



Seeking Women Land Owners and Ownership in Zimbabwe:

Case Studies of Women's Access to Land and Land Use

Ragan Petrie^{*}, Michael Roth^{}, and Kizito Mazvimavi^{***}**

^{*}Assistant professor, Department of Economics, Georgia State University

^{**}Senior Research Scientist, Land Tenure Center and Department of Agricultural and Applied Economics, University of Wisconsin-Madison

^{***}Graduate student, Ph.D. in Development Program, University of Wisconsin-Madison

**SESSION 2: ROLE OF PRIVATE LAND MARKETS IN REDISTRIBUTING LAND
TO THE HISTORICALLY DISADVANTAGED**

**DELIVERING LAND AND SECURING RURAL LIVELIHOODS:
POST-INDEPENDENCE LAND REFORM AND RESETTLEMENT IN
ZIMBABWE**

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Centre for Applied Social Sciences, University of Zimbabwe

Land Tenure Center, University of Wisconsin–Madison

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Ragan Petrie
rpetrie@gsu.edu

Michael Roth
mjroth@wiscmail.wisc.edu

Kizito Mazvimavi
kmazvimavi@facstaff.wisc.edu

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ABSTRACT

There are limits to which any government can mobilize public resources to fund land acquisition and resettlement costs for land reform, particularly in Zimbabwe's present day state of economic regress and weak borrowing capacity. Private market initiatives that increase the capacity of the socially disadvantaged (women) to acquire and develop land can be powerful catalysts for land redistribution, but only if the land and financial markets work on their behalf. An analysis of deeds registration in the late 1990s in Zimbabwe reveals a significant percentage of land purchases titled to black African women financed through the private land market. This research based on case study methods seeks to tease out this trend and to better understand the process by which these women are gaining access to land, the sources of financing they use, and the special constraints they encounter. It is found that land owners are not necessarily the operators of the land; while one third of the parcels in the case-study sample are classified as legally female owned, only 36 percent of these are actually owned and managed by a woman. While men and women share similar problems in securing farm inputs, women in addition are constrained in their capacity to secure land rights through deeds registration and to mobilize credit and farm equipment. A new typology that incorporates de facto land ownership and decision-making is proposed and used to analyze the effect of gender constraints on land tenure security and land use management.

SEEKING WOMEN LAND OWNERS AND OWNERSHIP IN ZIMBABWE: CASE STUDIES OF WOMEN'S ACCESS TO LAND AND LAND USE¹

by

Ragan Petrie, Michael Roth, and Kizito Mazvimavi

INTRODUCTION

A number of countries in Southern Africa, most notably South Africa and Zimbabwe, are seeking to redress the legacy of racially skewed land ownership and distribution resulting from the colonial era. Zimbabwe's war for independence that concluded in 1980 was fought over land, and since that time Government has made significant strides in redistributing land from the former large scale commercial sector to the socially disenfranchised and poor.

Nevertheless, there are limits to which any government can mobilize sufficient public resources to substantially fund land acquisition and settlement costs, particularly in Zimbabwe's present day state of economic slowdown and weak borrowing capacity. Private market initiatives that increase the capacity of the poor to acquire and develop land, through, for example, targeted credit facilities or favorable tax write-offs to the banking sector, can be powerful catalysts for land redistribution, but only if the land and financial markets work on behalf of (not against) the poor.

This paper seeks to examine the robustness of the private land and financial capital markets in redistributing land to the black population in Zimbabwe, and in particular to women who tend to be the most disenfranchised group in terms of land ownership. Over the period 1996-2000 in Zimbabwe, there has been an increase in the number of land purchases titled to women financed through the private market. This trend is positive news for Zimbabwe's land reform because it suggests that women are successfully acquiring land in the land market, and they are doing so through private market mechanisms, not only with government assistance.

¹ The authors acknowledge the assistance of Lovemore Rugube who helped provide access to the Deed Registry data base and institutional support during field work, Sam Zhou who provided valuable comments and suggestions on the paper, and Walter Chambati, Melody Musodza, and Fortune Musunga who provided expert research assistance. However, all views, interpretations, recommendations, and conclusions in this paper are the sole responsibility of the authors.

This research seeks to deconstruct this finding to better understand the process by which women are gaining access to land, the sources of financing used, and the special constraints they encounter. Does this increase in land titled to women also translate into de facto land management and decision making? Might a special credit facility be developed using the mortgage bond market to aid women with land purchase and to broaden their access to productive resources? Answers to these questions are intended to help the design of targeted policy interventions that better enable the private land market to deliver land and tenure security to women, and improve their ability to access financial markets.

BACKGROUND

Women are central to the population, food and environmental nexus in Africa through their various roles in household reproduction, as primary managers of the natural resource base, and as farmers responsible for a very substantial share of food crop production (Cleaver and Schreiber 1994). However, while representing a large and significant group of farmers, women have been relatively neglected in attempts to raise farm productivity. Compared with the support they have received to date, women need better and more targeted technical support, better education and skills training, better access to tools and inputs, and better access to land and to tenure security to raise farm productivity and reduce their vulnerability to technological and economic change (Mehra 1995). A number of studies have documented the ways that women are conferred inadequate property rights through customary tenure systems in southern Africa (Mushunje 2001, Walker 2002). But in addition, Lastarria (1997) describes how with the conversion to private property tenure systems, property rights in land have become concentrated in the hands of those persons (community leaders, males household heads) who successfully exert their ownership right to land, while poor rural women lose the few rights they had and are not generally able to participate fully in the land market.

