhodesia and its Future," 54-55.

Shifting Political Trends

In the late 1950s British policy changed from commitment to Empire to a commitment to Commonwealth. At this time Britain was faced with:

- (a) Growing demands for African self-determination culminating in the independence of Ghana in 1957, Nigeria and Cameroon in 1960, amongst others. In 1963 these newly independent African states would form the Organization of African Union (OAU), an organization that prioritized the achievement of self-determination in other African countries still under colonial rule.⁷⁹
- (b) Expenditures of £ 70 million in Kenya to quell the Mau Mau Uprising. Britain had to spend a further US\$ 200 million to finance land reform.
- (c) The disastrous Suez Crisis.
- (d) A raging Cold War manifested in the war in Angola, 1961-75, which heightened concerns of a communist threat in central-southern Africa.
- (e) The Civil Rights Movement in the United States with its spotlight on historical and present-day inequality for blacks and independence for Africa.

All of these factors were ultimately to have an effect on Britain's Rhodesia policy, both at the time of the Federation's dissolution and at the Lancaster House talks of 1979.

Britain's Prime Minister, Sir Harold Macmillan, had promised white settlers in Southern Rhodesia that the Federation would not be dismantled. By the early 1960s, mass nationalist movements were gaining momentum in the northern territories and by 1962 the British government had to appoint the Viscount Monckton Commission to investigate the Federation's

⁷⁹ The purpose of the OAU, as outlined in its Charter, was to promote the unity and solidarity of the African States; to coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; to defend their sovereignty, their territorial integrity and independence; to eradicate all forms of colonialism from Africa; and to promote international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights

future. The Commission was to recommend secession.⁸⁰ British support for the Federation had waned since, “it was no longer a symbol of stability and progress but an obstacle in the way of self-determination for the two northern territories.”⁸¹ In July 1964 Nyasaland seceded and became the independent state of Malawi. Northern Rhodesia followed suit in October that same year and became Zambia.

It is important to briefly consider the land policies established in Kenya, Malawi, and Zambia at independence. This will enable us to see the continuities and discontinuities of Britain’s land policy and its outcomes, against which Zimbabwe’s land reform will be evaluated. In Nyasaland and in Kenya, grievances against agrarian policies, especially land distribution, ignited the nationalist struggles.⁸² In Kenya the European settlers expropriated an estimated 60,000 acres of the Kikuyus’ best land in the ‘White Highlands.’⁸³ The Kikuyu became rent-paying tenants on this land, paying in either cash or labor. The land shortage which was exacerbated by rapid population growth, escalating poverty, and the indignities inflicted on the Kikuyu by the European settlers triggered the Mau Mau Uprising. Amongst other things, those who took the Mau Mau oath swore that they would “never sell land to a European or an Asian.”⁸⁴ By the end of 1952 several settler farmers had been killed. The uprising ended in 1960 when Britain intervened on the side of the settlers. Jomo Kenyatta, Kenya’s first President, had only appeared on the political scene in 1961. He was in England from 1931-46, and in prison from 1952 onwards. Jomo Kenyatta was a ‘moderate,’ who believed in gradual long term change. Eventually his non-threatening demeanor and approach to decolonization made him popular

⁸⁰ See Lord Alport, “Britain in Central Africa in the Sixties,” *African Affairs* 249 Vol. 62 (October, 1963).

⁸¹ Meredith, *The Past is Another Country*, *ibid.*, 29.

⁸² Malawi’s major nationalist movement, the Malawi Congress Party developed into a mass movement of the rural areas during the 1950s. To prevent another famine similar to that of 1948-50 and in order to curb soil erosion, strict regulations on African agriculture were imposed. Peasant opposition to these regulations provided a basis for the nationalist campaign.

⁸³ Anthony Daniels, “Mau Mau Revisted” *New Criterion* 23 no. 10 (June, 2005): 23.

⁸⁴ Choongo Moonga, “The Father of Kenyan Independence,” *New African* (February 2002).

amongst the white settlers who had initially feared him.⁸⁵ Due to the presence of a larger settler population of about 66 000, Kenya's land policy at independence in 1963 was much stricter than those of Zambia and Malawi. A property clause was established and it stated that: there would be no compulsory acquisition of property except for public good; the hardship that such compulsory acquisition might cause should be justifiable; "prompt payment" of "full compensation;" the *expropriatee* was entitled to the repatriation of compensation, free of taxes and other deductions, to any country of his or her choice; and the *expropriatee* was entitled access to the High Court for the resolution of expropriation disputes. Kenya, unlike Malawi and Zambia, did not interfere much with the safeguards on property. The major constitutional change in Kenya was the removal of the provision requiring the repatriation of compensation abroad.

Nyasaland's natural resources were limited to land and labor. In 1964, agriculture accounted for fifty-five percent of the GDP with the bulk of the remainder derived from the marketing, movement, and processing of agricultural products. Ninety-five percent of the population lived and worked in the rural areas, thus agricultural policies would have far-reaching political and social repercussions. Land shortage persisted throughout the colonial period especially in the Shire Highlands, where forty-five percent of the available land was under European ownership. The immigration into the area of the Alombwe from Mozambique at the turn of the century exacerbated the land shortage. After World War II, large tea estates developed rapidly in the Mulanje Thyolo districts. Lack of alternative land on which to settle resulted in Africans living on the estates on which they were subject to *thangata* regulations.⁸⁶

⁸⁵ M. Tarmakin, "The Roots of Stability in Kenya," *African Affairs* 77 no. 308 (July, 1978); Peter, Knauss, "From Devil to Father Figure: The Transformation of Jomo Kenyatta by Kenya Whites," *The Journal of Modern African Studies* 9 no. 1 (May, 1971).

⁸⁶ Thangata originated from the Private Estates Ordinance of 1928, and involved the payment of rent by every adult African to the estate owner at a rate fixed at three times the minimum monthly wage. Africans could substitute the rent for labor. Males in matrilineal polygamous marriages could be subject to rent on several estates. Thangata restricted African production and marketing, and broke up the traditional family system.

Discontent with these regulations caused violence in 1946 and 1953. In response, the colonial government purchased undeveloped land from the estates and resettled Africans between 1946 and 1962. This reduced the number of families subject to *thangata* from 49,000 to 9,000.

Nevertheless, Thomas says that:

The fundamental problem of land shortage was not resolved, and Banda at independence was faced with considerable unrest in the area and substantial encroachment upon the tea estates as the landless took the situation and land into their own hands.⁸⁷

Malawi's first President Dr. Hastings Kamuzu Banda had been absent from the country for forty years, away in Britain where he was educated and practiced as a medical doctor. He thoroughly admired the British system and would emulate it.

Copper, cobalt, and gemstone mining were the basis of the economy in Northern Rhodesia. Political independence was achieved at a time when copper prices were very high. A third of Zambia's population was concentrated in major urban centers mainly in copper-belt towns and copper mining constituted the country's development strategy. Even though more than half the population still engaged in agriculture, it played a subsidiary role. Colonial policy resulted in a bimodal structure: Europeans produced most of the food supplies for the towns due to their strategic location along railway lines and their ownership of rich well-watered land; African peasants also produced for these same markets, but their production was hampered by various forms of discrimination, poor infrastructure, and the remoteness of their settlement. Colonial authorities considered the man who emerged as the leader of the nationalist movement in Zambia, Kenneth Kaunda, to be relatively unthreatening. Kaunda had a solid elite Christian background. Overall, both Nyasaland and Northern Rhodesia have a land problem stemming from the colonial era.

⁸⁷ Simon Thomas, "Economic Development," *Economic Developments in Malawi Since Independence* (October, 1975), 42.

Independence in Malawi and Zambia, as in Kenya, was attained on terms requiring compromises in post-colonial land redistribution policies.⁸⁸ Britain imposed legal and constitutional constraints on the acquisition and distribution of European land. The Kenya property clause was the standard used in the formulation of expropriation laws in Zambia and Malawi. The first common aspect of the land policies was that they defined the limits of the expropriation of land. Privately owned land could be expropriated if it was required for a public purpose or benefit, and only upon the payment of compensation. The property rights established were not absolute, so property could be expropriated for the public good. Compensation was required for expropriated land, which had to take into account: the market value of the land or property; enhancement in the value of the residual land; “severance damages;” and “damages for injurious affection.”⁸⁹ The publication of a “notice of intention to take over,” was required. No payment of compensation or public inquiry before take-over were required. In both Malawi and Zambia, compensation disputes could be challenged in the High Court, and compensation had to be repatriated to the *expropriatee’s* country of choice.

The land policies, which included redistribution, were relatively accommodative of state interests and public purpose took precedence over the individual, as outlined in the bills of rights. Within two years of independence in Malawi, the “Statement of Fundamental Principles” replaced the Bill of Rights. The Statement provided that:

No person should be deprived of his property without payment of fair compensation, and only where the public interest so requires [. . .] Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of [the Fundamental Principles] to the extent that the law in question is reasonably required in the interests of defence, public safety, public order or the national economy.⁹⁰

⁸⁸ Clement Ng’ongo’la, “The Post-Colonial Era in Relation to Land Expropriation Laws in Botswana, Malawi, Zambia, and Zimbabwe,” *The International and Comparative Law Quarterly* 41 no. 1 (January, 1992): 117-136.

⁸⁹ *Ibid.*, 120.

⁹⁰ Quoted by Ng’ongola, *ibid.*, 125.

The minister responsible for land issues, who was the Life President Kamuzu Banda, had the responsibility of determining “fair compensation.” His verdict was final and not subject to question in court. Compensation would only be awarded for “unexhausted developments.” This had the result of weakening property rights.

Meanwhile, in Zambia a referendum was required in order to amend section 72(3) of the Constitution under which the fundamental rights were protected. In 1969, Zambia held a referendum that authorized the removal of section 72(3). This marked the beginning of constitutional reforms of expropriation laws. Section 18, the property clause, was rewritten to enable the acquisition of abandoned, unoccupied, unutilized, and underdeveloped land without compensation, as well as the expropriation of any land for the purposes of redistribution. The requirements of “prompt payment of adequate compensation” and guarantees of its repatriation to any country of choice were eliminated. An Act of Parliament could now authorize compulsory acquisition, provide for compensation in money, specify the principles of assessment, and the National Assembly and not the court system would be the final arbiter of compensation disputes.

These reforms show the problems inherent in the concept of expropriation at market value. Due to mistrust of the courts, which awarded generous compensation to the *expropriatees*, courts were stripped of any role in the process. The reforms were aimed at changing the principles for assessment of compensation for undeveloped and underutilized land, and in cases of absentee ownership. The reforms solved the problem of “full” compensation or market value for undeveloped/underutilized land and eliminated the issue of “prompt” payment or the repatriation of compensation abroad.

In spite of these constitutional reforms, little progress was made in both Malawi and Zambia in land redistribution. Malawi adopted an elitist neo-colonial solution to the land issue. It

prioritized large estate establishments at the expense of small scale peasant agriculture. Any land redistributed by Dr. Kamuzu Banda's government in the post-colonial era was intended to curb peasant unrest in order to preserve the status quo rather than to overhaul the system. When this policy of appeasement failed, force was used to maintain order. In Zambia, agricultural development did not go very far not least because it assumed a secondary role to overall economic development. According to Good:

Rural weakness in Zambia was not original, natural, or fore-ordained; it is the consequence of the fact that the Zambian state has chosen to align itself with, and to support economically, sectors and groups in the political economy other than small-scale agriculture and the poor peasantry.⁹¹

In a superficial fashion, the Zambian government counterproductively poured money into peasant agriculture, especially the co-operatives, which were encouraged after independence. Due to the fact that most peasants were either landless or had inadequate land, remained isolated from the markets and communication lines, were illiterate and without proper managerial skills, and faced unfavorable terms of trade, peasant agriculture in Zambia was stunted for the most part.⁹² In post-colonial Malawi and Zambia the development modalities maintained the colonial features of stunted peasant production, with priority placed on large-scale commercial agriculture.

Southern Rhodesians were disgruntled because they were denied the independence granted the northern territories.⁹³ The Rhodesians were unwilling to concede to majority rule as had happened in other former colonies, preferring instead the South African minority-dominated model. World attention was fixed on South Africa and its apartheid system, making it impossible

⁹¹ Kenneth Good, "The Reproduction of Weakness in the State and Agriculture: Zambian Experience," *African Affairs* 85 no. 339 (April, 1986): 240-41.

⁹² See Stephen Lombard, "Farming Co-operatives in the Development of Zambian Agriculture," *The Journal of Modern African Studies* 10 no. 2 (July, 1972).

⁹³ Mark Stuart, "A Party in Three Pieces: The Conservative Split over Rhodesian Oil Sanctions, 1965," *Contemporary British History* 16 no. 1 (Spring, 2002): 73.

for Britain to grant Rhodesia independence on the South African model. Denied independence in the 1961 Constitution, South Rhodesians felt betrayed. Rhodesia's friends and allies in the House of Lords, including Lord Salisbury, Sir Stephen Hastings, Patrick Wall, Victor Goodhew, and John Biggs-Davidson, were equally embittered. The issue of Rhodesian independence deeply divided the Conservatives. Stuart notes that,

by the time of the demise of the Federation, the battle lines were essentially drawn between progressive Conservatives, who were opposed to Southern Rhodesians being granted immediate independence because of insufficient progress towards majority rule, and the Friends of Rhodesia calling on the British government to accede immediately to Southern Rhodesia's right to independence on the basis of the 1961 Constitution.⁹⁴

These divisions between British policy-makers impacted Britain's Rhodesia policy by making it difficult to devise a consistent and coherent strategy of colonial disengagement. This factor was enhanced by the internal divisions within Southern Rhodesia's fledgling nationalist movement, which had not fully developed a solid strategy and vision of its own. The African nationalists stepped up their military attacks hoping to induce British intervention and white emigration, but they failed to achieve either goal.⁹⁵

Rhodesia benefited from the dissolution of the Federation. Under the Victoria Falls Agreement, it inherited the strong federal defense forces. For the first time since the Suez Crisis of 1957 Britain vetoed a Security Council resolution on September 13, 1963 requesting it, "not to transfer to its 'colony of Southern Rhodesia' the powers and [the] attributes of sovereignty, especially the control and operation of military forces and arms, until the establishment of a truly representative government."⁹⁶ The UN was concerned that these forces would be used for internal repression; but Sir Patrick Dean, Britain's permanent representative at the UN dismissed

⁹⁴Stuart, "A Party in Three Pieces," *ibid.*, 74.

⁹⁵ Jakkie Cilliers, *Counter-Insurgency in Rhodesia* (New Hampshire: Croom Helm, 1985), 6.

⁹⁶ See G.T.Y., III, "The Rhodesian Chrome Statute: The Congressional Response to United Nations Economic Sanctions against Southern Rhodesia," *Virginia Law Review* 58 no. 3 (Mar., 1972): 519.

all such fears as “irrelevant, untrue and wildest flights of the imagination.”⁹⁷ Britain justified this transfer as the price to be paid for the peaceful dissolution of the Federation. Rhodesia’s army, especially when propped up by South Africa, as it was, became an effective weapon against African nationalist insurgencies in the whole Southern African region, particularly in Rhodesia.

The Unilateral Declaration of Independence

Between 1963 and 1979, Rhodesia’s independence overshadowed the land issue. Sir Alec Douglas-Home, the Foreign Secretary under the Macmillan government, had stipulated Five Principles under which Rhodesia would be granted independence. These principles were:

1. The principle and intention of unimpeded progress to majority rule, already enshrined in the 1961 Constitution, would have to be maintained.
2. There would need to be guarantees against retrogressive amendments of the Constitution.
3. There would have to be immediate improvement in the political status of the African population.
4. There would have to be progress towards ending racial discrimination.
5. The British government would need to be satisfied that any basis proposed for independence was acceptable to the people of Rhodesia as a whole.⁹⁸
6. It would be necessary to ensure that regardless of race, there was no oppression of majority by minority or of minority by majority.⁹⁹

Inherent in these principles were some significant compromises. Considering the first principle, for example, the sort of “progress” required and the time-frame within which it was expected to occur in order for independence to be conferred, was unclear. This meant that the political self-determination that other British territories were realizing remained an indefinite possibility for Rhodesia’s Africans. The hope for majority rule was not entirely obliterated; this was a concession to the African nationalists and their supporters. The scope of the principles was

⁹⁷ Elaine Windrich, *Britain and the Politics of Rhodesian Independence* (London: Croom Helm, c1978), 16.

⁹⁸ Alec Douglas-Home, *The Way the Wind Blows: an Autobiography* (New York: New York Times Book Co., 1976), 251-2.

⁹⁹ Prime Minister Wilson added the sixth principle to the initial five in January 1966.

limited since they did not cover the economic marginalization of the Africans, particularly in land distribution. Instead, they focused only on the political aspects of the Africans' status. Ian Smith adopted an expedient method of implementing the fifth principle, which was unacceptable to the British government.¹⁰⁰ It was this inability to implement the 5th principle in a mutually acceptable way that triggered a Unilateral Declaration of Independence (U.D.I.) on November 11, 1965. On the one hand British policy was sensitive to the anti-colonial and anti-apartheid movement; hence the five principles. On the other, Britain had to take into account the Cold War climate and its own state of diminished power,¹⁰¹ in which a confrontation with South Africa, though imperative by principle, was undesirable for economic and strategic reasons. Hence Britain failed to adopt a firm and radical stance against Rhodesian intransigence.