The problem according to Mushunje, is that

“In many colonial governments [in Southern Africa] women were relegated to the periphery in decision making and also in issues considered to be of importance including access to land. This colonial legacy resulted in an unequal structure of society and also unequal distribution of resources including land...[an outcome] that has been perpetuated in the post independence era....Where women have

tried to access land, they have met up with... 'roadblocks' ...[n]otably exclusionary policies and practices.” (page 2)

She goes on to say,

“In Zimbabwe...women may be refused the right to inherit land in the event of the death of a husband or a woman may not [bequeath]...the land as she wishes as it does not belong to her....[C]ommunal land is administered under...the Traditional Leaders Act and the Communal Land Act....These are enforced within a framework of customary law....[but] the perceived traditions and customs in many areas...[are] that women can only access land through their male kin.” (pages 6, 7)

Women fair little better in accessing resources through land allocations administered by Government:

“As long as private land is accessed by one’s ability to access resources, women’s best choice is [nonetheless] communal tenure...[The Government of] Zimbabwe advertised for people who wanted to be allocated land for small scale commercial farming. Those wishing to be considered needed to be in a position to mobilize resources (e.g. finance) to purchase...inputs and machinery, to have qualifications in agriculture and to show that they had collateral. As a result of this loaded criterion, many women will be unable to access land under this scheme. (p. 7)

There is the fallacy however of assuming that all women are landless and poor. Walker (2002) shows for South Africa how small numbers of generally elite women have been able to access land through the market and also successfully invest in land and agricultural production in communal areas. There is evidence that women in Zimbabwe are also slowly gaining individual ownership of land through the private land market, but the process is not without difficulties. According to Ncube et al. (1997), married women are beginning to register residential property in their name alone, without their husband, but they encounter resistance from registry officials obligated by Section 15 of the Deeds Registries Act (see Box A). In state-owned commercial farming areas, female Master Farmers were unable to acquire small-scale commercial farms in their own right, as the allocation always went to the

man (Land Commission Report, 1994). Women are also gaining sole access to land through government resettlement programs, but few have legal rights.²

Why are women facing such difficulties in land ownership? Before independence in 1980 and up to a few years thereafter, women were not legally allowed to own property in their own right. Under customary law, married women are not allowed to own property jointly with their husbands, and widows cannot inherit the estate of the husband because a man's claim to family inheritance takes precedence over a woman's, regardless of the woman's age or seniority in the family. This situation changed with the 1982 Legal Age of Majority Act (LAMA) and the 1985 Matrimonial Causes Act whereby women were recognized to have the right to own property independently of their husbands or fathers. However, while LAMA

Box A

Section 15: Special Provisions Relating to Women, Deeds Registries Act 1996

“(1) A married woman shall be assisted by her husband in executing any deed or document required or permitted to be –

- registered in any deeds registry; or
- produced in connection with any deed or document referred to in paragraph (a);

if, by virtue of her marriage, she has no legal capacity to execute such deed or document without the assistance of her husband.

(2) A registrar shall record the change of marital status and any consequent change of name of a woman in a deed or document filed in the deeds registry on written application by such woman accompanied by the relevant deed or document and proof to his satisfaction of such change of marital status.”

attempts to amend customary law, in practice, land farmed by husband and wife is usually held in the man's name, and it is the eldest child who inherits, not the wife.

In 1997, the Administration of Estates Amendment Act removed inheritance laws unfavorable to widows in civil and registered customary marriages. While regarded as a major step toward ending the unequal distribution of inherited assets for women, there have been some anomalies in interpretation of this law. In some court cases, women have lost access to their husband's estate when customary law took precedent over the amended inheritance act (AFROL 2001).

More recent evidence suggests that women are indeed gaining access to land through purchases and inheritances. Using data gathered from the Deed Registry as part of a larger

² While over half of the resettled population is female, few women hold resident permits (Jacobs, 2000). One estimate, based on survey data, is that 98 percent of husbands hold resettlement area permits to farm and graze lands, but only 2 percent of wives do (Peters and Peters, 1998).

research project on land monitoring,³ Rugube and Chimedza (2000) and Rugube and Chambati (2001) documented trends in land transfers to male owners, female owners and female co-owners, and corporations for the period 1996-2000. Table 1 documents these trends in ownership and shows a slight increase in the percent of land transactions purchased by female owners and female co-owners, from 27 percent of all transactions in 1996 to 39 percent in 1998. The percent of transactions by female owners and co-owners declined in 1999-2000, but this may not be informative as roughly half of all land sales were to companies, not individuals.⁴

Table 1: Percentage of Land Transactions to Disadvantaged Buyers⁵ by gender of owner

Ownership	1996	1997	1998	1999	2000
Male owners	44	45	36	28	35
Female owners or co-owners	27	30	39	20	20
Corporations	29	25	25	52	45

Source: Rugube and Chambati (2001).

Table 2: Average Size of Land Holding (in hectares) of Disadvantaged buyers by gender of owner

Ownership	1996	1997	1998	1999	2000
Male owners	253.8	309.5	168.3	392.9	527.8
Female owners or co-owners	175.0	178.6	158.6	575.0	500.0
Corporations	848.8	652.2	690.5	1075.5	826.1

Source: Rugube and Chambati (2001).

³ This project has monitored land transactions to disadvantaged people in South Africa, Namibia, and Zimbabwe from 1996 onwards. These data only include farm land (parcels > 1 hectare in size) to focus on rural land and not urban residential property.

⁴ However, based on a cursory look of the list of directors of each corporation during the 1999-2000 period, only 15 percent of corporations had at least one director who was female.

⁵ A disadvantaged buyer was defined to be one involved in a land transaction that transferred land from a previously advantaged seller (white) to a previously disadvantaged person (black, coloured, or indian). This also includes land transfers from black males to black females but does not include transfers from black males to black males.

While the percent of transactions to female owners and co-owners combined⁶ declined over the 1999-2000 period, the average size of land holding purchased increased. Table 2 shows that the average land holding size for this group was more or less stable over the period 1996-1998, but tripled in size in 1999-2000. This evidence suggests that female/co-owner transactions accounted for a significant percentage of the total in 1996-1998, and thereafter fewer but larger parcels were acquired.

METHODOLOGY AND FIELD WORK

A case study approach was chosen to interview land owners who had acquired their land through the private market and had the land registered in either a woman's name, a man's name, or a woman and man's name. Male landowners were included in the sample for comparative purposes. The goal was to interview a sub-sample of the land acquirers on the Deeds Registry, specifically women, to inquire about case acquisition histories. The case study questionnaire itself inquired about the history of land acquisition, land use and management, household demographics, employment, land use decision-making, and any problems the land owner may have encountered in land acquisition and farm operations.

Using the list of land deeds transactions from 1996-2000, a sample of female and male land acquirers was compiled,⁷ sampling within female, male, and female-male purchases and within mode of acquisition (cash, loan, and inheritance). The data set as designed (based on information available from Deeds records) provides information on name of land buyer, name of land seller, name of farm purchased, name of administrative district⁸, date of purchase, and mode of acquisition ("cash", "loan", or "inheritance" for private transactions, or "government" for government acquisitions). From this information, one can determine whether the land acquirer was disadvantaged (black) or a woman, and the location of the farm with reference to District and surrounding properties indicated on the title or survey diagram.

⁶ The Rugube and Chimedza (2000) and Rugube and Chambati (2001) data base lumped together female and co-owner transactions so some caution is warranted in drawing conclusions about "female" transactions.

⁷ Most of the sample came from the 1996-1998 period. The list of company directors for 1999 and 2000 were obtained after the completion of field work in July 2001.

⁸ The name of administrative district at times coincides with the name of closest town, but not always, exacerbating the task of locating farms.

Parcels smaller than 1 hectare were excluded to enable focus on rural and peri-urban properties. Land purchases located greater than 400 km from Harare were also excluded because of resource limitations at the time.⁹

The goal to interview a sub-sample of the land acquirers on the Deeds Registry, specifically women, ran into a number of difficulties and forced a reconsideration of the original research design. Table 3 categorizes the specific reasons why the original sample of women targeted for the research could not be interviewed:

First, many of the female owners could not be located and/or did not live on the land associated with their name. Over 60 percent of attempted interviews failed because the owner could not be found. While the information from the Deeds Registry does include the owner’s name and the general whereabouts of the parcel, this information was not always sufficiently specific, and does not include an address or telephone number. Numerous attempts to locate owners through the telephone book or by inquiring at the location of the farm proved to be unproductive.

Table 3: Reasons for Erosion in Sample Size of Women Listed on registry list in the initial sampling frame

Reason Not Interviewed	Number
Could not be located, no one in the area knew them	16
Not using land / out of country	3
Refused to be interviewed	5
Land transferred to someone else	1
Total	25

Second, there were a few absentee female land owners, and some female land owners refused to be interviewed. In terms of one absentee landowner, researchers were able to confirm the farm ownership, but the owner was out of the country and had left a relative to manage the farm. In terms of refusals, there were a few women, when initially contacted by phone,

⁹ The field work was conducted during two periods, March 2001 and June-July 2001. Severe fuel shortages at this time delayed the commencement of field work in March and hampered long-distance travel to locations far from Harare in both March and June-July.

agreed to be interviewed, but when called again, were no longer available or did not answer the phone. Also, many potential interviewees expressed skepticism as to the purpose of the study. It is possible that concerns over privacy were an issue, but the process of land invasions and expropriation of commercial farming properties beginning in 2000 were important factors as well as they created considerable “unease” in rural areas and fear about loss of property.¹⁰

Third, in a number of cases the person whose name was on the title was not the person using the land. There were cases of land titled to men being exclusively used by women, and land titled to men and women used exclusively by men. This situation might be expected in the event where the landowner was engaged in land rental or sharecropping arrangements. But in many of the cases in this study, the owner had died or departed the country, and the current operator (a woman) was seeking to have the title changed to her name without success.