Dealing With the Illegal Regime

In response to U.D.I., Harold Wilson, the British Prime Minister adopted a series of compromise measures that were intended to be neither forceful nor punitive. Windrich maintains that even though the British government negotiated with Smith on possible terms of independence, there was neither preparation nor clarity about the course of action to be pursued if a U.D.I. occurred. Harold Wilson renounced the option of British military intervention in Rhodesia ahead of U.D.I.; hence Windrich argues that,

repeated assertion that the British government would never use force either to prevent or to reverse an illegal seizure of independence was undoubtedly the greatest single inducement to the Smith regime to pull off such a *coup* with the minimum possibility of retaliation.¹⁰²

¹⁰⁰ Smith tried to satisfy the fifth principle by consulting only the African chiefs, who he claimed to be the "true representatives" of the African people even though these chiefs were on the government's payroll.

¹⁰¹ The British had not forgotten the Anglo-Boer war either, which they won at a heavy political and economic cost in 1902.

¹⁰² Windrich, *Britain and the Politics of Rhodesian Independence*, *ibid.*, 58.

Ian Smith had anticipated a non-confrontational response from Harold Wilson's Labor government.¹⁰³ To the African nationalists, on his arrival in Rhodesia in October 1965, Harold Wilson reiterated his government's negative position on the use of force,

If there are those who are thinking of a thunderbolt hurtling from the sky and destroying their enemies, a thunderbolt in the shape of the RAF, let me say that thunderbolt will not be coming, and to continue in this delusion wastes valuable time, and misdirects valuable energies.¹⁰⁴

When U.D.I. was declared, Britain's initial aim was to return Rhodesia to "legality," which meant a restoration of the rule of law and allegiance to the Crown.¹⁰⁵ Legality did not entail the removal of Ian Smith's regime. Harold Wilson announced that all negotiations for independence would end until legality was restored. Britain had never been active in Rhodesia's internal affairs; it "had stood by impervious while the whites consolidated their control."¹⁰⁶ Rhodesia had an army, represented itself in the Commonwealth, legislated for itself, and was virtually more independent than not. Hence, Sir Alec Douglas Home characterized U.D.I. as "a foolish act."¹⁰⁷

The reasons for Britain's refusal to use force are debatable. Harold Wilson faced the conflicting interests of the various stakeholders in the matter:

I do not believe that a British Government have ever had to face a problem so complicated or so apparently insoluble. I have to use a mixed metaphor to explain how the problem strikes me. What we are trying to do is to go straight down the middle of the road in a four-dimensional situation. There is the dimension of Rhodesian opinion- and that is not uncomplicated; the dimension of public opinion in Britain, and that is not entirely uncomplicated; the views that our Commonwealth colleagues have; and the dimension of world opinion, as expressed particularly in the United Nations, where it can take the form of a mandatory and possibly dangerous resolution.¹⁰⁸

¹⁰³ See Ian Smith, *The Great Betrayal*, *ibid.*, 109.

¹⁰⁴ Windrich, *Britain and the Politics of Rhodesian Independence*, *ibid.*, 49.

¹⁰⁵ Wilson, *A Personal Record*, *ibid.*, 178.

¹⁰⁶ Meredith, *The Past is Another Country*, *ibid.*, 31.

¹⁰⁷ Douglas-Home, *The Way the Wind Blows*, *ibid.*, 223.

¹⁰⁸ Wilson, *A Personal Record*, *ibid.*, 180.

With only a small parliamentary majority of four, Wilson's capacity to pursue a forceful and contentious policy was very limited.¹⁰⁹ The Wilson administration inherited defense forces that were overstretched and under-equipped.¹¹⁰ Further, the country's economic situation was weak, with a "serious continuing deficit" of £ 800 million on overseas payments for 1964.¹¹¹ Harold Wilson was to say that,

This presented us with a far more serious economic position than anything we had expected [. . .] It was this inheritance which was to dominate almost every action of the Government for five years of the five years, eight months we were in office.¹¹²

Due to this precarious domestic political and economic climate, and the desire to protect Britain's investments in Rhodesia and southern Africa,¹¹³ the British government failed to send clear signals. Instead, a two tier policy emerged, with economic sanctions on one hand and private negotiations with the "illegal" regime on the other.

The British government did not cooperate with the international community and dismissed all the suggestions to use force in order to resolve the dispute. At the Commonwealth Conference in London, in June 1965, African heads of State spoke strongly to the British delegation about the deteriorating situation in Rhodesia. The Rhodesian issue, which almost led to the break-up of the previous Commonwealth Conference in Lagos, was the most controversial topic on the agenda in London. According to Harold Wilson,

The main contribution to the debate was made by Julius Nyerere. With his brilliant forensic powers, supported by the grave pleadings of Kenneth Kaunda, he put us in the dock on charge after charge. He condemned our failure to use force, contrasting our inaction with earlier British intervention in Cyprus, Kenya, Aden and British Guiana. When we pointed out the historical and geographical realities he dismissed them. There was nothing, he argued, in the fact that the colonies he had named had had no forces of their own, while Rhodesia had had powerful military forces for forty years: juridically

¹⁰⁹ See Maxey Kees, "Labour and the Rhodesian Situation," *African Affairs* 75 no. 299 (Apr., 1976).

¹¹⁰ Quoted in Wilson, *A Personal Record*, *ibid.*, 77.

¹¹¹ *Ibid.*, 3-5.

¹¹² *Ibid.*, 3.

¹¹³ Loney, *Rhodesia: White Racism*, *ibid.*, 130.

she was a colony, as indeed, in law she was. Equally, he dismissed the difficulties of a military operation in a landlocked country five hundred miles from the nearest sea and sheltered therefrom by almost uniformly friendly territory. As we pointed out, in our colonial period we had troops stationed in all trouble-spots, regular naval visits, and easy access from the sea. But for him history and geography could not overcome an issue of principle.¹¹⁴

The majority-- African, Caribbean, and Asian states-- called for the use of force, while the minority--Britain, Canada, Australia, and New Zealand-- advocated 'caution'. Britain argued that the use of force "could plunge Africa into armed conflict going far beyond the borders of Rhodesia."¹¹⁵ In reality, the Rhodesian issue was already an international crisis involving many African countries, with potential for superpower intervention.¹¹⁶ A preemptive strike or the use of force in general would not have been riskier than the situation prevailing. In early October 1965 the UN General Assembly adopted a resolution, which in part urged Britain to do whatever was necessary to prevent a possible rebellion in Rhodesia. Britain vetoed the resolution. By isolating the international community, Britain undermined its policy because this set a precedent for the Rhodesians. The disagreement between Britain and the international community was one that the Rhodesians could exploit to their advantage.

Sanctions had a mixed impact on Rhodesia. They were imposed in stages and by December 1966 Britain sought and obtained UN mandatory sanctions. This reflected the British government's changing goals that started with a limited desire to restore legality developed into a desire to topple the 'illegal' regime altogether. One of the unintended effects of the sanctions was to increase both white migration into Rhodesia, and Rhodesian nationalism as it became a patriotic duty. Ian Smith ridiculed the sanctions and boasted they had no impact:

¹¹⁴ Harold Wilson, *A Personal Record: the Labour Government, 1964-1970* (Boston, Little, Brown, 1971), 114-16.

¹¹⁵ *Ibid.*

¹¹⁶ See Julius Nyerere, "Rhodesia in the Context of Southern Africa," *Foreign Affairs* 44 no. 3 (Apr., 1966).

Anyone, even with average intelligence, could have worked out that an oil embargo against Rhodesia would hold as much water, or oil, as a sieve. Our main port in Mozambique, Beira, had always been of even greater service to Zambia and Malawi, so there could be no blockade there. Lourenco Marques was the principal port for Johannesburg and the Witwatersrand, South Africa's largest industrial area, so no one could interfere with that. Then there were all the South African ports, stretching from Durban on the east coast to Walvis Bay on the west coast. These were the major ports for all the countries in south and central Africa. But most important was the question of Zambia, because all their exports and imports passed through Rhodesia, with the exception of an insignificant minority. Could anyone honestly believe that Rhodesia, being denied fuel in violation of internationally accepted rights, would permit fuel to traverse its transport system to supply another country, especially a hostile country?¹¹⁷

On the one hand, sanctions were vital and they helped to achieve more than may have been intended. Rhodesia was eventually isolated internationally even from its friends.¹¹⁸ No government ever recognized the rebel Rhodesian state. On the other, investment was locked in the land and as a result it was difficult for most white Rhodesians, especially those opposed to U.D.I., to emigrate. Faced with an economy that was declining at a rate of 3 per cent per annum, international isolation, and a growing guerilla insurgency, white Rhodesian attitudes hardened.

Under the pressure of sanctions the nationalist insurgency escalated. Ignited by the land issue, the nationalist movement now focused on overthrowing the white minority regime. ZANU propounded Marxist- Leninist principles in its campaign to the peasant masses. It stated that:

. . . there can be no private ownership of land. . . .The state holds the land as administrator and trustee for the present and future generations. Landlordism and estate farms owned by capitalists will be abolished. . . .The maxim "land to the tiller" will be fully implemented in an independent Zimbabwe.¹¹⁹

Not only would the peasants get land anywhere in the country as they pleased, but co-operative farms would also be formed for the returning ex-combatants. They would be able to get any of

¹¹⁷ Smith, *The Great Betrayal*, *ibid.*, 114.

¹¹⁸ The coup in Lisbon in April 1974 also helped to end Portuguese rule in Africa, and thus Mozambique under a new black government became a hostile neighbor to Rhodesia. The South Africans, who felt let down when their American allies decided to pull out of Angola- which also gained independence from Portugal in 1975, embarked on a new policy of détente with black Africa after realizing the escalating cost of their Rhodesia policy.

¹¹⁹ Quoted by Esau Chiviya, "Land Reform in Zimbabwe: Policy and Implementation," (Ph.D. diss., Indiana University, 1982), 4.

the jobs that the whites had monopolized as well as the houses with big yards in the segregated suburbs. Essentially, the message was that whites would be displaced and the blacks would take over. This populist strategy got the masses excited and motivated, raising their expectations. The first significant military engagement between the guerillas and the Rhodesian forces occurred on April 28, 1966. White farmers in isolated areas were particularly targeted. This marked the official beginning of the Second Chimurenga War.¹²⁰

The Rhodesians imposed their own conditions that any talks with the British government would be official government-to-government. Smith's regime unequivocally refused to 'climb down.' It adopted a new "Constitution" in 1965, was declared the *de facto* government of Rhodesia by the High Court on September 13, 1966, and proclaimed a republic on March 1, 1970. The Commonwealth Prime Ministers Conference of mid-September 1966 in Lagos, whose only agenda was Rhodesia, stepped-up pressure on Britain and issued a communiqué on September 14. The communiqué advocated the use of force in ending the rebellion, abandonment of all discussions with Rhodesia, and "NIBMAR."¹²¹ The African states focused all of their attention on the issue of Rhodesian independence and not the land issue because they believed that once majority rule was attained, all the other matters of concern could be addressed accordingly. Harold Wilson accepted the "NIBMAR" pledge even though he was negotiating with the Smith regime. This was a concession to the disgruntled bloc within the now racially divided Commonwealth. Insults were hurled at the British delegation for being 'racialists' bent on protecting their 'kith and kin' instead of standing firm on principles.¹²² Milton Obote of Uganda entertained the idea of expelling Britain from the Commonwealth. Other countries such

¹²⁰ Cilliers, *Counter-Insurgency*, *ibid.*, 7.

¹²¹ An acronym introduced by Julius Nyerere in 1966, meaning – no independence [in Southern Rhodesia] before independence.

¹²² See Nyerere, "Rhodesia in the Context of Southern Africa," *ibid.*

as Tanzania and Zambia threatened to quit the organization altogether. Harold Wilson could not use force because of his precarious domestic circumstances, and because he had already committed his government to a non-confrontational policy from the outset. Caught between his position of little power and the expectations of the international community, particularly the African states, Harold Wilson made impossible and conflicting promises to all the parties. As a result, none of them could trust him.

Negotiations between Britain and Rhodesia, commonly referred to as ‘talks about talks,’ began on September 19, 1966, continued on October 14, and culminated in the *Tiger* talks between Harold Wilson and Ian Smith on December 2, 1966. Harold Wilson defined the talks as an attempt to reach “an honorable constitutional settlement which could be the basis for independence.”¹²³ Two major issues were on the agenda. First, a constitutional settlement consistent with the Six Principles had to be established. The two parties managed to negotiate the constitutional details “amicably.” Secondly, Rhodesia had to be restored to legality. This was the most contentious issue that led to an impasse.¹²⁴ On the *Tiger* Harold Wilson essentially capitulated to Ian Smith’s Rhodesian Front, which would be left firmly in place under his proposals. Ian Smith rejected the proposals for reasons that remain controversial today. The land issue, which was the rallying point of the guerilla insurgency that Ian Smith was facing back home, was never raised since Africans were not invited to participate in the talks. The *Tiger* talks

¹²³ Wilson, *A Personal Record*, *ibid.*, 310.

¹²⁴ In order to restore Rhodesia to legality, Harold Wilson proposed that: if an agreement on the constitutional terms for a settlement could be reached, Rhodesia could be returned to legality under the 1961 constitution and Ian Smith could leave the ship as Prime Minister-designate; the 1961 constitution would operate pending a Royal Commission’s determination about the acceptability of the agreed constitutional proposals ‘to the Rhodesian people as a whole’; if found acceptable, the constitutional proposals would be put before Parliament, and sanctions would be removed; Ian Smith would then form a ‘broad-based’ Government in agreement with the British government, which would be the Government of Rhodesia during an interim period; since there might be a period when law and order was threatened, there would be a Governor’s Defence Council, consisting of five Rhodesians and one British officer, to advise the Governor in the interim period. But the Governor could, in fact, act only on the advice of the constitutional Rhodesian Government.

proved that the British government, which was negotiating in its capacity as the Imperial power and the “legal guardian of the Africans,” could not be trusted to represent African interests. World opinion was the only ally that African nationalists in Rhodesia had, but this was racially divided and marginalized.

In October 1967, June and September 1968, talks were resuscitated. These preliminary discussions culminated in the *Fearless*¹²⁵ talks, between Harold Wilson and Ian Smith on October 9, 1968. The gulf between the British government and the Rhodesians had widened since the *Tiger* talks. Harold Wilson began the *Fearless* talks by diluting the *Tiger* proposals and the six principles.¹²⁶ The Conservatives applied pressure on Harold Wilson to abandon the “NIBMAR” pledge.¹²⁷ Again, Africans were not invited to participate in the talks and the land issue never came up. Due to the fact that the British initiated negotiations without succeeding in selling their proposals to the Rhodesians, they continued to lose ground with each meeting. This further weakened their already precarious bargaining power.

The Anglo-Rhodesian Settlement of 1971

In 1971 Edward Heath’s government took a new initiative to resolve the Rhodesian crisis. It is important to understand the details of this initiative because unlike the *Tiger* and *Fearless* talks, it produced a settlement between the British government and the Smith regime. Spearheaded by the Foreign Secretary, Sir Alec Douglas Home, the settlement was put to the test by the Pearce Commission in 1972. Unlike the previous proposals which were based on the 1961

¹²⁵ HMS *Fearless* talks were held in the same location as the previous *Tiger* talks.

¹²⁶ Harold Wilson abandoned the *Tiger* requests for ending racial discrimination and the release of detainees. Only token legality was now required, and no demand for an interim government or insistence on constitutional safeguards was made. Despite the 1:100 ratio of whites to blacks, whites would remain in control of a virtually all white government, with majority rule estimated to be possible in 1999 at the earliest.

¹²⁷ See Douglas-Home, *The Way the Wind Blows*, *ibid.*, 224-25.

Constitution, this settlement was based on Ian Smith's republican constitution of 1969.¹²⁸ Loney argues that the settlement stretched the principles to their very limits.¹²⁹ In order to satisfy the first principle, "electoral reforms" were undertaken. Under the reforms it was estimated that majority rule would be achieved more than a hundred years later. Had the settlement passed, Africans in Southern Rhodesia would have been worse off than they were under U.D.I. With British "guardianship" gone, they would have been in the same situation as the South African blacks: without any sort of recourse.

In order to satisfy the second principle, the Rhodesian parliament was allowed to amend the entrenched clauses only if the Parliamentarians, voting as separate racial groups, approved the amendments. Amendments only required a vote by all indirectly elected African representatives and one directly elected one in order to pass.¹³⁰ Whites could block all African initiated constitutional amendments in the Parliament, and had additional blocking power in the Senate that was established. In the Senate a two-thirds majority had to approve any constitutional amendments. Lastly, Ian Smith's Rhodesian Front could amend any clauses that were not entrenched since it already had the two-thirds majority required to do so, fifty of sixty-six seats.

In order to fulfill the third principle, the franchise qualifications for the African lower roll were lowered.¹³¹ On one hand, Africans were now protected under the new Declaration of Rights, which was enforceable in Rhodesian courts. On the other, they had no right to legal aid or jury trial. Any discriminatory legislation could not be declared inconsistent with any part of

¹²⁸ The "republican constitution" had racialized rolls, unequal representation between the races in Parliament, where African seats were never supposed to exceed those of the whites. Half of the African representatives were not elected by the people, but by tribal electoral colleges containing Chiefs, headmen, and members of local councils. It gave more political power to the Chiefs, who were civil servants and therefore subject to governmental reprisals.

¹²⁹ Loney, *Rhodesia: White Racism*, *ibid.*, 178.

¹³⁰ The Council of Chiefs elected the "indirectly elected African Parliamentary representatives."

¹³¹ The lower African roll could only elect a fixed number of eight African seats and would help to decide whether the representatives should be elected by the higher roll or by the Council of Chiefs. The higher roll was the most significant because it determined the number of African seats to be created and the composition of the electorate.

the Declaration of Rights provided such legislation was based on laws that had been in existence for over ten years. The Land Tenure Act and the Land Apportionment Act would be left firmly in place. Loney asserts that,

To fulfill Principle 3 in any meaningful sense, it would have been necessary for the government to restore political freedom to the African population [. . .] Africans are denied the political movement of their choice and their leaders remain in jail, while they are asked to accept as assurance a document the worth of which is already questionable, and which will be adjudicated before Rhodesia's racist courts.¹³²

With regard to the fourth principle, an independent commission would be established to look into racial matters. It would have three members, two Europeans and one African, and would review all legislation and practices. The Rhodesian government would determine the Commission's membership and also approve its proposals.

The Pearce Commission was established to implement the fifth principle. All of its members were white. Its Chairman, seventy-year-old Lord Pearce had served on the Privy Council, and had in 1968 agreed with five Rhodesian High Court Judges in legitimating Ian Smith's powers to detain African political leaders in the interest of law and public order. Sir Maurice Dorman and Sir Glyn Jones both Deputy Chairmen, had had long careers in Colonial Service in different parts of Africa. The Commission did not adopt the Western standard of voting, but instead it held meetings with the people of Rhodesia. The Commission printed simplified versions of the proposals in the local languages of Shona and Ndebele even though the majority of these people were illiterate. Proponents of the settlement monopolized the media. African nationalist leaders remained in jail amid the massive arrest of their supporters; widespread intimidation;¹³³ and the wholesale cancellation and denial of opposition rallies to discuss the settlement. The ANC, for example, made over 200 applications to hold meetings in

¹³² Loney, *Rhodesia: White Racism*, *ibid.*, 176-7.

¹³³ See *Rhodesia: Report of the Commission on Rhodesian Opinion under the Chairmanship of the Right Honourable the Lord Pearce* (London: Her Majesty's Stationery Office, 1972).

the reserves where the majority of Africans lived, and these were all rejected. The gathered audiences of another meeting that had been cancelled by government authorities were dispersed by machine gun-fire killing fifteen Africans.¹³⁴

The verdict made clear a huge racial divide in opinion. Non-Africans, especially whites, voted “Yes” and the Africans “No.” The settlement was rejected for various reasons. Africans cited their deep mistrust of the government; non-consultation during the negotiations leading up to the settlement; and Britain’s negotiation with the “illegal” regime. They noted that Africans would not be given equal job opportunities with whites, since the Commission on discrimination was basically at the government’s disposal. Most importantly, Africans noted that the proposals dealing with the issue of racial discrimination would not redress inequitable land distribution. Meredith sums it up by saying that the “No” verdict “was a damaging indictment of white rule,”¹³⁵ while Dore, in his analysis of the settlement, argues that the provisions were irrelevant to the political and economic challenges facing black Rhodesians.¹³⁶

Third-Party Initiatives in the ‘70s: the Southern African States and the USA

In the mid-70’s the international community became more active in the Rhodesia crisis. Ian Smith blamed the British for instigating the rejection of the settlement.¹³⁷ For their part, the British government believed that they had done their best to resolve the Rhodesian crisis. Thereafter, they became passive and ceased to take the initiative. It was the South African Prime Minister, John Vorster, and Zambian President, Kenneth Kaunda, who now initiated a regional attempt to resolve the crisis. South Africa had adopted a new policy of *détente*, which was meant

¹³⁴ Loney, *Rhodesia: White Racism*, *ibid*, 179.

¹³⁵ Meredith, *The Past Is Another Country*, *ibid.*, 99.

¹³⁶ See Ronald Dore, “Rhodesia: The Settlement and After,” Discussion Paper presented at the Institute of Development Studies: University of Sussex on January 1, 1972.

¹³⁷ Even though initially Ian Smith had faith in the Conservatives and had tended to favor Conservative governments over Labor administrations, by the time of the Anglo-Rhodesian Settlement, he had lost faith in the Conservatives as well.

to repair the strained economic ties with black Africa. The coup in Lisbon in April 1974 had a profound political impact. The Portuguese withdrew and Mozambique gained independence in June 1975. The Marxist party, the Liberation Front of Mozambique (FRELIMO), came to power. This provided the African nationalists in Rhodesia with a wider base from which to attack. Angola gained independence that same year. The white minority regimes in Southern Africa were now surrounded by hostile territories. South Africa realized that the Rhodesian situation, if left unresolved, would have negative and far-reaching political and economic implications for South Africa.¹³⁸ For his part, Kenneth Kaunda loathed South Africa's apartheid system and the government's propping up of the Rhodesian regime. Due to the fact that Britain and America failed to assist Zambia in its desire to sever economic ties with Rhodesia, Kenneth Kaunda realized the need for co-operation with South Africa. The two countries: South Africa and Zambia, being the sponsors of the two opposing sides in Rhodesia, brought pressure to bear on their clients in 1974. This culminated in the Falls Bridge meeting of August 1975. At Falls Bridge, the mediators hoped that the opposing parties would agree on a gradual five year transition to majority rule. The meeting collapsed because of Ian Smith's non-cooperation and the divisions between the Zimbabwean nationalists. The strategy employed at Falls Bridge was pragmatic in that it marked the first instance of third-party-initiated negotiations in the Rhodesia situation.¹³⁹ The international community had finally become actively involved.

The Geneva Conference

In the 70s the U.S. spearheaded the third initiative to resolve the Rhodesian crisis. Hitherto, it had not shown much interest in the Rhodesian matter. Under the Nixon administration, U.S. policy in Southern Africa shifted from the apathetic policy of the Johnson

¹³⁸ See Smock, "The Forgotten Rhodesians," *ibid.*, 536-44; and also Robert C. Good, "Statement on Rhodesia," *A Journal of Opinion* (Autumn, 1975).

¹³⁹ See Good, "A Statement on Rhodesia," *ibid.*, 30

administration.¹⁴⁰ Under Richard Nixon and Gerald Ford, the US adopted a supportive policy towards Southern Africa's white regimes. Their policies entailed the dishonoring of international obligations such as the mandatory international sanctions against Rhodesia and the military embargo against South Africa. In 1971 Congress passed the Byrd Amendment in violation of U.N. mandatory international sanctions against Rhodesia.¹⁴¹ Also, military aid to South Africa was increased and ties with the country strengthened. This policy prioritized economic and strategic considerations over humanitarianism. The U.S. failed to overthrow the Communist forces in Angola after Congress denied more funding for covert activities in early 1976. Unwilling to give up any more space to the Communists in southern Africa, the U.S. made an effort to resolve the Rhodesian crisis, where an Angolan-type of crisis was likely to unravel. Dr. Henry Kissinger, the U.S. Secretary of State in the Ford administration, publicly announced U.S. commitment to ending white rule in Rhodesia in April 1976. He adopted the Kaunda-Vorster strategy and asked John Vorster to exert pressure on Ian Smith. In return the internationally isolated John Voster would get U.S. support.¹⁴² Dr. Kissinger also sought the cooperation of the Frontline Presidents, Kenneth Kaunda and Julius Nyerere, excluding Samora Machel in order to isolate Robert Mugabe.¹⁴³

Factors external to the Rhodesia crisis, such as the matters of strategic convenience and necessity, motivated U.S. action. In September 1976, Dr. Kissinger met Ian Smith in South

¹⁴⁰ Johnson had condemned U.D.I. from the outset, but his policy remained undefined and tended to follow the British lead.

¹⁴¹ See G.T.Y., III., "The Rhodesian Chrome Statute," *ibid.*; Anthony Lake, *The "Tar Baby" Option: American Policy Toward Southern Rhodesia* (New York: Columbia University Press, 1976) Chapter 6. Lake was the director of the Special Rhodesia Project for Carnegie Endowment between 1972-1974, and thus his book- which has an activist flair, emanated from this project.

¹⁴² Thomas Olsen, and Stephen J. Stedman, *The New Is Not Yet Born: Conflict Resolution in Southern Africa* (Washington, D.C.: The Brookings Institution, 1994), 83.

¹⁴³ Mozambique having gained independence from Portugal in 1975 was now under FRELIMO- The Mozambique Liberation Front- a party with Marxist ideologies, and was ZANLA's [ZANU military wing] regional sponsor and military base. Zambia supported Nkomo's ZAPU, and thus ZIPRA- the military wing, was based in that country. It was Nkomo that both America and Britain preferred over Mugabe, and a good discussion about the distinction between these two nationalists can be found in Meredith's *The Past Is Another Country*, *ibid.*

Africa. The meeting culminated in The Kissinger Deal.¹⁴⁴ Abandoned by South Africa, Ian Smith accepted majority rule, but not without extracting a concession from Dr. Kissinger. Ian Smith wanted whites to control the portfolios of Defence, Law and Order, and Finance in the interim government. Dr. Kissinger agreed. Dr. Kissinger then discussed the details of an international trust fund intended to help Rhodesia after it gained internationally sanctioned independence.¹⁴⁵ Dr. Kissinger had no authority to grant concessions without consulting the African nationalists and the Frontline Presidents. Later he unsuccessfully passed on Ian Smith's requests to President Kaunda, omitting to mention that an agreement had already been sealed on the matter. When President Kaunda rejected Dr. Kissinger's "suggestion," President Nyerere was never consulted. In order to move the process forward, Dr. Kissinger told Ian Smith that Presidents Kaunda and Nyerere had accepted the "deal;" an action known as the "Kissinger lies."¹⁴⁶

The Geneva Conference

The "Kissinger lies" culminated in the abortive Geneva Conference of October-December 1976. Ivor Richard of Britain chaired. Ian Smith simply wanted the Zimbabwean nationalists to sign-off, while the nationalists insisted on negotiation.¹⁴⁷ Ivor Richard asserted that "an agreement produced by what I call the normal processes of diplomatic negotiation was

¹⁴⁴ The Kissinger deal encompassed five points: Rhodesia agrees to majority rule within two years; Rhodesian representatives meet immediately at a mutually agreed place with black leaders to work out an interim Government until majority rule is implemented; the interim Government to consist of a Council of State, half of whose members would be black and half white, with a white chairman who would not have a casting vote; all members to take an oath that they will work for rapid progress to majority rule; and the United Kingdom and Rhodesia to enact enabling legislation for progress to majority rule.

¹⁴⁵ Not much information about this fund could be found, but this was the first time that a fund was promised for post-independence development in Rhodesia. It is said in some accounts that this fund was supposed to encompass land reform, amongst other things.

¹⁴⁶ Olsen and Stedman, *The New Is Not Yet Born*, *ibid.*, 85.

¹⁴⁷ Smith, *The Great Betrayal*, *ibid.*, 231.

impossible.”¹⁴⁸ He laid the largest portion of blame for the conference’s failure on Ian Smith. He said:

[. . .] there was total nonnegotiation by Mr. Smith and his people on the white side. [. . .] Mr. Smith came to Geneva waving a piece of paper saying, “I have a contract with Dr. Kissinger, and I am prepared to implement that contract,” and after ten weeks he left Geneva saying, “I have a contract with Dr. Kissinger, and I am prepared to implement that contract.” He did not shift one inch from his original position.¹⁴⁹

This was the major factor behind the Conference’s collapse in January 1977. There were numerous other reasons that undermined the Geneva talks. Meredith makes the point that Britain was unwilling to get too involved in the negotiations. Britain’s attitude was that, ‘The main onus for reaching agreement on an interim government will rest with the parties involved.’”¹⁵⁰

Consequently, Britain’s Representative at the United Nations, Ivor Richard, and not the responsible Cabinet Minister, the Foreign Secretary Mr. Crossland, chaired the Conference.

Windrich concurs with Meredith. She argues that the fact that Britain chose to play the role of “moderator” left it with “virtually nothing to negotiate about.”¹⁵¹ Britain’s non-participation heightened its impotent position in the crisis. Ivor Richard also talks of a technical matter that contributed to the conference’s failure: the change of administration in Washington. He says:

One of my problems, too, was the fact that the Geneva conference started on October 18, the United States election was held on November 2, and Mr. Carter was not inaugurated until January 20 [. . .] If the Republicans had won the election in November, obviously the difficulty would not have arisen because of the continuity of administration [. . .] Unfortunately for me there was a change [. . .] it meant as far as I was concerned that American “clout” just was not there at the very moment I needed it because the administration in Washington was on the way out, and new people had not even been appointed at that stage.¹⁵²

¹⁴⁸ Ivor Richard, “Diplomacy in an Interdependent World,” *Proceedings of the Academy of Political Science* 32 no. 4 (1977): 7.

¹⁴⁹ *Ibid.*, 7.

¹⁵⁰ Quoted in Meredith, *The Past Is Another Country*, 264.

¹⁵¹ Windrich, *Britain and the Politics of Rhodesian Independence*, *ibid.*, 264.

¹⁵² Richard, “Diplomacy in an Interdependent World,” *ibid.*, 8.

Dr. Kissinger left unresolved the conflict that he had instigated. Without Dr. Kissinger's support, Ivor Richard was in a precarious position. The divisions between the African nationalists, even though ZANU and ZAPU now negotiated jointly as the Patriotic Front; the African delegations' mistrust of Ian Smith; and the deep hatred between the black and white delegations, also contributed to the Conference's failure. These problems could have been contained had the Conference's foundation and structure been solid.

The Anglo-American Initiative of 1977

Jimmy Carter's victory in the election of 1976 ushered in a new phase in the Rhodesian crisis. Britain and the U.S. now cooperated closely in order to find a solution. In February 1977 Britain's new Foreign Secretary, Dr. David Owen, and the US Secretary of State, Cyrus Vance, spearheaded a series of abortive talks called the Anglo-American process.¹⁵³ The new Carter administration began its term by making it unequivocally clear that it was not sympathetic to the intransigent white regime in Rhodesia. It also stated its support for all British proposals and initiatives. In an in-depth analysis of the Carter administration's Rhodesia policy, Andrew DeRoche shows how the policy differed from that of earlier U.S. administrations.¹⁵⁴ The policy was based on Jimmy Carter's sense of morality, and for DeRoche, it also:

reflected the fact that the fight by African Americans for civil rights increasingly extended onto the stage of international affairs. Black leaders in the United States had strongly criticized the institutionalized racism in southern Africa beginning in the 1950s, and by the 1970s a newly powerful African-American constituency helped drive U.S. opposition to white minority governments.¹⁵⁵

¹⁵³ The main proposal in the complex negotiations was that Britain assume control of the administration for a period of not more than six months during the transition from white to black rule. Smith was to be replaced by a British resident Commissioner with a thirty member team of British officials who would administer elections leading to majority rule. A ceasefire would be arranged and maintained by a UN force. Government forces and nationalist forces would be integrated. The proposals were acceptable to the frontline Presidents because for the first time Britain proposed Smith's removal; the integration of the two opposing military forces; and the introduction of a UN peacekeeping force. Jimmy Carter's influence had much to do with this new British perspective.

¹⁵⁴ See Andrew, DeRoche, "Standing Firm for Principles: Jimmy Carter and Zimbabwe," *Diplomatic History* 23 no. 4 (Fall 1999).

¹⁵⁵ *Ibid.*, 657.

Carter's policy was a fulfillment of his promises to the black electorate that had brought him to power. US domestic politics now heavily impacted foreign policy.

The land issue re-surfaced during the Muzorewa/Smith era, 1978-9. Bolstered by his party's 81% landslide victory in the election of August 31, 1977, Ian Smith denied that he had ever accepted majority rule.¹⁵⁶ He increased his counterrevolutionary attacks on Zambia, Mozambique and Botswana. With South African support and that of the Conservative right wing leader, Mrs. Margaret Thatcher, Ian Smith rejected the Anglo-American proposals. Instead, he compromised with the two "moderate" nationalists without military forces: Bishop Abel Muzorewa of the United African National Council (UANC) and Ndabaningi Sithole of ZANU.¹⁵⁷ Their negotiations produced the Internal Settlement of March 4, 1978. Under the Internal Settlement, a transitional government of "national unity" was established. Smith hoped to get international legitimacy, which would end support for the nationalist insurgency. Parliamentary elections were held in April 1979, and Abel Muzorewa's UANC won 68% of the vote. This made Abel Muzorewa the country's first black Prime Minister and produced the "bastard state of Zimbabwe-Rhodesia." Although the country's leadership had a black face, real power remained in Smith's hands.¹⁵⁸ Whites controlled the civil service and key portfolios in the government and the army. The Muzorewa-Smith coalition government realized the potency for the land issue in the nationalist cause and initiated some reforms in order to neutralize this grievance. It passed the Land Tenure Act of 1978 in order to remove discrimination in previous

¹⁵⁶ Smith, *The Great Betrayal*, *ibid.*, 232.

¹⁵⁷ Ndabaningi Sithole was the first leader of ZANU, but in 1969 he lost the presidency of ZANU when he stated in his court testimony that: "I wish publicly to dissociate my name in word, thought or deed from any subversive activities, from any terrorist activities and from any form of violence."

¹⁵⁸ Andre Proctor and Ian Phimister, *People and Power I* (Harare: Academic Books Pvt. Ltd:1991), 253.

land legislation.¹⁵⁹ The Land Tenure Act of 1969 was repealed and the classification of land by race nullified. Africans could now legally buy land in former European areas. This legislation did not change the land distribution patterns because the cost of farms in the former European areas was extremely high, and only two Africans were able to acquire land here. Racial discrimination was banned in hotels, restaurants, cafes, theatres and swimming pools. Other forms of discrimination remained intact in housing, government schools, and hospitals. The reforms targeted the elites with whom the regime was negotiating. The reforms addressed the racialized pattern of land distribution on paper, but not in practice. As a result, the elites were unimpressed and the peasants continued their support of the guerilla insurgency.