Because of the difficulties in finding female landowners, the methodology had to be revised to identify women landowners beyond those located on the Deeds Registry. The research design was expanded to include any female farmer who had recently purchased land in the research area. Quite simply, local farmers, agricultural officers, and farmers union officials were asked if they knew of female farmers in the area. While this approach departed from the original research design, it proved effective in locating female farm operators and landholders.

Uncovering these additional female farmers yielded 32 interviews in total. Only 5 of those interviews were with land owners from the Deeds Registry list. Table 4 outlines the reasons why. The main reason is that some land owners had acquired their land prior to 1996, with the earliest acquisition in 1980 and the most recent in 1995. These transactions would have been missed, by definition, in the Rugube-Chimedza data base.

¹⁰ The farm invasions by “war veterans” began in February 2000 and were substantial up to the parliamentary elections in July 2000, then declined slightly. During the initial period of research in March 2001, the farm invasions were minor and did not affect the field work. But, during the second stage, June-July 2001, the activity had increased considerably. In the interest of the research team’s safety, several interviews had to be cancelled or were not pursued.

Table 4: Reasons Why Interviewees Were Not on Deeds Registry List

Reason Not On Deed Registry List	Number
Pre-1996 purchase	11
Widowed and seeking to get title transferred	5
Unknown reason, should have been on list	4
Lease-to-own	4
Post-2000 purchase	2
Cannot get title transferred	1
Total	27

However, there are three other important reasons as well. First, there were several widowed women whose husbands had died 1-5 years before but still did not have the title transferred to their name because of legal constraints or long turn around time for deed registration. While these women recently acquired their land, fitting the criteria of the original research design, they had not yet shown up on the Deeds Registry list.¹¹ Second, there were several land owners who had recently acquired the rights to land and were using the land productively, but these were on a lease-to-buy arrangement, either through a private land owner or a company (see Roth and Sukume 2003 for a more detailed description of these arrangements). In the case of a private land owner, title and issuance of title deed would be possible only with formal subdivision which Roth and Sukume point out is unlikely. In the case of purchasing land through a company, the land purchaser as shareholder in the company is eligible for a 99-year lease through the company, but only the company's name would appear on the public register in the Deeds office. Finally, there were several land owners who had purchased their land during the 1996-2000 period and should have appeared on the Deeds Registry list but did not. This discrepancy may be due to inaccurate reporting by the interviewees, inaccurate accounting at the Deed Registry Office, or delayed transfers of title due to local government bureaucracy.¹²

¹¹ In our sample, this problem was unique to women and will be explored further in subsequent sections.

¹² The Deeds Registry Office computerized most of their records in 1999 but the computerization process is incomplete. Some paper records were not in the electronic data base, and some computer records were lost during various system crashes. In addition, according to Sam Zhou (personal

In summary, 67 interviews were attempted. Twenty-five of these interviews, all from the Deed Registry list, did not take place because of the reasons outlined in Table 3. Another 10 (not on the Deeds Registry list) were attempted but could not be completed because of difficulties in finding the farm and local instability due to farm invasions. After expanding the sampling criteria, 32 interviews were completed, with only 5 of them coming from the Deeds Registry list. The remaining 27 were not on the list because of a variety of reasons outlined in Table 4.

A NEW TYPOLOGY

One of the stronger themes emerging from the case study research is the difference in legal ownership and de facto land use. In terms of legal classification, when the case study interviews are classified by the gender of the person’s name currently on the legal land title,¹³ they can be evenly divided into male-titled land, female-titled land, and male and female-titled land as shown in Table 5.¹⁴ However, this does not tell the whole story, as the land owner may not be the land user. Widows use and manage the land while waiting for the land title to be transferred from their husband’s name to theirs, and husbands exclusively use and manage land titled to a husband and wife.

Table 5: Land Title Classification of Case Studies

Legal Classification	Number
Female titled	10
Male-female titled	11
Male titled	11
Total	32

communications), local authorities have begun to introduce by-laws which impede the transfer of properties to the deeds office, for example, the requirement for rates (local taxes) and levy clearance certificates which stand to prejudice the new property owners.

¹³ This assumes that the lease-to-own cases will go through to legal title as they are currently registered.

¹⁴ Note that this table shows how the land titles were distributed given our research strategy which was specifically designed to seek out female land owners. It does *not* show the distribution in the population.