At this point in the Rhodesian crisis, intervention by the international community was most critical because Britain wanted to recognize the Internal Settlement. Jimmy Carter strongly advised Margaret Thatcher's new government, which came to power in May 1979, not to recognize the "Abel Muzorewa government." The major problem with the Internal Settlement was that it excluded Joshua Nkomo and Robert Mugabe. Together with the frontline States, they did not recognize it. In July 1978 the OAU Council of Ministers meeting at Khartoum denounced the Internal Settlement and stated their solidarity with the Patriotic Front. The Settlement led to an acceleration of the nationalist insurgency. By December 1978, the war was into its thirteenth year. 13, 000 whites emigrated, at a rate of 1, 000 per month; 2, 450 guerillas, 282 Rhodesian troops, 3 406 black civilians, and 173 white civilians had died.¹⁶⁰ The war cost Rhodesia a hefty one million dollars per day. Nigeria led other independent African states in a protest against Britain's possible recognition of the Internal Settlement.¹⁶¹ These countries made it clear that

¹⁵⁹ See Chiviya, "Land Reform in Zimbabwe," *ibid.*, 86-7.

¹⁶⁰ By the time of its conclusion, the war had claimed more than 20 000 lives, including those who died in neighboring countries, for example Mozambique, where the nationalists had their bases.

¹⁶¹ Britain was anxious to maintain Nigeria's goodwill for economic reasons, which included oil interests.

they would not support Britain if it granted independence on the basis of the prevailing *status quo* in Rhodesia.¹⁶² To Britain's astonishment, the Australian Prime Minister, Malcom Fraser announced at Canberra that Australia, a key ally, was against any leniency towards Ian Smith and Abel Muzorewa and that he was in agreement with the Frontline States. Britain's new Foreign Secretary, Lord Peter Carrington, realized the heavy political and economic costs of the Rhodesian imbroglio on Britain. He writes that:

To have recognized the 'internal settlement' at that time would have led to embargoes on British goods around the world, rejection of British Counsel and influence 'because of Rhodesia'; and within Rhodesia Nkomo and Mugabe would have done all in their considerable power to step up the insurrection- with Soviet and Chinese assistance respectively. The 'internal settlement' offered no solution. There had to be a better way.¹⁶³

Lord Carrington convinced Margaret Thatcher that Britain had to sponsor new negotiations. The August 1979 Commonwealth Prime Ministers' Conference in Lusaka issued a communiqué conveying the "agreement to hold a further conference of Rhodesian principals in London [. . .]"¹⁶⁴ The communiqué,

[. . .] recognized that it was Britain's responsibility to bring Zimbabwe to legal independence; that the existing constitution was defective, though there should be safeguards for minorities; and that the independence government must be chosen through free elections supervised under British government authority, with Commonwealth observers present.¹⁶⁵

Once again, international pressure demanding majority rule in Rhodesia and the fear of political and economic repercussions compelled Britain to act.

The Lancaster House Negotiations: September- December 1979

Democracy and land were the two main issues at the Lancaster House Conference. In order to understand the outcome of the conference, it is important to understand the position of

¹⁶² See Robin Renwick, *Unconventional Diplomacy in Southern Africa* (New York: St. Martin's Press, 1997), 24.

¹⁶³ Lord Peter Carrington, *Reflect on Things Past: The Memoirs of Lord Carrington* (London: Collins, 1988), 291.

¹⁶⁴ *Ibid.*, 291-296.

¹⁶⁵ Renwick, *Unconventional Diplomacy*, *ibid.*, 27.

the various participants. Britain was in a weak financial and economic state, but it wanted to be rid of the Rhodesian problem for the reasons outlined by Lord Carrington above. About Britain's long term problems Margaret Thatcher writes:

Britain in 1979 was a nation that had had the stuffing knocked out of it with progressively more severe belabourings over the previous hundred years. Beginning in the 1880s, our industrial supremacy had been steadily eroding in the face of first American, then German competition [. . .]

We invested less, we educated and trained our people to a lower standard; and we allowed our workers and manufacturers to combine in various cartels that restricted competition and reduced efficiency [. . .]; the deceptive might of an empire which continued to expand until 1919 but which cost more to defend than it contributed to national wealth; and, of course, the exhausting national losses of the First and Second World wars. As a result, the Britain that woke up on the morning after 1945 was not only a nation drained by two great military efforts in defence of common civilization, but also one suffering from a prolonged bout of economic and financial anaemia.¹⁶⁶

Politically, Margaret Thatcher faced divided constituencies on the Rhodesian matter. The international political climate was volatile because of the growing Soviet threat. There was a need to proceed with great caution. Britain's major advantage was the alliance with the U.S., and the mandate given it by the Commonwealth. The Commonwealth mandate essentially enabled Britain to dictate a settlement. It was this ability to dictate a settlement which Olsen and Stedman cite as a critical factor that contributed to the successful conclusion of the negotiations at Lancaster. Robin Renwick, one of the masterminds behind Britain's strategy at the Lancaster talks, agrees.¹⁶⁷ Imposing a settlement was possible, but it meant that those upon whom it was imposed would be uncommitted to it.¹⁶⁸ The British government also had the advantage of experience on their side. They had studied previous initiatives well enough to put forward proposals that met all the participants' minimum expectations.

¹⁶⁶ Margaret Thatcher, *The Downing Street Years*, (New York: Harper Collins, 1993), 5.

¹⁶⁷ See Renwick, *Unconventional Diplomacy in Southern Africa*, *ibid.*, 43.

¹⁶⁸ Olsen and Stedman, *The New Is Not Yet Born*, *ibid.*, 87.

The African nationalists, Robert Mugabe and Joshua Nkomo, were now more closely aligned as the Patriotic Front than ever before. Due to their connections with the Communist powers, and Robert Mugabe's strong Marxist ideology, these nationalists were out of favor with the British government. Their allies, the Frontline states, OAU, and the court of world opinion, were economically weak and only focused on the achievement of majority rule. The nationalists were the only ones with land on their agenda and they needed to fulfill wartime promises to the peasants. The Patriotic Front had not won the war decisively. As a result, its ability to make demands was limited. Land was the most contentious issue at Lancaster, and led to a three week deadlock between the Patriotic Front and the British government. To these nationalists, poverty was closely tied to the issue of land ownership. In its response to Lord Carrington's opening speech, the Patriotic Front asked: "What will be the future of the people's land?"¹⁶⁹ At Lancaster, the Patriotic Front was a party with a big agenda and little power.

The Salisbury delegation consisted of Ian Smith, Abel Muzorewa, and their entourages. It was the most fractious party at the conference. The Salisbury delegation wanted international recognition of the Internal Settlement.¹⁷⁰ This gave Britain some leverage over the Patriotic Front. According to Stedman,

[. . .] the combination of a desperate military situation for the Muzorewa regime and the leverage of what would become known as "the second-class solution"- the recognition of Muzorewa- provided an opportunity to solve the crisis. One final initiative by Britain would prove to the Commonwealth that the British had at least tried to bring in the Patriotic Front. If the conference failed due to rebel intransigence, no one could fault Britain. If the initiative failed, Thatcher would get her preference- the recognition of Muzorewa- with lesser international penalties incurred. Britain would incur risks only in the unforeseen development that the Conference actually led to a settlement.¹⁷¹

¹⁶⁹ Joshua Nkomo (speech, Lancaster House, London, September 11, 1979).

¹⁷⁰ Abel Muzorewa (speech, Lancaster House, London, September 11, 1979).

¹⁷¹ Stephen J. Stedman, *The Lancaster House Constitutional Conference on Rhodesia*, (Washington DC.: Georgetown University: 1988), 6.

Abel Muzorewa, a less skillful and less ideological negotiator and not Ian Smith, was now in charge of the Salisbury delegation. This made it possible for Smith and his patron, South Africa, to be sidelined. The Internal Settlement had accidentally worked to Britain's advantage. Back home Abel Muzorewa and Ian Smith were fighting a losing war, and economic sanctions were taking their toll. They drew the most sympathy and support from the British public. Several factors-- changed political circumstances within Rhodesia, and a vocal international community endorsing Britain's authority to resolve the Rhodesian crisis-- combined to bring about the Lancaster settlement.

The Independence Constitution that emerged at Lancaster was a revised version of the Muzorewa-Smith Internal Settlement "Constitution." Due to the intensity of Zimbabwe's settler problem, the land policy established at Lancaster went further than the provisions designed to protect land and property in the other former British colonies: Kenya, Malawi, and Zambia. It contained features established during post-colonial reforms in Malawi and Zambia, for example, the acquisition of under-utilized land.¹⁷² Its unique aspects included the provision for emergency acquisitions, acquisition of derelict land, and special provisions on litigation and arbitration. It listed all the public purposes for which land could be expropriated: defense, public safety, public order, public morality, public health, and town and country planning.¹⁷³ Only under-utilized land could be expropriated for agricultural resettlement, any other land would have to be acquired on a willing-buyer-willing-seller basis. This provision would remain in place for ten years, after which a two-thirds majority vote in parliament could overturn it. Whites were disproportionately guaranteed twenty seats in a hundred-person legislature for the first seven years of independence. All *expropriatees* were, "guaranteed the right of access to the High Court to determine the

¹⁷² See Ng'ongola, "The Post-Colonial Era," *ibid.*

¹⁷³ Zimbabwe Independence Const. *sec. 16 par. 1.*

amount of compensation,” and to contest any expropriation notice. Where compulsory acquisition was effected, “prompt payment” of “adequate compensation” was required.¹⁷⁴ “Adequate compensation” essentially meant market value. This protected absentee landlords and those likely to leave upon the advent of black majority rule. Malawi and Zambia had eliminated both of these provisions from their constitutions within three years of independence. The constitution bestowed the right to the remittance of compensation “to any country outside Zimbabwe, free from any deductions, tax or charge,” within a “reasonable time.”¹⁷⁵ In Kenya, Zambia, and Malawi, the “equivalent clause simply indicated that: ‘no person entitled to compensation shall be prevented from remitting the payment to any other country of his choice.’”¹⁷⁶ In Kenya, where the government was more reluctant to tamper with property rights, this was the first and only provision to be immediately expunged from the constitution. Although Zimbabwe’s property clause covered many familiar aspects of expropriation law, it was much tighter than what Kenya, Zambia, and Malawi got at independence. Where the other three countries could expropriate any land for any public purpose, including agricultural resettlement, Zimbabwe could not. “Willing-buyer-willing-seller” slowed down the process of land transfer from the large scale commercial farmers to the peasants. Hence, Olsen and Stedman argue that two important constituencies lost at Lancaster: the landless peasants and the guerillas.¹⁷⁷ As a result, land invasions began in Zimbabwe immediately after independence.¹⁷⁸ In short, the provisions that had proved to be problematic elsewhere were entrenched into Zimbabwe’s constitution with additional conditions. The Lancaster land policy, based on the willing-buyer-

¹⁷⁴ Ibid.

¹⁷⁵ Ibid., *sec 16. par.3.*

¹⁷⁶ Ng’ongola, “The Post-Colonial Era,” *ibid.*, 133.

¹⁷⁷ Olsen and Stedman, *The New Is Not Yet Born*, *ibid.*, 86-7.

¹⁷⁸ See Chiviya, “Land Reform” *ibid.*, Chapters 3-4.

willing-seller doctrine, was untenable and it legalized the massive expropriations of the colonial ear.

Britain conceded the need for far-reaching land reform in Zimbabwe after intense protests by the nationalists threatened to wreck the whole conference. The nationalists obtained the sympathy of some influential leaders such as Julius Nyerere and Michael Manley of Jamaica. Some leading British and American experts estimated that US \$1.5 to US\$2 billion would be required to buy out the settler farmers.¹⁷⁹ Britain acknowledged that it did not have the capacity to fund such a program. Said Lord Carrington:

We recognize that the future Government of Zimbabwe, whatever its political complexion, will wish to extend land ownership. The Government can of course purchase land for agricultural settlement, as we all have seen. The Independence Constitution will make it possible to acquire under-utilized land compulsorily, provided that adequate compensation is paid. [. . .]

The British Government recognize the importance of this issue to a future Zimbabwe Government and will be prepared, within the limits imposed by our financial resources, to help. [. . .]

The costs would be very substantial indeed, well beyond the capacity, in our judgment, of any individual donor country, and the British Government cannot commit itself at this stage to a specific share in them.¹⁸⁰

Later, Britain and the U.S. jointly agreed to finance resettlement.¹⁸¹ At the same time, Britain had no real desire to dispossess the settlers of the land. Renwick says that:

[. . .] the British were not prepared to finance a fund to buy out white farmers, as Julius Nyerere was suggesting. What was required for food production in Rhodesia was to keep European farmers there, not to encourage them to leave, to allow for African commercial farming to develop. Otherwise Zimbabwe quickly would find itself in the same economic straits as Tanzania.¹⁸²

¹⁷⁹ Ministry of Foreign Affairs, "Zimbabwe: the Colonial Transfer of Land and its Reversal" *Zimbabwe Foreign and State Paper* available at <http://www.zimfa.gov.zw>

¹⁸⁰ Lord Carrington (speech, Lancaster House, London, October 11, 1979).

¹⁸¹ See Andrew, DeRoche, "Standing Firm for Principles," *ibid.*, 682; Stedman "The Lancaster House Constitutional Conference on Rhodesia," *ibid.*, 21; and Renwick, *Unconventional Diplomacy in Southern Africa*, *ibid.*, 41-2.

¹⁸² Renwick, *Unconventional Diplomacy* *ibid.*, 41.

Stuck at the back of their minds was the myth of the “unproductive peasant.” Large British multi-national corporations such as Liebig's, Lonrho, and Anglo-American their stakeholders held vast tracts of land in Rhodesia.¹⁸³ The diversified interests of these corporations and individual stakeholders extended all over southern Africa and focused on the exploitation various natural resources, particularly minerals and the land. In the light of Britain's long term economic weakness, as well as the reluctance to dispossess large scale commercial farming interests, the prospects of Britain's financial commitment being fulfilled were highly uncertain.

The Lancaster settlement fulfilled the minimum expectations of the parties involved. With such a settlement, relics of British colonial policy endured since the pattern of a few ruling many continued in the economic sphere. Britain satisfied world opinion and managed to salvage its dignity. In order to move the Lancaster discussions forward and bolstered by U.S. support, Britain promised money and aid that it was both unable and unwilling to give. By so doing, it met the Patriotic Front's minimum expectations without selling the “kith and kin” down the river, which would have disappointed the British public. The nationalists agreed to the willing-buyer-willing-seller doctrine, first, because they trusted that Britain and the USA would make good on their commitments. Secondly, this enabled them to keep, at least in principle, their wartime promises to the peasants. The nationalists did not have the power to insist on definite figures and a schedule, and their regional supporters in the armed struggle applied pressure for a settlement. Lastly, at Lancaster the nationalists gained political power and legitimacy. With the advent of majority rule, the aspirations of the international community, the Frontline States, OAU, and Commonwealth, were realized. While Ian Smith lost political power, he made some important gains. He got a land policy that made land acquisition almost impossible for the new African government. The white minority had economic protections for at least ten years and

¹⁸³ Henry Moyana, *The Political Economy of Land in Zimbabwe*, (Gweru: Mambo Press, c2002), 180.

enjoyed disproportionate political representation in parliament. The Lancaster agreement's provision for majority rule and a ceasefire enabled Jimmy Carter to meet the expectations of the black constituencies back home. Most importantly, it preempted the Communist threat in Southern Africa. The land issue was compromised in order to balance the conflicting interests of the various stakeholders in the Rhodesian crisis: Britain, the Rhodesian Front, African nationalists, and the different factions represented in the international community.

Conclusion

Due to the strong political forces and weak economic circumstances prevailing both inside and outside Britain, as well as the dilemma presented by Britain's cultural ties to the deeply entrenched Rhodesian settlers, Britain failed to develop a coherent disengagement strategy in Rhodesia. Both Labor and Conservative governments alike, faced the same problem. This made the road to independence a protracted and costly one for Zimbabwe. At the Lancaster House Conference of 1979, the British government did not disengage from the country that would become Zimbabwe. Rather, it promised to fund land redistribution, which put it at the center of an issue that was at the heart of the nationalist movement. Britain's ability and willingness to finance such a program was questionable from the outset. This set the stage for recrimination should the land reforms flounder as they latter did. Although majority rule was guaranteed at Lancaster, a poor foundation for sustainable land reform was laid. Nevertheless, given the complicated nature of the conflict in Rhodesia, the Lancaster House settlement of 1979 was a pragmatic arrangement whose greatest accomplishment was that it restored peace without necessarily resolving all of the existing problems, especially, the land issue.