Table 6: Typology of Land Use and Land Management Groups

	Group	Legal Title	Mode of Acquisition	Management	Number
I	Female independent	Female	Cash/loan	Female	4
II	Female widowed	Female, Male, or Joint	Inheritance	Female	7
III	Female dependent	Female or Male	Cash/loan/inherit	Female & Male	5
IV	Husband and wife partnership	Joint	Cash/loan	Joint	9
V	Ostensive husband and wife partnership	Joint	Cash/loan	Male	2
VI	Male independent	Male	Cash/loan	Male	5
	Total				32

Instead, Table 6 proposes another classification of the results from the case studies that takes into account who is de facto using and managing the land. Six groups are proposed based on the results of the case studies, ranging from exclusive female ownership, use, and management to exclusive male ownership, use, and management. These are called *Female Independent*, *Female Widowed*, *Female Dependent*, *Husband and Wife Partnership*, *Ostensive Husband and Wife Partnership*, and *Male Independent*. Under this typology, there are two significant shifts in classification. First, each legal title classification is now spread among 2 or 3 groups. For example, the 11 cases of land that are legally classified as titled to a husband and wife, are now categorized in two groups: *Husband and Wife Partnership* (9) and *Ostensive Husband and Wife Partnership* (2). Second, land ownership that is distinct legally may be in the same group. For example, in the group *Female Widowed*, these are cases of land inherited by women and managed by women, but legally titled to men, women, or both.

Table 7: Summary of Characteristics of Typology

	Typology					
	I	II	III	IV	V	VI
Parcel characteristics						
Size, in hectares (range)	4 – 300	50-1214	44-1040	6-570	11-300	1.5-900
Registered (I=individual or J=joint)	I	I&J	I	J	J	I
Holder (W=women or M=men)	W	W&M	WorM	W&M	W&M	M
Transaction history						
Mode of financing acquisition (cash, loan, inheritance)	C/L	I	C/L/I	C/L	C/L	C/L
Date of acquisition (range)	1981-2001	1981-2001	1982-1998	1988-2001	1986-1996	1983-1998
Socio-economic status of women						
Well-off	~	-	+	++	++	+
Secondary or tertiary educated	++	-	~	++	++	+
Owner resides abroad	+	---	---	---	---	---
Gender						
Woman handles day-to-day management	+++	+++	-	+	---	---
Woman is sole/primary manager	+++	+++	--	--	---	---
Woman is sole/primary decision maker	+++	+++	--	--	---	---
Socio-economic status						
Tenure Secure	+	~	+	++	+++	+++
Access to financial capital or Equipment secure	~	--	~	+++	+++	++

Codes: +++ strongly so; + somewhat so; ~ mixed; - somewhat not so; --- strongly not so.

Also, note that less than half of single landowners are also the land users. For example, only four of the 10 female-titled cases are classified in the *Female Independent* group, and only five of the 11 male-titled cases are classified in the *Male Independent* group. The remaining single-ownership cases are classified in *Female Widowed* or *Female Dependent*, implying that the legal owner is not the land user.

TYPOLGY DESCRIPTION

Table 7 summarizes the characteristics of each land use and land management group. Across all typologies, land was acquired between 1981 and 2001, and included both small and large parcel sizes (ranging between 1.5 ha to 1040 ha). Women tend to be better off, both in terms of income and tenure security, in the groups where land is jointly owned by men and women (typologies IV and V). Land management responsibilities are more firmly in the hands of women when the land is owned solely by them, but access to financial capital is strongest when land is jointly owned by men and women. The six groups are described in more detail below. Note that all case study names have been changed to preserve the confidentiality of the respondents.

1. Female Independent

These women either have the land currently titled in their name or are taking steps to title the land in their name or purchase it when the lease-to-own option comes along. They are the sole or primary managers of the farm, and the land was purchased by cash or with a private mortgage loan. Three of the four women are either college or professionally educated. Some are well connected to the government, and half have lived abroad. One woman is divorced, one single, one widowed, and the last married to a college-educated husband.

Box B: Female Independent

Tafadzwa settled on her 263 ha farm in 1994 when the previous owner was in the process of subdividing his property. She finished paying for the subdivision of her farm in 1995, but she still does not have the title deed and the legal process is on-going. Tafadzwa is trained as a nurse and spent 16 years working in the U.K. She returned to Zimbabwe 10 years ago and started to look for land that she could farm and raise cattle. She currently grows cotton, paprika, maize, and soybeans and raises 50 head of cattle. She manages the farm herself now, after having trouble with a male farm manager, and has 10 permanent workers and several casual workers. All of her three children are in the U.K. in college, and she consults with her son on issues of livestock management and land sale. She says she faces discrimination because she is a single woman farmer. Other farmers will not rent her their tractors, claiming she will damage them. She has also battled with the local bank to obtain credit to start a market gardening project. The bank said they needed a guarantee and refused to take her two houses in Harare as collateral. However, with persistence and time, the bank has now offered her a loan.

2. Female Widowed

All of these women are widowed, have inherited their land, and are the sole or primary decision-makers on the farm. In some cases, the land is still legally titled to their husbands or in both of their names. In these cases, the women are trying to have the title transferred into

Box C: Female Widowed

Mrs. Maphosa purchased her 50 ha farm with her husband in 1987 with money from his retirement package. Since his death in 1997, she has been trying to transfer the title (in her deceased husband's name) to her name without luck. Before the title could be transferred, her farm first needed to be re-assessed for payment of state duty. After the assessment was completed in 2000, she had to sell 10 hectares to pay the duty and her creditors. While the duty has been paid, the title transfer is still pending. She used to operate a large poultry project with her husband but this was abandoned after his death due to cash flow problems. While she needs cash for the farm's operations, she has not applied for a loan because she is old, lacks collateral as security, and is a woman. She initiated a savings scheme with other local women whereby they pool their money and invest in a money market fund. The payoffs were good until the recent downturn in interest rates. She grows maize primarily to feed the chickens, and she is now renovating an old barn into living quarters in hopes of renting it and the chicken coops to someone who might like to start a poultry business.