CHAPTER THREE

Conceptualizing British Neo-liberal Perspectives on Land Reform: Addressing the Colonial

Legacy (1980-2003)

Introduction

Various stake-holders with varying degrees of power and interests were involved in the land reform program (LRP) after independence in Zimbabwe. First, was Britain which had committed itself to financing the program. Through the LRP, Britain wanted to provide a good model that the South Africans could follow in their own LRP; maintain the agro-industrial interests of British citizens and corporations such as Lonhro, Liebig and others/ or in other words, to promote and protect large scale investment; and to save money in accordance with the principles of economic liberalization followed back home. To complement this economic position, Britain urged the government of Zimbabwe (GoZ) to respect the rule of law, “property rights,” and to implement economic liberalization. This entailed the perpetuation of the “willing-buyer-willing-seller” doctrine beyond its expected expiration date of April 1990. The Bretton Woods Institutions: the International Monetary Fund (IMF) and the World Bank (WB), which advocated economic liberalization as the formula for development in Africa, were in sync with Britain. The pressure from both Britain and the Bretton Woods Institutions culminated in the Economic Structural Adjustment Program (ESAP) in 1991. These policies would leave the settler farmers that held most of Zimbabwe’s productive land firmly in place and marginalize the landless poor. Since the “property rights” and “rule of law” were founded on the uneven ground of historical political and economic injustice, they were bound to be challenged.

The (GoZ) was another stakeholder and it set the agenda of the LRP. Its interests included the maintenance of political power, legitimacy, and high agricultural production. Due to the restrictions imposed at Lancaster, the GoZ could not expropriate land compulsorily for resettlement. In 1985 and 1992, it implemented legislation similar in nature to that in Malawi and Zambia in order to facilitate land acquisition. Due to the fact that this legislation was adopted in the context of the Lancaster House conditions and met with stiff opposition from Britain and the commercial farmers, it was ineffective. The GoZ decided to follow the models adopted in Kenya and Malawi. Social elites, foreign investors, and large scale estate producers dominated in the Kenyan/Malawian models. By so doing, the GoZ abandoned the landless peasants and yielded to Britain and the commercial farmers. This was possible because the peasants and the ex-combatants, the other stake-holders, were weak and disorganized. The GoZ would preserve political power by yielding to the interests of the most politically organized and economically powerful. Once the landless classes mobilized and began to question the political and economic status quo, the GoZ would switch sides in order to preserve legitimacy. This chapter will analyze the development of peasant/ex-combatant opposition to political and economic marginalization, especially in the resettlement program. It will assess the respective responses of the British and Zimbabwe governments to the outbreak of violence between 2000 and 2003, in order to establish whether or not they encouraged a peaceful resolution to emerge.

The Legacy

The economic status quo at independence was heavily skewed in favor of the white settlers. About 6 000 white farmers owned 39 per cent of Zimbabwe's prime farmland,

amounting to 15.5 million hectares.¹⁸⁴ According to Riddell, between 20 and 60 per cent of this land was either unused or underutilized.¹⁸⁵ One million black households occupied 41.4 per cent of the land, or 16.4 million hectares in the marginal regions. Studies conducted in 1975 revealed that 40 per cent of rural men in the south east of the country aged between sixteen and thirty had no land, even though land was the major source of livelihood. Other studies of two communities between Salisbury and Fort Victoria conducted in 1981 revealed the same problem. In 1976, the average rural income was approximately £ 12 per month for a family, and this was below the poverty line. By 1980 the situation had not changed especially given the economic decline brought about by economic sanctions. The white minority, constituting 3 per cent of the national population, owned two-thirds of the national income; while the black majority- 97 per cent, controlled the other third. Agriculture was the country's major sector. It accounted for 40 per cent of GDP and employed 70 per cent of the population. When independence was attained, the most pervasive feature of the country's economy was its dualism: a thriving white-minority sector based on commercial agriculture, and the mining and manufacturing industries; and an impoverished black sector that was largely subsistence-based and dependent on the earlier for wage employment.

The Land Reform Program: First Phase, 1980-1985.

Britain's policy towards land reform in Zimbabwe is clearer when considered within the context of Britain's larger interests in southern Africa, as well as Britain's domestic economic policies. Some important factors about the region of southern Africa distinguished it from other

¹⁸⁴ See Sam Moyo, "The Land and Agrarian Question in Zimbabwe," (paper presented at the Conference on The Agrarian Constraint and Poverty Reduction: Macroeconomic Lessons for Africa in Addis Ababa, December 17-18, 2004).

¹⁸⁵ See Roger Riddell, "Zimbabwe's Land Problem: The Central Issue," in *From Rhodesia to Zimbabwe: Behind and Beyond Lancaster House*, ed. W. H. Morris-Jones, (London: Frank Cass & Co. Ltd., 1980).

parts of the continent. It was volatile and yet critical to British foreign policy. Britain was a major trading partner of the countries in the region and South Africa was its principal supplier of a number of highly strategic minerals outside of the-then Soviet Union. Also, South Africa had always been of strategic importance due to its location. The region also contained a large number of British nationals. For instance, in Zimbabwe the majority of white farmers held British passports. Finally, there existed substantial British trade and investments in the region with the potential for expansion. British companies such as Lonrho, Anglo American Corporation, Liebig's, to mention a few, had invested heavily in the region. Squabbles over land were not unique to Zimbabwe and Britain was concerned that, "political parties in South Africa [would] look to the Zimbabwean resettlement program as a model for land redistribution in South Africa: it is important that it should be an acceptable one."¹⁸⁶ Britain had long established political, economic, cultural, and military interests within southern Africa and these shaped Britain's policy towards the region.

When Margaret Thatcher assumed power in 1979, Britain was in a state of long term political and economic decline. Determined to arrest this downward trend, Margaret Thatcher adopted economic liberalization. She implemented a market-based rather than planned economy; free enterprise instead of nationalized industry, limited union power instead of strong trade unions; and efficient and cost-effective public services in place of an extensive welfare state.¹⁸⁷ Tax cuts were made, while spending and borrowing were reduced and responsibility was placed on business enterprises and the individual. Even the royal family was not exempt from strict financial scrutiny and discipline. Various forms of funding, privileges, and exemptions to the royal family were withdrawn in the 90s. Margaret Thatcher's economic liberalization produced

¹⁸⁶ Foreign Office, "UK Policy towards South Africa and the other States of the Region," *Report*, 1991: xliii

¹⁸⁷ See Earl Reitan A, *The Thatcher Revolution: Margaret Thatcher, John Major, Tony Blair and the Transformation of Modern Britain, 1979-2001* (Maryland: Rowman & Littlefield Publishers Inc., 2003), 27.

results as the Conservatives managed to turn a budget deficit into a surplus by 1987.¹⁸⁸

Thatcherism benefited the upper and middle classes and not the poor. Unemployment was never eliminated and occasional crises such as the financial crisis of the late 80s, occurred. The financial crisis was characterized by high inflation and it came in the light of the poll tax debacle. These crises contributed to Margaret Thatcher's eventual downfall in 1990. Nevertheless, Margaret Thatcher set Britain back on the path to stability and reinforced London's position as an important world financial and investment center. The economic liberalization pursued in Britain, which gave advantage to the rich, would manifest itself in Zimbabwe's land issue as a "natural" alliance between Britain and the white-dominated Commercial Farmers' Union (CFU) emerged. Margaret Thatcher's successors, both John Major and Labor's Tony Blair, did not deviate from the principles that underpinned Thatcherism. Tight fiscal responsibility in Britain meant that Britain would be tight-fisted towards the land reform program and reluctant to contribute the amount required.

In keeping with its commitment at Lancaster House, Britain actively participated in the first phase of the LRP. It provided £ 33 million during the 80s to finance land acquisition and the provision of infrastructure. Initial support came in 1980 when Britain gave a grant of £ 20 million through the Overseas Development Administration (ODA). This was on the condition that the GoZ matched these British funds pound for pound. The GoZ funded the program up-front and got reimbursed from the grant. This would prove to be an overwhelming task for the new government. Also, Britain played a major role when the Zimbabwe Conference on Reconstruction and Development (Zimcord) was held in Harare from March 23-27, 1981. Organized by the GoZ, thirty-one countries and twenty-six international agencies were represented at the conference. Britain encouraged other Western donors to participate and assist

¹⁸⁸ Reitan, *The Thatcher Revolution*, *ibid.*, 77.

with the resettlement program, and pledged a further £ 10 million. The conference noted the duality of Zimbabwe's economy and emphasized the need for resettlement and rural development, the eradication of poverty, disease, and illiteracy.¹⁸⁹ It pledged \$1.45 billion in economic aid over three years beginning in July 1981. Of this money, only the British funds allowed for land purchases. Other donors viewed the land reform matter as a bilateral issue between Britain and Zimbabwe. For instance, a substantial amount of U.S. aid to sub-Saharan African countries went to Zimbabwe, but this was not meant for land purchases. Most donors, including the U.S. were more interested in funding post-war reconstruction than land purchases, and providing infrastructure after resettlement occurred. In the 80s, British involvement in the financing, planning, monitoring, and appraisal of individual schemes gave the LRP a good start. The major problem was that the conditions under which the support was provided placed a substantial financial responsibility on the GoZ.

Interested in maintaining legitimacy amongst the large peasant population, preserving political power, and maintaining high agricultural production-- especially of the lucrative tobacco crop, the GoZ set the LRP agenda. Between 1980 and 1996 the GoZ adhered to the Lancaster provisions on resettlement. In 1981 it passed the Communal Land Act, which changed the name of the Tribal Trust Lands to Communal Areas and transferred authority from the traditional leaders to the local authorities. Due to the limited amount of land appearing on the market, a Land Acquisition Act (LAA) was passed in 1985. It did not alter the conditions outlined at Lancaster, but gave the government the first right to purchase any land on the market. As the prices of land escalated due to the political stability brought by the advent of independence and inflation, the GoZ was unable to purchase most of the land that it was offered.

¹⁸⁹ See Edward Dougherty, "Zimcord Conference Documentation," *A Journal of Opinion* 11 no.3/4 (Autumn-Winter 1981), 51.

Only 75 000 hectares per year were acquired between 1985 and 1992.¹⁹⁰ Most of the land that was offered to the GoZ during this period ended up on the open market and in the hands of political and social elites. It is estimated that a million hectares of land were transferred in this way.¹⁹¹ Between 1985 and 1989 resettlement was dominated by the private purchase of land on the market by political and social elites. Land legislation was passed in the context of the Lancaster House agreement and it did not enable land acquisition on a massive scale.

The first phase of the LRP, 1980-85, was ambitious. The GoZ announced its intention to resettle 162 000 families on 10.5 million hectares of land within five years. Resettlement on such a scale was considered to be too ambitious and potentially destructive to agricultural production. Britain argued that resettlement on such a scale, “threatens the continued productivity of the land: a change of ownership on this scale cannot but cause considerable disruption to agriculture.”¹⁹² Eventually, 430 000 hectares per year were acquired during this period. By 1986, 3.4 million hectares had been acquired at a cost of £ 80 million, reducing the amount of land under white ownership to 29 per cent.¹⁹³ The land acquired included that abandoned by white farmers during the war, as well as land sold willingly by some landowners. 70 000 families were resettled during the first phase, far short of the projected 162 000. This inability to meet the desired target prompted critics to dub the first phase a failure.

As part of its advisory, planning, and monitoring functions, Britain sponsored an appraisal mission to evaluate the first phase of the resettlement program in 1988 under the ODA. First, it was noted in the ODA report that, “the program undoubtedly achieved its short run

¹⁹⁰ Moyo, “The Land and Agrarian Question,” *ibid.*, 7.

¹⁹¹ Palmer, “Land Reform in Zimbabwe, 1980-1990,” *African Affairs* 89 no. 355 (April 1990), 170.

¹⁹² Foreign Office, “UK Policy,” *ibid.*, xlii.

¹⁹³ Moyo, “The Land and Agrarian Question,” *ibid.*, 7.

political objective of contributing to post-war reconstruction and stability.”¹⁹⁴ Secondly, the report noted that the majority of settler households had benefited from the program through either increased opportunity for income generation and/ or improved access to resources and infrastructure. Lastly, it stated that, “the economic rate of return on the LRP from the perspective of the national economy was very positive and estimated at 21 per cent.”¹⁹⁵ Some scholarly studies corroborate the ODA’s findings. Kinsey argues that in the long run resettlement could alleviate poverty and inequality by providing access to land and infrastructure.¹⁹⁶ He adds that over time, resettled farmers increased their incomes, reduced income variability, and accumulated substantial amounts of wealth. They also made substantial investments in housing and various domestic assets. Kinsey concludes that, “the indicators used agree in showing that the early beneficiaries of Zimbabwe’s resettlement program are substantially better-off than their neighbors who were not resettled.”¹⁹⁷ Bratton also notes that peasant production increased and marketing trends shifted notably between 1982 and 1984.¹⁹⁸ By 1985, peasant farmers were producing an estimated 45 per cent of the marketed maize crop, whereas in 1980 they produced only 8 per cent. In his analysis of the post-independence economic dynamics, Riddell attributed the economic growth of the first two years to a combination of factors, not least the LRP because it contributed to a bumper-harvest in the 1980-81 season.¹⁹⁹

¹⁹⁴ Quoted by John Cusworth, “A Review of the UK ODA Evaluation of the Land Resettlement Program in 1988 and the Land Appraisal Mission of 1996,” in *Land Reform in Zimbabwe: Constraints and Prospects*, ed. Bowyer-Bower and Stoneman (Hampshire: Ashgate, 2000), 26.

¹⁹⁵ *Ibid.*, 27.

¹⁹⁶ Bill Kinsey, “Land Reform, Growth and Equity: Emerging Evidence from Zimbabwe’s Resettlement Program,” *Journal of Southern African Studies* 25 no.2 (June 1999): 173-196

¹⁹⁷ *Ibid.*, Kinsey, 181.

¹⁹⁸ Bratton, “Comrades and the Countryside: The Politics of Agricultural Policy in Zimbabwe,” *World Politics* 39 no. 2 (January 1987), 182.

¹⁹⁹ Roger Riddell, “Zimbabwe: The Economy Four Years After Independence,” *African Affairs* 83 no. 333 (October 1984), 464.

The ODA report noted two major problems. First, that some of the households had not benefited from the program due to their lack of draught power, indebtedness, and insecurity.²⁰⁰ Secondly, it noted the absence of a functional institutional framework for providing productive services to settlers. Other scholars support these criticisms. Kinsey, for example, argues that the content and mode of implementation of the program were inconsistent with the program's objectives: the alleviation of overcrowding and raising peasant production; raising living standards amongst the poor peasants; creating employment for the unemployed and displaced victims of the war; and utilizing all farmland especially that not under full production.²⁰¹ The program's overall lack of resources was exacerbated by the policies adopted in the program's implementation. For example, all beneficiaries were not allowed to work elsewhere other than their new farms, and thus they could not earn the capital to invest. As a result, the projected incomes for resettled farmers and the estimated production levels were not met. Another problem was the absence of a tenure policy into which the program could be integrated, and without the security of tenure, most peasants were reluctant to relocate to resettlement areas.²⁰² Also, by operating on a random rather than systematic basis, the program destroyed rather than preserved communities. Thus, the communal farmers lacked the social support networks that could have alleviated some of their problems. Consequently, some of the resettled peasants needed food aid; hence Bratton's assessment that the program yielded negative returns.²⁰³ Overall, despite the problems experienced during the implementation of the first phase of the LRP, and its failure to

²⁰⁰ Cusworth, "A Review of the UK ODA Evaluation," 27-8.

²⁰¹ Kinsey, "Forever Gained," 96.

²⁰² *Ibid.*, 108.

²⁰³ Bratton, "Comrades and the Countryside," p 186.

meet the projected targets, it was relatively successful in comparison with subsequent programs, particularly because it exclusively benefited the poor.²⁰⁴

The Land Reform Program: Second Phase: “?”

From July 1985 until late 1989 the LRP was dysfunctional due to the unavailability of land; CFU and the British press’s lobby in favor of a slower land reform process; economic recession in the early mid-80s; drought; the rigidity of the resettlement scheme; rivalry between ministries; and lack of funds.²⁰⁵ In 1989, Britain was asked to add £ 15 million to the £ 10 million provided by the GoZ in order to finance the second phase of the LRP. Britain warned the GoZ not to seize commercial farmland upon the expiration of the Lancaster Constitution. As a condition for its continued financial support, Britain required that, “the principle of “willing seller, willing buyer” be maintained. The British [were] also urging that land for resettlement be chosen only in the marginal Natural Regions IV and V, adjacent to the communal areas.”²⁰⁶ Britain suggested this because it feared that small-scale farmers would be unable to maintain high productivity; “investor confidence” would be compromised; and the cost of the resettlement exercise would be too high. Britain advocated export oriented agricultural development, monetarist macro-economic and trade investment policies, and elitist modernization, based on trickle-down development.²⁰⁷ Britain pushed for economic liberalization in Zimbabwe. On a state visit to Zimbabwe in March 1989, Margaret Thatcher espoused these ideas to Robert Mugabe. She later recalled:

Mr Mugabe’s doctrinaire socialism, suspicion of foreign investment and reluctance to accept the prescriptions of the IMF and the World Bank were taking their toll [. . .] but I

²⁰⁴ Thomas, Neil H. “Land Reform in Zimbabwe.” *Third World Quarterly* 24, no.4 (2003), 704.

²⁰⁵ See Palmer, “Land Reform in Zimbabwe,” 169-72.

²⁰⁶ *Ibid.*, 171.