Mrs. Dlamini inherited her 1,214 ha farm in 1995 following the death of her husband. Her husband was a top government official who acquired the land through his contacts. The title is in her name and the names of her two school-aged children but is currently held by the bank as security for a loan. The land is managed by her with the assistance of a manager. She is college educated and gained experience working on her parent's small-scale commercial farm as a youngster. While the farm is now devoted to maize and sorghum, she plans to move into cotton and vegetables next season. She is currently facing cash flow problems and difficulties paying off her loan, difficulties which she did not face when her husband was alive. She would like to rent out part of the farm to her white neighbors for cash, but they are reluctant to do so because of the land invasions.

their names, but the process is tied up in legal issues, outstanding debt, or family claims to the land. In other cases, the land has been transferred to them, and they hold the land title in their name.

Most cases took several years to transfer the title, with one case taking 13 years and another a few months. The former case entailed a lengthy transfer process involving the husband's brother. The latter case seems to have been expedited by social connections¹⁵.

While the majority of women in the *Female Independent* group are highly educated, the women in the *Female Widowed* group are less educated and they lack experience and training in farm management. Education is not a panacea for financial troubles, as even the educated women in this group face cash-flow problems when their husbands die. Widows also tend to face problems that stem from lack of farm management experience; i.e. they may have worked on the farm with their husbands, but did not engage in the day-to-day decision-

¹⁵ Both the husband and wife were well-paid professionals in the community. The husband was the general manager of a bank before he died, and the wife was a public relations officer.

making, leaving them with little experience managing a farm or dealing with banks. Indeed, most women in this group cite difficulties in accessing formal credit. Responses included banks that are reluctant to give loans because the title is not in their name, or discrimination on the part of banks because they are women and lack farming experience.

3. Female Dependent

In this group, the land is registered in either the man or women's name, but in all cases, a man is involved in farming operations,

either as land owner or the decision-maker.

The women tend to have high school or tertiary education. The land may have been purchased by cash or loan or may have been inherited. In the cases of land titled in the man's name, the husband and wife may be managing the farm together or the woman may be running or managing the farm alone. If the woman is managing the land alone, she is also seeking to transfer the title to her name. In the case of land titled in the woman's name, a husband or son is involved in the farm operations.

They either participate in decision making or run the farm exclusively.

Box D: Female Dependent

In 1995, Vimbiso's husband (a general in the military) bought the 1,000 ha farm without consulting her. The husband managed the farm until being posted in the Democratic Republic of Congo (DRC) in 1998, after which, Vimbiso took over full control of the farm. Had she been given a say, she would have chosen land with mixed farming potential (arable and grazing) rather than solely pasture land. Vimbiso's husband agreed to have her title the farm in her name before he left, but she has not yet been able to do so. There is no debt outstanding on the land, as her husband paid off the loan with his salary. She is now looking for another farm to register in her name, one that is suitable for mixed farming. But the process is difficult. She is fearful of the unknown and the prospect of trying a new land investment seems risky. She is not very familiar with banks and other institutions that might help in land acquisition as her husband took charge of this side of the business. Most resources are in her husband's name and that makes decision-making and obtaining credit difficult.

4. Husband and Wife Partnership

All the case studies classified in this group have their land registered in both the husband and

Box E: Husband and Wife Partnership

Mr. and Mrs. Masango settled on their 64 ha farm in 1998. The land was initially titled in the husband's name, but a few months ago, they submitted the papers to the lawyer to have the title put in both of their names. Mrs. Masango is a housewife and farmer, and Mr. Masango owns and operates several businesses in town, including commuter taxis and supermarkets, but works on the farm on weekends. They grow tobacco, maize and vegetables, and keep chickens, which they sell to local people in town. They have 12 permanent workers and some casual laborers. Mrs. Masango handles the market gardening and chickens, and Mr. Masango handles the field crops. However, they consult each other on planting, livestock, and financial decisions.

Mr. and Mrs. Dumisani bought their 296 ha farm together in 1996 for residential and farming purposes and the farm is titled in both their names. They both have MBAs and run successful businesses in town, including a consulting business and a property management business. They obtained a loan from Agribank to purchase the property and are currently withholding further investments in the property in order to pay off the loan and avoid the high variable-interest payments (currently 25-65 percent). Neither has farming background, so use of the land has largely been based on trial and error and experimentation. They started out with a dairy, then turned to raising chickens, and are currently raising cattle and maize. They admit they have lost money on their farming experiments but have been able to cover those losses with income from their outside sources. They consult each other on all farm management decisions and plan to increase the cattle herd once their loan is paid off.

wife's name. Some have had the land titled in both names from the initial purchase, others have recently changed the title into both names, and others, on a lease-to-own option, will put both names on the 99-year lease. Also, in all of these cases, both husband and wife, and sometimes elder children, use and manage the farm. Decision-making is joint on most decisions, with the wife often specializing in marketing the crops and the husband in planting. Most of the land owners have tertiary education, and about one third have some college or professional training. Some are retired teachers, and some run the farm in addition to other businesses in town.