²⁰⁷ Sam Moyo, “The Political Economy of Land Acquisition and Redistribution in Zimbabwe, 1990-999,” *Journal of Southern African Studies* 26 no. 1 (March 2000), 9.

hoped that I might succeed in bringing him to accept the need for changes in economic policy [. . .] I sought to do this by describing my own economic policies in the United Kingdom where we were reducing the role of the State in the economy and encouraging free enterprise [. . .] I also drew attention to a recent World Bank study which shows that those African countries which followed programs recommended by the IMF did better than those which did not.²⁰⁸

Echoing Britain's views, the CFU argued that land reform should be implemented in a sustainable manner since agriculture was the basis of the economy. The CFU argued that resettlement on a massive scale would negatively affect agricultural production and cause the displacement and loss of employment for the bulk of farm workers. Embedded in these arguments were the myths that: "the land rights of the whites over the land that they expropriated are socially and politically legitimate; large-scale farming is more efficient in land utilization and returns than small scale- farming; freehold tenure and private land markets are effective and "absolutely superior to other forms of tenure such as leasehold and customary (so-called communal) tenure."²⁰⁹ These arguments disregarded the findings of studies that showed the various inefficiencies of the Large Scale Commercial Farm sector (LSCF).²¹⁰ Britain's desire to perpetuate large-scale farming, a market-based land transfer system beyond 1990, and its reluctance to provide the billions of dollars required for land reform was consistent with its neo-liberal economic perspectives. Hence, Palmer argues that British ideological commitments "tie in neatly with concerns over 'kith and kin.'"²¹¹

²⁰⁸ Margaret Thatcher, *The Downing Street Years*, (New York: Harper Perennial, c1995), 526-7.

²⁰⁹ Moyo, "The Political Economy of Land," *ibid.*, 7.

²¹⁰ Over 4, 000 of the 6, 682 European farms, covering 3.3 million hectares, contributed only 21 per cent of total European agricultural production in 1976. That same year, 60 per cent paid no income tax while 27 per cent contributed 95 per cent of all tax paid by the farming sector. In addition to vast tracts of unused land, approximately 60 per cent of the land was underutilized. Production was backward and defined by the Natural Regions, and few of the LSCF, usually the corporate-owned, used irrigation, greenhouses, and other modern agricultural technologies. The LSCF sector was the largest employer in the Zimbabwean economy. Its employees, who included children, were impoverished paupers who were grossly underpaid, brutalized, and provided with inadequate health care and educational facilities.

²¹¹ Robin Palmer, "Mugabe's 'Land Grab' in Regional Perspective," (paper presented at the Conference on Land Reform in Zimbabwe, SOAS, London March 11, 1998).

The international community, particularly the IMF and WB added another dimension to the LRP. Like Britain, these institutions advocated economic liberalization. Initially the GoZ resisted this pressure, but in 1991 it gave in and adopted the Economic Structural Adjustment Program (ESAP). ESAP was supposed to step-up economic growth from the prevailing rate of four per cent to five per cent by 1995; attract foreign investment through trade liberalization, privatization, and currency devaluation; create employment; deregulate working conditions; and reduce government expenditure by reducing spending on all social services. This economic program was incompatible with the LRP.²¹² ESAP was counter-productive and by 1992 the economic growth rate was below zero, food prices sky-rocketed as a result of inflation and a severe drought in the 1991-2 season, and unemployment soared.²¹³ The severe 1991-2 drought caused extensive retrenchment in the farming sector. These economic problems culminated in an urban-rural drift and the escalation of poverty with the result that pressure for resettlement increased.

By the time that the second phase LRP commenced in 1989 elitism in the LRP was manifest. Eight estates bought by the GoZ in the 80s were split into 149 small farm units, which were advertised and leased to some prominent figures under the VIP program. Of these farms units, two were allocated to ministers and seven to government officials.²¹⁴ The VIP program was supposed to alleviate the shortage of capital, which plagued the first phase LRP. Most peasants who were resettled tended to lack the capital that was needed to maintain high agricultural production, and it was expected that the elites would circumvent this problem. Such an approach had been adopted in Kenya and Malawi. In Zimbabwe as in Kenya, the elite and

²¹² See Yolanda Comedy, "An Assessment of Policy Formulation and Implementation of the Land Redistribution Policy of Zimbabwe Since Independence," (PhD diss., Indiana University, 1993).

²¹³ Lloyd Sachikonye, "Bearing the Brunt: Labor and Structural Adjustment in Zimbabwe" Southern Africa Report 8 no 5 (May, 1993): available online at <http://www.africafiles.org>, accessed on 10/25/05.

²¹⁴ Thomas, "Land Reform in Zimbabwe," 704.

peasant resettlement schemes existed alongside each other. The Kenyan land reform allowed the heavy investment of private capital by the elites: politicians, civil servants, and traders. These elites purchased a quarter of the large-scale farms, and this speeded up land reform without depressing production.²¹⁵ One half of the White Highlands in Kenya remained under foreign capitalization and management as ranches and plantations, while another quarter was allocated to resettlement schemes with small plots for 500 000 landless peasants. Nevertheless, according to Moyana, “the masses of landless Africans could not reconcile their condition with a situation in which African political leaders had replaced the white farmers on the land for which they had for [sic] so gallantly.”²¹⁶ Also, the VIP program attracted criticism because it was seen as a form of political patronage meant to reward those loyal to Robert Mugabe. Thus, the VIP program was criticized both in Britain and in Zimbabwe. As a result, it was reported on May 5, 1994 that the GoZ had “cancelled 72 farm leases under which senior officials had occupied state land forcibly acquired from white farmers for landless peasants [. . .] the government was terminating the agreements to enable resettlement to proceed speedily.”²¹⁷ By the late 90s, black farmers owned 19 per cent of large commercial farmland, 35 per cent of which was in the hands of 20 000 “capable” elite farmers, as compared to the 130 000 poor peasants who had been resettled.²¹⁸ Hence, Comedy argues that the GoZ which was pulled in two opposite directions, i.e. revolutionary land reform in favor of the landless peasants vs. the status quo, bought into the “myth of the unproductive peasant” and lost faith in the peasantry.²¹⁹ This attitude negatively affected the LRP in the period after 1985 by marginalizing the landless. Despite its political

²¹⁵ Bratton, “Structural Transformation in Zimbabwe,” 596

²¹⁶ Henry Moyana, *The Political Economy of Land in Zimbabwe*, (Gweru: Mambo Press, c2002), 188.

²¹⁷ Independent (London), “Zimbabwe Land Reform Back on Track,” May 5, 1994.

²¹⁸ Moyo, “The Land and Agrarian Question,” *ibid.*, 13-14.

²¹⁹ Comedy, “An Assessment of Policy Formulation,” *ibid.*, ?

implications, the VIP program because of its elitist nature was consistent with British-advocated approaches to development.

Peasant and Ex-combatant Initiatives: 1980-1997.

The peasants and ex-combatants were not a passive entity in the LRP. Despite the fact that their interests were compromised at Lancaster, they influenced the LRP in the post-independence era. Their interests in the post-colonial state were not entirely similar. The peasants, who were the least powerful constituency because they had neither the resources of the ruling elites nor the militancy of the ex-combatants, were largely interested in land acquisition. In accordance with the Mao dictum, the peasants served as the sea in which the guerrilla fish swam. Between 1980 and 1999, peasants initiated land invasions, which were referred to as “squatting.” Traditional rulers, spirit mediums, and militant ex-combatants who were disgruntled at the slow pace of the LRP led the landless peasants in isolated land invasions between 1980 and 1985. “Squatting” occurred in Nyamandlovu near Bulawayo, Lupane, Gwai-Bembezi, the Murkosi River Ranch, to mention but a few. Peasants occupied land in the Eastern Highlands, Zambezi valley, as well as black owned LSCF. Chiviya says that, “the squatting wave [was] a nationwide phenomenon.”²²⁰ In response to these invasions, the GoZ adopted the Accelerated Land Resettlement Program, under which the farms occupied illegally by the peasants were immediately acquired and the “squatters” resettled. “This way, “local ‘squatter’ communities [. . .] self-selected themselves as beneficiaries for redistribution, often supplanting official beneficiary waiting lists.”²²¹ Through the land invasions, the peasants gained access to the resources that the Lancaster agreement and the subsequent neo-liberal economic ideologies had

²²⁰ Esau Chiviya, “Land Reform in Zimbabwe: Policy and Implementation,” (Ph.D. diss., Indiana University, 1982), 217.

²²¹ Moyo, “The Land and Agrarian Question,” *ibid.*, 7.

placed out of their reach; and the GoZ because of its own uncertainties, was slow to redistribute. Thus, the peasants took some initiative in the LRP.

Immediately after independence the GoZ tended to be lenient with these “squatters,” but by 1983 the GoZ and the commercial farmers forcefully evicted all those who occupied commercial farms, communal lands, national parks, urban areas, and state land. After 1984, the GoZ left the commercial farmers to deal with the problem. Some commercial farmers resorted to the court system, where they obtained eviction notices and court orders, while others simply used violence and force to remove the “squatters.” Moyo says that, “although the GoZ ‘Squatter Policy’ promised to evict squatters, it failed to stem ‘squattening’ mainly because its legitimacy in doing so was questioned at the local level due to slow redistribution.”²²² Land invasions did not disappear. Instead, they gained in intensity in the late 90’s when land redistribution seemed to be grinding to a halt. In 1997 the peasants in Svosve, Goromonzi, Mrewa and Insiza started a new wave of land invasions. Other groups: war veterans, unemployed youth, political hooligans and radicals, joined them especially after the rejection in national referendum of a draft constitution²²³ in February 2000.²²⁴ Faced with an economically unfeasible and legally complicated LRP, escalating poverty, and bearing feelings of entitlement emanating from their historical experiences at the hands of the colonial state and during the nationalist struggle, the peasants were ready to take the situation into their own hands.

The ex-combatants numbered about 65 000 in 1980 and originated amongst the peasant class. The war veterans presented something of a paradox. On one hand they are the most

²²² Moyo, “The Land and Agrarian Question,” *ibid.*, 9.

²²³ The proposed constitution included a clause making compulsory acquisition easier. Its major feature was that it placed the responsibility for compensating the commercial farmers on Britain. If passed the constitution would also have increased Presidential powers considerably.

²²⁴ See Tapera Knox Chitiyo, “Re-conceptualizing Zimbabwe’s Land and War Veterans’ Debate,” *Land Violence and Compensation* 9 no. 1 (May, 2000).

dangerous constituency within the country because they bore war credentials and conversed with the poor majority at the same level. Their war credentials raised questions about the legitimacy of the ruling elites; hence Moyo says that the ex-combatants had “rebelled.”²²⁵ On the other, they were weak because they lacked all the necessary resources needed to overthrow the political establishment. They laid down their lives for the nationalist cause and combined the interests of the ruling elites and the peasants: better educational and employment opportunities, political clout, and land. Due to the fact that most ex-combatants missed out on an education because of their wartime commitments, they found themselves unemployed, landless, and socially marginalized in the post-colonial state. Only about 20 000 of them were integrated into the Zimbabwe National Army (ZNA), and the rest were discharged into society with a paltry pension of Z\$185 per month until 1983.²²⁶ In April 1989 the ex-combatants formed the Zimbabwe War Veterans Association (ZWVA) which would unite them and champion their interests. Initially ignored by the government, the ZWVA became a major force to reckon with. By 1991 negotiations for various war veteran-centered legislation were underway: 1991- the War Veterans Administration Bill, 1992- the War Veterans Act, and 1993- the War Victims Compensation Act. In 1997, under the leadership of Dr. Chenjerai Hunzvi, the war veterans demanded compensation for their wartime sacrifices and managed to secure a lump sum of Z\$50 000 for each “genuine” war veteran and a Z\$5 000 per month gratuity for life.²²⁷ These unprecedented payouts would precipitate a financial crisis in the country. Immediately after the ZWVA was formed, the *chimbwidos* and *mujibhas*,²²⁸ and ex-detainees formed their own

²²⁵ Moyo, “The Land and Agrarian Question,” *ibid.*, 8.

²²⁶ Chitiyo, “Re-conceptualizing Zimbabwe’s Land,” *ibid.*,

²²⁷ Chitiyo, “Re-conceptualizing Zimbabwe’s Land,” *ibid.*,

²²⁸ Chimbwidos and Mujibhas were female and male youth, respectively, who formed the intelligence network for the guerillas during the Second Chimurenga war. They were responsible for ferrying food to guerilla bases, furnishing intelligence information, and were the first link between the rural majority and the guerillas.

associations to champion their own interests. Even though the war veterans' financial complaints against the state were satisfied, they remained dissatisfied with the LRP. This made it possible for the radical elements within the ruling party; not least Robert Mugabe, who is a Marxist at heart and eager to maintain political power²²⁹ to exploit them. With the support of government officials, the war veterans would spear-head a new wave of land invasions upon the rejection of the draft constitution in February 2000.²³⁰ Support from GoZ officials bolstered the “squatters.”²³¹

The Expropriation Law: 1990-92

Between 1990 and 1996 the GoZ succumbed to British and CFU pressure to maintain the willing-buyer-willing-seller doctrine. It issued a policy paper in January 1990, which culminated in the amendment of Section 16 of the Constitution²³² in order

- (i) to enable the Government to acquire any land (including utilized land) for resettlement purposes;
- (ii) to require “fair” compensation to be paid “within a reasonable time”; and
- (iii) to abolish the right to remit compensation out of the country as required by Sections [5] and [6] of the Constitution.
- (iv) to strengthen the independence of the judiciary²³³

These provisions were similar to the constitutional reforms to expropriation laws that occurred in Malawi and Zambia after independence. The farms belonging to multiple farm-owners, absentee

²²⁹ See Martin Meredith, *Our Votes, Our Guns: Robert Mugabe and the Tragedy of Zimbabwe* (New York: Public Affairs, c2002).

²³⁰ Land invasions did not become official policy. There were clear signs of divisions amongst ZANU PF officials as to the proper action to take when the invasions broke out. For example, while the Vice President Joseph Msika endorsed High Court rulings that the invaders vacate the farms that they occupied, President Mugabe initially seemed to be undecided as shown by his wavering statements in the first days of the invasions, but eventually allied with the invaders. See CNN, “Zimbabwe Squatters' Leader says Land Grabs to Continue,” April 14, 2000, available at <http://www.cnn.com>.

²³¹ See Joseph Chaumba, Ian Scoones, and William Wolmer, “From Jambanja to Planning: The Reassertion of Technocracy in Land Reform in South-eastern Zimbabwe?,” *Journal of Modern African Studies* 41 no. 4 (2003), 542.

²³² This amendment replaced the Land Acquisition Act of 1985, which provided for the acquisition of derelict land without compensation, and gave the Government the first option to buy any farms before their owners could put them on the open market.

²³³ See Commercial Farmers Union, (paper), 6.

landlords, and underutilized or derelict land contiguous to communal areas were targeted first.²³⁴ The GoZ abandoned the high-profile conference on “Land Policy in Zimbabwe after Lancaster,” held at the University of Zimbabwe on February 13-15, 1990. The conference was supposed to bring together GoZ officials, the CFU, intellectuals, and the indigenous farmers to formulate a “truly Zimbabwean land policy and it had been approved in 1989 by the President’s Office. The CFU also withdrew its participation. Nevertheless, the conference’s recommendations reflected the pitfalls of the LRP:

1. That ‘willing seller, willing buyer’ be abandoned, as this meant excessively exorbitant market rate compensation.
2. That legitimate compensation be offered only for original price plus “unexhausted improvements,” not for land itself.
3. That redistribution of land be accelerated to reduce pressure on the communal areas.
4. That the present preoccupation with “economic rationality” arguments be tempered by the povo’s²³⁵ call for “historical justice” and “historical compensation”.
5. That land ceilings be placed on farm holdings.
6. That a land commission be established to consider these views and thus lift the current veil of secrecy and broaden the public debate.²³⁶

The amendment of 1990 caused controversy because of its terminology. “Prompt payment of adequate compensation,” was changed to “fair” compensation paid in a “reasonable time.”²³⁷ “Fair” and not “adequate,” ambiguous as it is, generally became understood that “fair” meant less than “adequate,” while “adequate,” although also undefined in the original Constitution, essentially meant “market value.”²³⁸ The CFU argued that,

²³⁴ Robert Mugabe, (Speech given at Wakefield Farm, Makoni, Oct 29, 1998); also Neil Thomas, “Land Reform in Zimbabwe,” 700.

²³⁵ Poor majority.

²³⁶ Palmer, “Land Reform in Zimbabwe,” 180.

²³⁷ Alison van Horn, “Redefining Property: The Constitutional Battle over Land Redistribution in Zimbabwe,” *Journal of African Law* 38 no. 2 (1994), 144.

²³⁸ Simon Coldham, “The Land Acquisition Act, 1992 of Zimbabwe,” *Journal of African Law* 37 no. 1 (Spring, 1993), 86.

When the entrenched clauses of the Lancaster House Constitution could be amended after April 1990, a number of changes were expected. It was however not expected that basic property rights, such as the willing seller/willing buyer concept and particularly the right of appeal to the Courts on levels of compensation paid, would be repealed [. . .] It is the firm belief of the CFU that there should be no discrimination of landowners in terms of either the number of properties they own and operate or the size of those properties, provided they are fully utilized and productive. One of the most serious issues facing Zimbabwe at the present is the question of unemployment, and as long as a producer is utilizing his holdings fully, is productive and maximizes employment opportunities, he should be no more prejudiced than a chain store owner, bus company owner or transport fleet operator.²³⁹

The CFU advised that only competent peasant farmers with certificates and experience should qualify for resettlement; otherwise they would not be able to maintain tobacco production, which earned 63 per cent of the country's foreign exchange. Alan Burl, the CFU President further maintained that, "it was just a quirk of history that most CFU members were white and once people understood that fact, it was easy to see that the concern about the land issue was not racial but economic."²⁴⁰ It was impossible to appease the interests of the commercial farmers and the landless classes simultaneously.