5. Ostensive Husband and Wife Partnership

On the surface, this group is very similar to the *Husband and Wife Partnership* group. However, they differ in one important area: decision-making. While both groups have the land titled in the

husband and wife's name, in this group, the wife's participation in decision-making is non-existent or peripheral. In the two cases in this group, either the wife has no participation in the land use and management decisions, or the wife works on the farm, but her role is more of a farm worker, rather than a land owner. The few cases in this group may not be surprising since in such decision-making structures it would be more likely that the land would be titled to the husband alone, rather than to both husband and wife.

6. Male Independent

In this group, the land is male-titled, purchased by cash or loans, and used almost exclusively by the land owner. There were no cases of male inheritance in this sub-sample.¹⁶ If there are women using the land, it is peripheral, with one or two women having small garden plots. Decision-making is made by the male land owner. This differs from the *Female Dependent* group because women in that group have a more active role in farming. Some of the male landowners have only a primary school education, and others have college education. Some have additional businesses on the side, and some are retired school teachers. The most successful farmers in this group are the ones who have access to cash from family or outside businesses, have access to markets to sell their produce, and get farming advice from neighboring farmers, both white and black. The only male land owner who was struggling had a large (900 ha) farm that he could not farm because of his age, lack of financial help, and small family. He applied to subdivide his land, so that he could sell off part of it, but was refused approval.

CASE STUDY THEMES

The typology outlined above seeks to identify patterns in de facto land use management that cannot be discerned from legal title classification. Several important case study themes transect these six typologies.

Independence of Land Ownership, Use, and Access

Landowners are not necessarily the land users, and women and men are accessing and using land independent of the name on the title deed. Indeed, less than half of single, legal land owners, be they male or female, are also the land users. If we wish to understand de facto land management, the legal classification of land ownership may be misleading because women and men access and manage land titled to someone else. Women solely manage land still titled to their deceased husbands, and men solely manage land titled to both husband and wife.

¹⁶ Note that, by the definition of “disadvantaged buyer,” land transferred from black men to black men were excluded from the census data research. Therefore, if a son inherited land from his father, it would not be included in the census list and would not have been sought to be interviewed in the original research design.

Women certainly participate in this private land market, but primarily through their husbands. There are women who both own and manage the land, but this group comprises only 12 percent of the sample. Most women access land through husband and wife ownership (28 percent of the sample.) Sole female land use is not as prevalent as the legal classification suggests, however women do access land and participate in land use management decisions through co-ownership with their husband. Indeed, in general, these partnerships are more successful at running their farms because they have a larger economic resource base from which to pull for farm operations. Sole female land owners also have resources from which to draw, but it is the widowed women who are the most disadvantaged as their resource pool typically dwindled with the death of their husbands.

Problems Unique to Women

While women are gaining inroads in land ownership through inheritance, there are certain unique problems faced by widows that are not faced by other groups and hamper the productive use of their land. Widows face long periods of time where they manage and use the land but the land title is not in their name. The delay to transfer the title usually takes 2-3 years but can take much longer. During this time, widows find it difficult to access formal credit, as they do not have legal title to use as collateral. Expanding farm operations is difficult, and women are often confined to a low-level of farm productivity. Title transfer delays are due to outstanding debt that needs to be cleared before title can be transferred, a protracted legal process, and family claims to the land. Husbands die and widows find it difficult to mobilize resources to pay debt or legal fees to expedite title transfer. Moreover, relatives of the husband may lay claim to land under customary practice.

Women also tend to lack farm management experience, training, and advice. This problem is most pronounced with widows, but appears also with women in the *Female Dependent* and *Female Independent* category. This problem may stem from low enrollment levels for women in agricultural colleges and training courses. The Food and Agricultural Organization (1995) estimates that women made up only 30 percent of the student body in agricultural colleges and 26 percent in universities in 1993. Most women gain farming experience by working with their husbands. However, they learn little of farm management or mobilizing resources, such as labor or credit, as these tasks are typically undertaken solely by the husband. Finally, while women could enroll in agricultural extension courses, few do. Peters and Peters (1998) note that the national agricultural office, AGRITEX, does not offer extension services geared towards the special circumstances of women, such as their work burden or lack of access to

livestock or credit. Finally, while men spoke of obtaining agricultural advice from neighboring farmers, both black and white, women did not. This seems to reflect a certain “thinness” in women’s networks when accessing formal markets or seeking farm management advice.¹⁷

Women’s inability to mobilize financial capital and equipment is another recurring theme. Both men and women complained of inadequate financial capital to run their farm operations, but only women said the bank refused them credit because the title is not in their name. Many women said they were refused credit because they were women or that the banks would not authorize a loan without the signature of their husband. Women also tend to have little experience with banks, again, due to farm and business operations being run primarily by husbands and lack of knowledge and empowerment to negotiate the banking system. Therefore, when asked where they would go if they needed money for farming operations, many women said they would go to relatives or their husbands. Either it did not occur to women to apply for a loan from a bank or they did not try because they were sure they would be refused. Finally, women also have a more difficult time borrowing or renting farm equipment from neighboring farmers than do men.