The controversy over the amendment spiraled into the constitutional crisis of 1991, when the Chief Justice Anthony Gubbay²⁴¹ challenged Parliament's power to amend the constitution by invoking the "essential features" doctrine.²⁴² In a speech marking the beginning of the 1991 legal year, Justice Gubbay asserted the power of the courts and their prerogative to oversee the legal aspects of land reform. He warned that the courts might invalidate the constitutional amendment. His intervention captured the nature of the debate as one in which the legal

²³⁹ The Commercial Farmers' Union, paper (1990), 9.

²⁴⁰ Ulrik Llevelt, "The Land Question in Zimbabwe," *Tobacco International* 193 no. 3 (1991), 14-15.

²⁴¹ Anthony Gubbay came to the bench in 1977 and was of a Conservative mind-set. At Lancaster it was agreed that no judge of the High Court would be removable from office before reaching retiring age except for physical, mental incapacity, or misconduct. As a result, the judiciary remained predominantly white and tended to be viewed with suspicion.

²⁴² Van Horn, "Redefining Property," *ibid.*, 145.

framework governing property rights was in conflict with the political trends. The legal debate on land reform became polarized, and Justice Gubbay was asked to resign.

It is important to understand the constitutional crisis because it represented the different ideological factions in the land reform process. On the one hand were the commercial farmers, whose “property rights” the Supreme Court and Britain defended. On the other, were the landless peasants and war veterans who challenged the validity of these property rights in favor of historical justice. The GoZ stood in the middle. The amendment, which revoked the farmers’ right to appeal to the judiciary to determine the amount of compensation, made land redistribution a political rather than a legal matter. In other words, the law was no longer a shield in the preservation of LSCF interests. Van Horn argues that the politicization of land redistribution was necessary in order to involve public opinion, which had thitherto been excluded from the land reform process. She adds that the very constitutional basis of property in Zimbabwe had to be challenged because the independence constitution simply legalized what had gone before, i.e. ninety years of prejudice and racial injustice in the distribution of property. She also maintains that Lancaster did not provide any form of retribution for the victims of this historical injustice, the black majority. In addition, the same legal framework that had been used to dispossess the blacks was now used to protect the white minority, thus undermining the sanctity of property.²⁴³ Thomas agrees with van Horn. He argues that the issue of legality and the rule of law in Zimbabwe,

is often evoked as an alternative to the exercise of reason [. . .] As practiced in Zimbabwe, the rule of law regarding land reform fails to serve the best interests of its people, and hangs like a death sentence over the future of the country [. . .] Two serious issues therefore arise: the speed of the legal process, and the legitimacy of the Supreme Court.²⁴⁴

²⁴³ Van Horn, “Redefining Property,” 149.

²⁴⁴ Thomas, “Land Reform in Zimbabwe,” “Land Reform in Zimbabwe,” *Third World Quarterly* 24 no. 4 (2003), 708.

Further, Thomas points out that given the scale of the exercise, the appellate procedure and the vetting process of the Administrative Court were so slow that at their rate of one appeal per day, the redistribution of 4 000 farms would have taken at least 30 years. The rule of law and property rights argument was asserted in disregard of public opinion, contrary to democratic values. The rule of law and property rights were founded on the unresolved colonial legacy of political and economic inequality.

On March 19, 1992 the Land Acquisition Act (LAA) was passed. It provided that,

- (a) Land, including utilized land, buildings and improvements to land, will be capable of being acquired for settlement, land reorganization, environmental conservation, utilization of natural resources, and the relocation of persons. Previously, only under-utilized land could be acquired compulsorily for resettlement. Now any property could be compulsorily acquired for any purpose that the State requires.
- (b) The compensation payable for compulsory acquisition will have to be “fair” and be paid “within a reasonable time.” Previously it had to be “adequate” and “paid promptly.”
- (c) Parliament be allowed to specify the principles on which the amount of compensation for acquisition of land is to be assessed, to fix the amount of compensation in accordance with such principles, and to fix the period within which compensation is to be paid.²⁴⁵

According to Coldham, the LAA was presented as a compromise mainly because it enabled the Government to acquire land compulsorily, but with compensation.²⁴⁶ The British Government opposed the amendment because it allowed the GoZ to purchase land on its own terms and because it declared that the courts would not have the power to determine what constituted “fair” compensation.²⁴⁷ White farmers mounted an expensive campaign against the Bill, and many rich donors warned that aid would be cut if the bill were passed.²⁴⁸ At a meeting to discuss the Bill with Dr. Witness Mangwende, the Minister of Lands, Agriculture and Rural Resettlement, Alan

²⁴⁵ Commercial Farmers’ Union, (paper), 6.

²⁴⁶ Simon Coldham, “The Land Acquisition Act,” *ibid.*, 85.

²⁴⁷ Andrew Meldrum, “The Land Question,” *Africa Report* 36 no. 2 (March/April 1991), 30.

²⁴⁸ Economist (London), “Zimbabwe’s Land Reforms,” March 28, 1992.

Burl released a document which noted that if the current models of resettlement were used on six million hectares of commercial farmland, national agricultural production would fall by US\$157 million.²⁴⁹ Also, he reported that resettling 110, 000 families would cost more than US\$370 million, which would have serious economic implications. Regardless of the resistance, forty-two farms were designated for acquisition under the LAA in September 1993. The struggle against expropriation continued, as six of the farmers challenged the expropriations in court. They argued that the LAA contravened the country's constitution, designation of property was unlawful, and their farms were highly productive.²⁵⁰ Legislating alone could not deliver the land as in the 90s as in the 80s.

Efforts to resuscitate the LRP were made in 1996. That year, the UK Land Resettlement Grant closed down with £ 3 million still unspent. This fact seems to fly in the face of allegations about funding shortages.²⁵¹ Peter Hain, then Minister with responsibility for Africa said that Britain did not want to use the money because, “that Government was running a corrupt, inefficient land reform program. We cannot put British taxpayers’ money into that.”²⁵² Whatever the reasons for this balance, it is an insignificant matter because the balance was so small compared to the billions of dollars needed to finance the LRP. Later in 1996, Britain and the GoZ embarked on a new effort to revitalize the resettlement program. This culminated in another ODA land appraisal mission.

The ODA mission considered various technical matters in the light of the evaluation that it had done in 1988. These included the cost of land, its availability, acquisition, and the capacity to plan and implement the scheme. It concluded that,

²⁴⁹ Llevelt, “The Land Question in Zimbabwe,” 14-15.

²⁵⁰ Agence France Presse, “Showdown Looms over Zimbabwe Land Reform Plans,” September 16, 1993.

²⁵¹ Foreign Office, “Zimbabwe: UK Approach to Land Reform.” Report (May 2003).

²⁵² UK Foreign Office, “The Response to the Crisis in Zimbabwe,” *Report* (July 2002), para. 8.

- (a) confidence could be retained within the smaller remaining LSCF sector;
- (b) there is underutilization of land within the existing LSCF sector;
- (c) there would be intensification of land use under resettlement using less capital intensive production, then there would be significant economic gains to be made from resettlement.²⁵³

The mission calculated and estimated that Z\$1.5 billion would be needed for a five year program to resettle 25 000 households and Z\$2.3 billion for a program covering 35, 000 households. The cost per household of over Z\$60 000 would be more expensive than the first phase, which was Z\$22 000.²⁵⁴ Cusworth, a member of the ODA missions in both 1988 and 1996, says that, “having re-visited many of the key issues, the mission came up with a report which was very positive in tone and which clearly indicated a way forward.”²⁵⁵ With the ODA mission of 1996, there was an opportunity for Britain to reengage in the resettlement program.

The new endeavor did not go as far as expected. Cusworth implicates the GoZ in the failure of the new effort to gather momentum because it was slow to respond to the ODA report, only doing so towards the end of 1996.²⁵⁶ Also, developments on Britain’s political scene re-oriented the LRP. In May 1997, the Labor government of Tony Blair won the UK general election. With a new British government in power, and without an agreement with the outgoing Conservative government about the role that the British would play in the second phase of the resettlement program, the future of the scheme was uncertain. The new British government announced that it would add an “ethical dimension” to British foreign policy. Called the “Third Way,” the “ethical dimension’s” core values were peace, prosperity, and democracy.²⁵⁷

According to Abrahamsen and Williams,

²⁵³ Cusworth, “A Review of the UK ODA Evaluation,” 33.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Cusworth, “A Review of the UK ODA Evaluation,” 33.

²⁵⁷ Rita Abrahamsen and Paul Williams, “Ethics and Foreign Policy: the Antinomies of New Labor’s ‘Third Way’ in Sub-Saharan Africa,” *Political Studies* 49 (2001), 249.

the third way is about promoting and supporting positive change through equitable relationships based on mutual respect. Positive change is here defined with reference to the accepted tenets of contemporary development discourse, namely ‘good governance, human rights and sound economic policies. The third way also embodies a commitment to international co-operation, and a desire to strengthen Africa’s own regional organizations as well as the Organization of African Unity (OAU) [now the African Union].²⁵⁸

In the light of these commitments, the new British Government listed five priorities: the promotion of peace by tackling poverty and promoting sustainable development; encouraging good governance and human rights by promoting democracy; ending the supply of weapons that perpetuate conflict; ending the trade in “blood diamonds;” and challenging the emerging “culture of impunity.” The new government insisted on the rule of law, property rights, and the operation of market forces in guiding the LRP. Taylor and Williams argue that,

A genuine resolution of the land question is unlikely to emerge from market-based approaches, not least because of their tendency to limit the participation of the ostensible subjects of land reform, the rural black poor. In this sense, the British Government’s adherence to market-based solutions to the land question may actually prove to be an obstacle to its stated objectives of promoting long-term peace, prosperity and democracy in Zimbabwe.²⁵⁹

The Labor government’s position was essentially a continuation of Britain’s rules of engagement in the LRP under the Conservatives.

Anglo-Zimbabwe relations deteriorated rapidly. At the October 1997 Commonwealth Heads of Government Conference (CHOGM) in Edinburgh, Robert Mugabe asked Britain to compensate white farmers. Britain argued in response that the GoZ had, re-oriented its land policy to favor ‘more capable’ farmers at the expense of the landless poor; the resettlement

²⁵⁸ Abrahamsen and Williams, “Ethics and Foreign Policy ,” 251.

²⁵⁹ Taylor and Williams, “The Limits of Engagement,” 557.

scheme lacked transparency; and most of the land purchased for resettlement had ended up in the hands of GoZ officials and Robert Mugabe's cronies.²⁶⁰ Further, Britain argued that, "There was . . . no provision in the Lancaster House Agreement to establish a specific fund to support land reform."²⁶¹ This position was emphasized in a letter from Britain's International Development Minister, Ms. Clare Short to Kumbirai Kangai, Zimbabwe's then Minister of Agriculture and Land. Ms. Short stated that:

I should make it clear that we do not accept that Britain has a special responsibility to meet the costs of land purchase in Zimbabwe. We are a new Government from diverse backgrounds without links to former colonial interests. My own origins are Irish and as you know we were colonized and not colonizers.

[. . .] a number of specific issues are unresolved, including the way in which land would be acquired and compensation paid- clearly it would not help the poor of Zimbabwe if it was done in a way which undermined investor confidence [. . .]

It follows from this that a program of rapid land acquisition as you now seem to envisage would be impossible for us to support. I know that many of Zimbabwe's friends share our concern about the damage which this might do to Zimbabwe's agricultural output and its prospects of attracting investment. I thought it best to be frank about where we are.²⁶²

Other British officials reiterated the same sentiments. Tony Lloyd, the Foreign Secretary was quoted saying that, Britain "had fulfilled its obligations as the former colonial power and is 'dismayed' that previous aid for land reform had not been used productively [. . .] Britain has no direct obligation in these areas. What Britain, as a good neighbor, does is provide aid and assistance."²⁶³ The new Labor government wanted to maintain the Lancaster provisions, but recast Britain's role in the LRP as one of "voluntary participation" rather than obligation. This did not help the already volatile land issue and the GoZ accused Britain of renegeing on its commitment.

²⁶⁰ Foreign Affairs, "Zimbabwe: UK App to Land Reform;" also see Peter Hain interview by John Lloyd, *The New Statesmen* (April 3, 2000).

²⁶¹ Ibid.

²⁶² Clare Short to Kumbirai Kangai, November 5, 1997.

²⁶³ AFX News, "UK Criticises Zimbabwe Land Reform Plans," January 7, 1998.

Britain and the CFU opposed the GoZ's efforts at compulsory acquisition. In November 1997, approximately 1, 500 commercial farms were designated for compulsory acquisition. The action drew widespread criticism from the British government, the CFU, and other rich members of the international community. The commercial farmers lobbied for international support in defense of the "willing-seller-willing-buyer" doctrine.²⁶⁴ By so doing, they internationalized Zimbabwe's land problem. Tony Lloyd opposed the expropriation: "we can only support the land scheme to help people living in poverty," he said.²⁶⁵ Addressing these arguments, Moyo writes:

few have assessed the economic, social and political benefits that could be realized from the new farmers who would gain access to land. The debate had been resolutely cost-oriented, predicting rising unemployment, reduced Gross Domestic Product (GDP), deteriorating race relations, political and economic instability, white skills emigration and a slow down in indigenous commercial farmer empowerment. Commodity losses were anticipated in tobacco, cotton, horticulture, sugar and maize.²⁶⁶

He locates the inability to make a comprehensive assessment in the tendency to lump together the sources and effects of the problems arising from land acquisition. For example, not many consider the impact of changes in rainfall, technology and irrigation on production. Moyo further argues that the land that was designated was not Zimbabwe's most productive land. It was not the land on which Zimbabwe's agricultural production levels depended since eighty per cent of this land was in the marginal Natural Regions III and IV. Further, he notes that due to the high incidence of absentee landownership, forty per cent of commercial farm management and skills were indigenous. As a result, the transfer of land ownership would not have a negative impact.

²⁶⁴ "Mugabe, Blair Discuss Zimbabwe Land Issue," *New York Amsterdam News* 88 no. 46 (November 13, 1997), 2.

²⁶⁵ Agence France Presse, "Zimbabwe's Land Reforms on Agenda for British Minister's Talks," January 7 1998; also see the BBC, "Britain Says NO to Zimbabwe Land Reform Plans," January 7, 1998; BBC, "Who Owns the Land?" Thursday August 8, 2002; Jack Straw, (Speech given at the Conference for the Heads of Mission from all of the UK's Diplomatic posts, London June 1, 2003).

²⁶⁶ Moyo, "The Political Economy of Land Acquisition," 13

New Initiatives: 1998-9

The GoZ and Britain revived cooperation in September 1998 when a land conference was held in Harare. By then, there had already been fifteen major land invasions.²⁶⁷ The conference involved all the major international donors, multilateral institutions, and the GoZ. It considered the issues discussed in the 1996 ODA report and agreed on some principles: transparency, respect for the rule of law, poverty reduction, affordability, and consistency with Zimbabwe's wider economic interests. It advocated a broadened and more flexible approach to land acquisition and resettlement; broadened and strengthened stakeholder consultations and partnerships; addressing gender issues; access to and control of land and proportionate representation on decision-making structures; and streamlining land policies such as land taxation, subdivision and tenure. A two-year Inception Phase was agreed upon as a pilot program integrating government resettlement schemes and the ideas of the private sector and civil society. The donors agreed that 118 farms would be expropriated and redistributed over an initial two-year period. Britain and the European Union would help in the compensation and evaluation processes. Nevertheless, Britain failed to produce the required funds.²⁶⁸ In November 1998, 841 of the 1 500 farms were expropriated for redistribution.²⁶⁹ Although this did not lead to immediate dispossession, donors were furious because the expropriation conflicted with the "spirit of the Land Conference." In 1999, British funded consultants began work to identify ways in which Britain could support land reform in Zimbabwe.²⁷⁰ The terms of reference for a follow-up visit were agreed with the GoZ in September 1999. These activities were interrupted by the farm invasions that gripped the country in the run-up to the 2000 Parliamentary elections.

²⁶⁷ Thomas, "Land Reform in Zimbabwe," 700.

²⁶⁸ Thabo Mbeki, "We Will Resist the Upside-down View of Africa," *ANC Today* 3 no. 49 (December 12, 2003).

²⁶⁹ The 1 500 farms had not been immediately acquired, and nearly all cases except for 85 were legally contested.

²⁷⁰ Foreign Affairs Minutes of Evidence, para. 16

Britain conceptualized the situation in Zimbabwe as unrelated to land, but the result of a deficiency in democracy.²⁷¹ In 1999 a new political opposition party, the Movement for Democratic Change (MDC) was formed. The MDC attracted support from white Zimbabweans and received significant financial support from the business and commercial farming communities.²⁷² It also appealed to the urbanites and middle classes and signaled the dawn of a new era because it presented a formidable challenge to the ruling ZANU PF party. The MDC collaborated closely with Britain in order to oust the current regime.²⁷³ In its election manifesto, the MDC stated that the only beneficiaries of land resettlement would be “master farmers, proven farmers, agricultural graduates, and those with proven capabilities in small scale commercial farming.” Inexperienced farmers would be kept in rehabilitated communal areas. This makes the policy elitist and oriented towards the LSCF sector at the expense of the peasants and ex-combatants; making it convergent with the land policies pursued by the GoZ after 1985. Substituting ZANU PF for the MDC would be no solution to the problem.