Problems Shared by Men and Women

While women face unique problems, there are some problems faced by both male and female farmers. Both face financial constraints due to high interest rates. Many land owners complained that they would not borrow money from the bank because they could not afford to pay back the loan. Indeed, many are delaying farm investments so that they can first pay off the loan. Many said they would like to expand their operations, but there was not enough finance available. All farmers face low crop income from export crops and high input costs. When asked if they would rent out or sell part of their land, many said they would but have had difficulties getting subdivision approval for selling or renting out land. Others said they would not rent out their land because they were instead looking for additional land to rent in and expand operations.

¹⁷ This could well be a reflection of cultural factors as well. Even though men and women can comfortably seek advice from people of the same gender, seeking advice across genders is less common. If women, as a group, are less informed about agricultural management, then women seeking advice from other women will not increase women’s knowledge of agricultural management.

Prevalence of Middle Class

Finally, another broad theme emerging from the case studies is the prevalence of the middle class. That is, most land owners interviewed in this research are not poor. Indeed, most have access to financial resources outside of banks. Many have other successful businesses on the side, and many are multiple property owners, with rental properties in urban areas in addition to the farm. Many have community and social connections that have helped them locate land in the first place and subsequently run a successful farming business. This suggests that the private market is primarily accessible to those who already have the wherewithal to mobilize economic resources, not to those who lack resources to begin with and need land to start accumulating economic wealth.

CONCLUSIONS AND POLICY RECOMMENDATIONS

This research sought to delve deeper into the recent trend in Zimbabwe of land acquisition through the private land market by women. Using land transfer records from the Deeds Registry, attempts were made to interview disadvantaged female land owners to better understand their land acquisition history, land use, and land management. However, efforts to locate these women by and large proved futile. By modifying the research design, additional women were found using and managing land that were not, as of yet, recorded in the Deeds Registry. These included widowed women who are still trying to change the land title to their names and several cases of women using land on a lease-to-own basis.

While the Deeds Registry is serving a valuable public service in registering rights in land and monitoring the land reform process, women's efforts to obtain title were confounded by a number of problems including land transfers not registered in a timely manner and slow progress of transferring titles. However, the fact that so many women wanted title deeds in their name, but could not, speaks volumes for the benefits from keeping transaction costs to land registry services low for all parties, especially women.

The private land market is redistributing land to non-white populations, but the rate of transfer is still low. According to Rugube and Chambati (2001), on average during the period 1996-2000, only 1.5 percent of commercial land available for redistribution was actually redistributed to disadvantaged people. Of that redistributed land, for the same period, roughly 86 percent is being redistributed through private transfers, with the remaining through public

mechanisms.¹⁸ While land is getting to the disadvantaged through private mechanisms, the magnitude of the change is small.

Against popular notions that women in Zimbabwe do not own land, the land market data reveal that women are using the Deeds Registry process to strengthen ownership rights. Indeed, the case study research shows that women understand the importance of having land title in their names and are actively seeking title transfer or land purchase. Moreover, many other women are acquiring land through the private market, albeit through informal mechanisms, such as inheritance. But, again, this percentage is small.

Individual female owners and managers still represent a small percent of all land owners, and women still face problems in acquiring land rights and benefiting from land use. Only 12 percent of our case studies were single ownership and managed by women. While this percent is similar to single ownership by men, single female owners face problems mobilizing resources for farm production that single male owners do not. Women spend years in limbo while awaiting title transfer from deceased husbands, during which time formal credit is unavailable.

The review of the case studies also revealed that a number of factors, such as influence and education at the time of transfer, were important factors that segregate the haves from the have nots. The private land market is certainly accessible to those with the means but not to those who are still poor.

Can the private land market help complement government mechanisms in redistributing land? Absolutely. But, the private land market will not be a panacea any time soon until transactions costs in the land market are reduced or purchasing power is increased. This can be done through broadening access to incomes, economic opportunity, and financial capital markets. Even then, women would not be expected to benefit strongly due to provisions in the land policy that discriminate against women's ownership.

Are financial markets sufficiently robust to stimulate land purchases? Under the current economic environment in Zimbabwe, profitability is too low and uncertain to maintain land values, in particular for those that are disadvantaged in input and product markets. In the

¹⁸ Note that the percent of land redistributed to disadvantaged buyers through public mechanisms is underestimated for two reasons; land may be purchased or transferred by the government and not picked up by the Deeds Registry; and the estimates do not capture land transferred through land invasions.

short-run, emphasis needs to be placed on a land policy that broadens access of the poor to secure land rights. In the long-run, additional measures aimed at increasing the profitability of the agricultural sector will be required to both broaden wealth accumulation by potential land buyers and lower risk aversion by private banks.

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