Lancaster produced a liberal democratic framework that restricted the reformation of existing institutions and protected property rights. Most externally-funded NGOs in Zimbabwe in the late ‘90s were middle class based and advocated human rights to the neglect of the land issue. An example is the Human Rights Watch (HRW). Where these NGOs included the land issue on their agenda, it was in the context of the “rule of law” as established at Lancaster in 1979. These organizations put the spotlight on governance issues and waged a campaign against land expropriation and invasions, without offering any viable alternatives to the untenable market-based LRP. The elite basis of these organizations and their focus on governance issues made them vocal and audible, but separate in principle from the peasant masses.

²⁷¹ UK Foreign Office, “The Response.”

²⁷² Human Rights Watch, “Fast Track Land Reform in Zimbabwe,” *Human Rights Watch* 14 no. 1 (March 2002), 10.

²⁷³ See New African, “We Want Regime Change,” (February 2004).

The Fast Track Land Resettlement Program

Conflict between Britain and the GoZ intensified when the Fast Track Land Resettlement Program (FTLRP) was launched in June 2000. The program was supposed to end in December 2001. Various aspects of the resettlement program: the identification and acquisition of five million hectares needed to resettle the 500 000 households on the waiting list; planning and demarcating the land acquired; placing the settlers on the planned and demarcated land; and the legal questions related to the entire land acquisition process were speeded up.²⁷⁴ To enable the FTLRP, the GoZ amended the constitution on April 6, 2000 despite the rejection of the draft constitution in the referendum of February 2000. The amendment empowered it to acquire commercial farms in the same way that the draft constitution, if passed, would have done. In May 2000 President Mugabe signed the Presidential Powers Temporary Measures Land Acquisition Regulations, to enable land to be acquired as stipulated by the LAA of 1992. Britain criticized the FTLRP for its failure to provide compensation, causing suffering especially amongst farm laborers who lost their homes and livelihoods, and lack of organization. It further argued that the FTLRP was corrupt and contravened the rule of law. The conviction that the poor preferred jobs to land was held both in Britain and amongst the commercial farmers in Zimbabwe.²⁷⁵ The rejection of the referendum reinforced this view. On July 31, 2000, 2 237 farms were expropriated. By December 2000, 80 000 families had been resettled on 2.5 million hectares of compulsorily acquired land, with another 2.5 million hectares planned for resettlement by the end of 2001. The LRP came to a head.

²⁷⁴ Minister Stan Mudenge, (Speech, Harare, November 30, 2000)

²⁷⁵ See Evening Standard (London), "Reasons Why Zimbabwe's Land Reform was Always Going to Fail," April 18, 2000.

The Land Question on the International Scene 2000-2003

Liberal democracy and not land reform was the sole concern of influential international organizations such as the Commonwealth. In 1991 the Commonwealth Harare Declaration on Human Rights, was signed. The Declaration established standards by which Governments could be judged on human rights and democracy. The values established included individual liberty under the law; the individual's inalienable right to participate by means of free and democratic political processes in the framing of the society in which s/he lives; global economic development, the rule of international law; equal opportunities for all regardless of race, color, creed, or political affiliation; equal opportunity for women, and independence of the judiciary.²⁷⁶ The view of the dominant members of the Commonwealth on the crisis in Zimbabwe was that it was caused solely by a deficiency of democracy, anarchy, and flagrant human rights abuses. Jack Straw, Britain's Foreign Minister, for example, maintained that his "huge arguments" with Robert Mugabe were over "democracy and good governance," and not land reform.²⁷⁷ As a result, Zimbabwe was suspended by the Commonwealth on March 19 2002, when the Commonwealth election observers declared unfair the Parliamentary and Presidential elections of 2000 and 2002, respectively.²⁷⁸ The suspension came in the light of British²⁷⁹ and European Union (EU) "smart sanctions" against the GoZ. Nevertheless, African countries within the Commonwealth took the view that,

land is at the core of the crisis in Zimbabwe and cannot be separated from other issues of concern to the Commonwealth, such as the rule of law, respect for human rights,

²⁷⁶ Taylor and Williams, "The Limits of Engagement," 553.

²⁷⁷ Daily Telegraph (London), "Straw Blames Crises on Britain's Colonial Past," November 15, 2002.

²⁷⁸ Quoted by the Foreign Office, "The Response."

²⁷⁹ Britain imposed the first set of "smart sanctions," on 3 May 2000. These were distinguished from general sanctions because they targeted the private wealth and liberties of senior ZANU-PF officials and included a freeze on the financial accounts and assets of, and a travel ban on prominent GoZ officials. "Smart sanctions" also included an arms embargo and commodity boycott. EU "smart sanctions" were applied on February 18, 2002.

democracy and the economy. A program of land reform is, therefore, crucial to the resolution of the problem.”²⁸⁰

African countries unsuccessfully advocated a double-edged approach to the crisis that would promote democracy on the one hand, and resolve the land issue on the other. They successfully used procedural motions to block discussion of the three resolutions that Britain tabled against Zimbabwe at the UN Commission on Human Rights.²⁸¹ In 2003 Zimbabwe’s suspension from the Commonwealth was extended at Britain’s insistence at the CHOGM meeting in Abuja Nigeria. Britain’s Prime Minister Tony Blair stated that:

I think we should carry on the path that we have got. This is the most the Commonwealth can do. We adopted a set of principles on democracy, and the rule of law and proper governance, ironically set out in Harare, and those principles have got to be adhered to. So whether Zimbabwe comes back into the Commonwealth depends on the basic principles that the Commonwealth believes in- democracy, the rule of law, respect for human rights- being adhered to. If they are, then Zimbabwe comes back in, if not they shouldn’t come back in. And that is why the test in a sense is first of all for the Commonwealth to stand firm on those principles, and secondly for Zimbabwe as to whether it is going to comply with them.²⁸²

Zimbabwe quit the Commonwealth at the Abuja meeting. Britain’s single-minded concerns about “good governance and the rule of law,” in dealing with the Zimbabwe crisis left the land issue unresolved and continued the marginalization of the poor in the economic sphere.

Conclusion

The GoZ was uncertain that the peasants would be able to maintain high agricultural production, and as a result it adopted an elitist approach to the LRP following the Malawian and Kenyan models. In both Kenya and Malawi, the priority given to commercial farming at the expense of the peasants did not lead to an increase in production and poverty alleviation amongst

²⁸⁰ Committee of Commonwealth Foreign Ministers on Zimbabwe, “Conclusions of the Abuja Meeting on Zimbabwe,” (Abuja, Nigeria, September 6, 2001); and also see Mbeki, “We Will Resist.”

²⁸¹ Straw, (Speech, January 7, 2004).

²⁸² Tony Blair, doorstep interview, December 6, 2003, Abuja, Nigeria, available at <http://www.number-10.gov.uk/output/Page4947.asp> , accessed on 8/29/04.

the peasants. These models created problems for the post-colonial states, including chronic poverty, food insecurity, endless clashes between state authorities and the poor especially in the urban areas, and sporadic low key land invasions in the rural areas that are sometimes suppressed by force. In 1991 the GoZ implemented ESAP, a program that was incompatible with the land reform agenda. This further alienated the interests of the landless classes. When the economic strife of the landless classes motivated them to challenge the political leadership and demand economic justice, their momentum was easily hijacked for political convenience. This resulted in the preservation of political power and legitimacy by the GoZ at the expense of the commercial farmers. Siding with the land invaders and even assuming leadership of the phenomenon enabled the GoZ to maintain control within the country, but this encouraged the situation to deteriorate to unprecedented proportions. Throughout the country's history, the GoZ contained the land invasions by either immediately resettling the invaders, evicting them, or letting the commercial farmers handle the situation. In 2000, they did none of this. If anything, important government officials supported the invasions, causing the violence to escalate. In 2000, the GoZ presented to the electorate a draft constitution that would have increased Presidential powers, while placing the financial responsibility for the LRP on Britain. The rejection of the draft constitution was to Britain's advantage. It enabled Britain to focus its criticism on the negative political aspects of the draft and to downplay the importance of land reform. This draft constitution and its subsequent rejection demonstrated the GoZ's political expediency and its costly desire to exploit the land issue for political advantage.

The result of Britain's failure to completely disengage at Lancaster in 1979 was that it maintained a prominent presence in Zimbabwe, especially economically and to some extent politically, in the post-independence era. The economic liberalization pursued and advocated in

Zimbabwe by Britain, and the legal framework established at Lancaster led to the development of a neo-colonial state that marginalized the interests of the landless classes. As the crisis in Zimbabwe unfolded, Britain focused on the issue of governance and democracy in isolation from the land issue. Britain dwelt on the political aspect of the crisis and refused to see the genuine claims of the landless against both the Zimbabwean state and the commercial farmers. It believed that the crisis would be resolved once democracy and the rule of law were restored. As a result, Britain supported Zimbabwe's new opposition party, the MDC. The MDC's proposed land policies were similar to those pursued by the GoZ between 1985 and 1996: they marginalized the landless classes. In South Africa, a country with the most liberal constitution in the world, and Namibia, both well-functioning democracies, market-based land reforms are proving to be a failure and the landless classes are increasingly becoming restless. Britain's fears that South African parties would look to Zimbabwe as a model for their own land reform are materializing by the day. A market-based land reform program in Zimbabwe was unfeasible and the "squatter" problem testified to this fact. Britain's denial that the land issue was a significant source of instability in the country invited attack from the GoZ and its allies within the African community, who have land struggles of their own. As long as the land question remained unresolved, it would be exploited by any political leader because the legacy of colonialism is such that land and political power are inseparable. Britain as the responsible former colonial power by failing to ensure the conclusive and just resolution of the land issue, and underestimating the this issue's propensity to cause havoc, played a significant role in the emergence of the crisis in Zimbabwe between 2000-2003.

CONCLUSION

This study began in the pre-colonial era by analyzing the economic structures of the Shona and Ndebele people north of the Limpopo. These people had mixed economies in which agriculture, pastoralism/ cattle rearing, hunting and gathering, trade, and mining were major activities. The unpredictable rainfall patterns of this region necessitated the development of such complex economies. The Shona people practiced shifting cultivation, a system of agriculture that required huge tracts of land. Shifting cultivation allowed the land to rejuvenate after years of continuous production, thus it was used as a conservation method. Various food crops were produced and stored to eat in the dry season. The Ndebele people were mostly ranchers, but contemporary studies have shown that they were also successful agriculturalists. They were the leading tobacco producers who had established a thriving tobacco industry long before the advent of colonialism. These societies held land communally, allowing every member of their community access to this resource.

Land was commoditized when Cecil John Rhodes' agents signed the Rudd Concession with the Ndebele King Lobengula. Lobengula "granted" Cecil Rhodes total control over the land in Mashonaland and Matabeleland in exchange for money, ammunition, and other benefits. Cecil Rhodes was also able to buy the Lippert Concession, which granted far-reaching land rights. The BSAC's Pioneer Column invaded Mashonaland and Matabeleland in search of a second gold rand. The pioneers had been promised huge tracts of land and gold mines as payment for their services. To most pioneers the land was of secondary importance; hence they sold it while still on the march to Mashonaland. When it became clear that these territories contained no second gold rand, the BSAC turned to the land and cattle in search of alternative sources of revenue and profit. Initially Europeans depended on the African sector for food and seed, and their farms

faced stiff competition. This was soon to change with the introduction of various pieces of legislation that removed Africans from the land and forced them to work on European farms and mines. The hostility that was generated as a result of this systematic displacement and subjugation, culminated in the First Chimurenga War of 1896-7. The Europeans expropriated more land from the Africans by right of conquest, once the uprisings were suppressed. Henceforth, the Africans were evicted from their ancestral lands and forced into the newly established reserves. Others became rent-paying tenants on the land that they had occupied for generations. Rent was payable in either cash or labor, both of which had the effect of securing labor for newly established European farms.

In 1923 Southern Rhodesia became a self-governing colony. Britain gave the settlers the right to legislate, except in instances where the legislation distinguished between the races. Such legislation required British approval, and Britain retained a veto. Nevertheless, Britain was completely marginalized in the colony's activities and the settlers were able to establish a society that was legally segregated. The Land Apportionment Act of 1930, the Land Husbandry Act of 1951, the Land Tenure Act of 1969, among others, strengthened European agricultural interests. Britain did not intervene and the Africans who were politically disenfranchised were helpless. Thus, a dual economy with thriving white agricultural, and impoverished landless African sectors emerged both in practice and in law.

When the Central African Federation (CAF) was established in 1953, Great Britain was in a state of political and economic decline. The Federation was intended to boost economic growth and to be a counterweight to Boer hegemony in southern Africa. Southern Rhodesia dominated and benefited the most from the CAF. The Cold War was raging and the "wind of change" was blowing across the continent by 1957. Also, the Civil Rights Movement in the US

gained momentum, the Suez Crisis unfolded, and the Mau Mau uprising in Kenya was won at a heavy cost. By 1960 it was clear that the British Empire was falling apart. Britain could not maintain the CAF, and in 1964 Nyasaland and Northern Rhodesia were granted independence as Malawi and Zambia, respectively. Although Southern Rhodesia benefited materially from the dissolution of the CAF, its unfulfilled demands for independence led to the Unilateral Declaration of Independence (UDI) in 1965.

Due to their smaller settler populations and the presence of nationalist leaders who were more amiable to European institutions and lifestyles, Malawi and Zambia got more flexible land policies than Southern Rhodesia would get in 1980. Even though these two countries were able to amend their land policies, the poor and landless remained marginalized. No pressure was made immediately to redistribute land to the peasants, and in Zambia this was largely because of the presence of a thriving copper industry. Black social and political elites replaced the white landed classes. Economic strife amongst the poor, which sometimes escalates into violence, is rooted in the inability of these two countries to implement viable and equitable agrarian reforms.

Due to its political and economic problems, Britain was unable to end Rhodesia's rebellion. In the beginning Britain handled the dispute with Rhodesia on bi-lateral terms, and adopted sanctions in response to UDI. When the bi-lateral approach failed to work, repeated attempts to resolve the dispute involved third parties: the regional countries, and eventually the US. The exaggerated repression of the white minority regime, which was propped by South Africa, caused the nationalist movement to gather momentum. The nationalists used the land issue to mobilize the African majority. The Communist threat, international calls for democracy, and the nationalist movement increased the pressure for a resolution to be found in Rhodesia. These forces culminated in the Lancaster House Conference of 1979.

The Lancaster House conference established democracy and Rhodesia gained independence. The land policy that emerged reflected the varied interests and levels of clout that the respective parties brought with them to the negotiating table. Concerned about the deeply entrenched “kith and kin” in Rhodesia as well as its heavy investments in Southern Africa as a whole, and not having the necessary economic means, Britain could not establish a loose land policy for Zimbabwe as it had done in Malawi and Zambia; and neither could it buy out the settler farmers immediately. Anxious to appease the black electorate back home and to counter the Communist threat, Jimmy Carter jointly agreed to fund the land redistribution in order to move the negotiations for a settlement further. The African nationalists were the only ones with land on their agenda. They had not won the war decisively and their economically weak supporters-- the Frontline states-- were anxious for a settlement. This put the nationalists in a weak position. Lastly, the settlers were fighting a losing war, the economic sanctions were taking their toll, and the ties with South Africa had weakened. Under the new constitution, property rights were protected and land could not be expropriated except in a few specific instances, with the “prompt” payment of full compensation. The will-buyer-willing- seller doctrine was established and would remain for ten years. With this agreement, Britain re-asserted its authority and prevented the heavy cost of international isolation as a result of the Rhodesian crisis. The nationalists gained political power, legitimacy, and a land agreement, which however unfeasible enabled them to keep their commitment to the peasants they represented. The white settlers got a land policy that would slow down land acquisition. At Lancaster, the only people who did not get anything tangible were the peasants and the guerillas. Given Britain’s economic ideology and commitments, as well as its interests in southern Africa, an amicable future resolution of the land question was unlikely.

Economic liberalization in Britain entailed limited funding for the land reform program in Zimbabwe. Britain contributed £ 33 million to the first phase of the program-- between 1980 and 1985, which succeeded in resettling 70 000 peasants. Nevertheless, Britain and the IMF and World Bank advocated economic liberalization in Zimbabwe, as elsewhere in Africa. These policies had neo-colonial implications because they favored large scale commercial farmers and foreign investors, and marginalized the landless poor. The GoZ bought into the “myth of the unproductive peasant” and adopted an elitist land reform program. It also adopted the Economic Structural Adjustment Program (ESAP), which liberalized the economy and was incompatible with the land reform agenda. ESAP did not lead to economic growth, but increased poverty and economic strife. Thus, the policies pursued and advocated by Britain, and those adopted by the GoZ had the same result: they both marginalized the landless poor, paving the way for a crisis.

From the outset, the landless took some initiative in the resettlement program through land invasions/ “squatting.” “Squatting” increased as the land reform program slowed down after 1985. Initially, the landless were marginalized because they were politically disorganized and weak. Organized under the ZWVA, the ex-combatants became a force to reckon with. They challenged the ruling elites and questioned their economic marginalization. In 1997 the peasants began a new wave of land invasions. Britain denied the legitimacy of this unrest and focused on issues of governance, the rule of law, and “property rights.” The “rule of law and property rights” which Britain championed were established at Lancaster at the expense of the historically disadvantaged peasants. As a result, they were unsustainable and could not be the foundation of social stability. Britain also denied its responsibility to finance resettlement, and accused the GoZ of corruption and elitism. This did not allow for a peaceful solution to the problems in Zimbabwe to emerge. Unlike Britain, the GoZ acknowledged the claims of the landless and took

advantage of them, in order to maintain political power and some semblance of legitimacy. Key government officials allied with the landless and took over control of the situation. Again, this did not enable a peaceful resolution to emerge, but only abetted the violence and escalated the crisis.

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