

# Challenges to Women's Entitlement to Land: A Case of the Nyadgori Farm in Zimbabwe

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**Abstract :** Women all over the world continue to face challenges of entitlement to land. The political, economic and social structures are gendered and only working to the advantage of men at the expense of women when it comes to land ownership. The aim of this study was to investigate and identify solutions to the challenges of women's entitlement to land in Nyadgori farm in Zimbabwe. The study used 11 participants all of whom were women. The study was conducted in Nyadgori farms, situated in Mhondoro, Zimbabwe. A qualitative research method was used to obtain the views of the participants pertaining the challenges that limit their land ownership and their perceptions on what could be done to overcome this challenge. Participants emphasized the need for them to be included in decision making bodies regarding land and the establishment of gender awareness programs on women's land rights and empowerment.

**Keywords:** Entitlement, Land Policy, Reforms, Gender Equality

## Introduction

Land is an important asset especially in Zimbabwe since it is an agricultural based country in terms of its economic survival. Looking at the issue of land in Zimbabwe and all its dynamics in the pre and post-colonial era, it has always been political and gendered. Women continue to lack access and control of land inspite of the campaigns by the civil society to include them in the economic mainstream. According to the Women and Land commission in Zimbabwe (WLZ, 2007), women constitute 52% of the population and 86% of those residing in rural areas, are dependent on land for their livelihoods and they provide 70% of all agricultural labor. In Zimbabwe most women especially in the rural areas are farmers, making agriculture a women dominated industry but they do not own the means of production. One would expect that women were considered an integral part of the land acquisition in line with their important roles in agricultural production and labor reproduction.

It is evident that various socio-economic and political factors have contributed to the challenges to women's access to ownership and control of land in Zimbabwe. Moyo (2007) asserts that the sources of this gendered inequity in land allocation relates to a number of constraints faced by women in applying for land, including bureaucratic constraints, gender biases amongst the selection structures, which comprise mainly men, the lack of information on the process, and poor mobilization of women's activist organizations around the issue of applications to land ownership. Social practices and traditions in the country have also worked for the benefit of men giving them the economic power to land entitlement at the expense of women.

Women's entitlement to land, particularly in the rural areas is thus the most critical factor in women's struggle for equality in gender relations and empowerment because without land women's everyday survival, economic security, and physical safety are strained. It is not that the country does not have Land policies and pieces of legislations designed for women and the land issue. A closer look at the situation in the country shows that many of these pieces of legislation have not gone beyond mere rhetoric. There has been inconsistent implementation of these policies by the Government of Zimbabwe.

## Statement of the problem

Women especially in the rural areas continue to face economic disempowerment with regards to ownership of land in Zimbabwe. Women form the basis of agricultural production in the country but despite their central role in national production and reproduction, they continue to face discrimination in owning that land. Women do not

have rights to the land that they work on everyday these unequal and unjust land ownership patterns has led to feminization of poverty and the disempowerment of women from society to national level. Lack of control to land has placed women on a subordinate position the one where they are to depend on the male figure for economic survival and support. This explains their manipulation starting from the private to public spheres where women do not have voice; they do not own the means of production and does not have economic power to challenge the status quo. Statistically only few women are in possession of land.

### **Aim and Objectives**

The aim of this study was to investigate and identify solutions to the challenges to women's entitlement to land in Nyadgori.

### **Objectives**

The study concentrated on the following objectives

- To investigate women's position to ownership of land in Nyadgori.
- To establish the significance of women's land ownership.
- To identify possible factors that limit women control over land in Nyadgori.
- To assess the national laws and policies and their flexibility when it comes to land ownership.

### **Research Questions**

The following were the research questions:

- What is the position of women in the land ownership in Nyadgori?
- How significant is land ownership by women?
- What are possible factors that limit women from land ownership?

### **Significance of the study**

This study was significant in bringing out a different perspective on factors that limit women's entitlement to land. It is hoped that this study may contribute to the body of literature by highlighting the importance of women's equal access to land ownership.

### **Literature Review**

Women in Zimbabwe have significantly become a source of food security for the country hence their paramount role in agricultural production should be acknowledged. According to the Women and Land in Zimbabwe (WLZ, 2007), women constitute 52% of the population and 86% of those residing in rural areas are dependent on land for their livelihoods and they provide 70% of all agricultural labor. The role played by women in Zimbabwe is paramount and is the central pin to agricultural development. Ruiters (2008) argues that women contribute a larger share (up to 80 percent) of the agricultural labor used in production, marketing and food preparation. Despite playing this significant role; women face a number of challenges which retard the development of their livelihood. If access to land can be granted to women, the dynamics of poverty would change. Moyo (2007) argues that if women were to be given the same access to, and control over productive resources as men, they could undoubtedly contribute immensely to the economic development of their respective countries. The Women and Land Organization in Zimbabwe (WLZ,2007) asserts that, in practice, women farmers tend to rely on rain-fed agriculture, and have poor access to inputs (fertilizers, seeds and water).

### **The importance of land to women in Zimbabwe**

Bhatasara (2008) states that land as a precious commodity and the means of production for both men and women is a determining factor that could work to improve the status and living conditions of women in Zimbabwe. According to Mushunje (2001) land is the most critical factor in women's struggle for equality in gender relations and empowerment. Moyo (2000) contends that this skewed access to land has meant that women are dependent on a male link in order to benefit from land. Lacking the rights as well as access and control over land means that women are economically dependent on their spouses or male relatives. For women, ownership of land and property can increase women's status within their communities and increase their bargaining power within their households. Gibson (2005:17) further states that without guaranteed rights to land, women's economic status will remain weak.

Zikhali (2004) argues that the risk of poverty and the physical well-being of women and their children depend significantly on whether they have direct access to income and productive assets such as land. Wiggins (2003) asserts that lack of land rights deprive women and girls the right to economic empowerment and their struggle for equity and equality.

### **The fast track land reform as a discriminatory policy towards women**

The fast track land reform occurred in Zimbabwe in 2000. This fast track land reform was a government initiative of the grabbing of land from the white land owners to be given back to blacks who were historically dispossessed of land under colonialism. Bhatasara (2003) indicates that the land reform of 2000 was characterized by violence and land invasion which resulted in gender imbalances with regard to access to land as there was no protection for women's rights and their importance in this programme. According to Mpahlo (2003), the majority of beneficiaries under the government public leasing program were males; accounting for 76 % of all transactions, while females, as sole owners were just fewer than 6 %. This shows the wide gender gap in terms of land acquisition. According to the Human Rights Watch (2002), there was party political control of access to the forms for applying for land and partisan discrimination in the allocation of plots. The land reform was a process that was spearheaded by war veterans. It is important to note that the majority of these war veterans were men.

### **Limited rights of women to own land due to patriarchy**

Patriarchy in most African countries including Zimbabwe has been seen as a contributory factor that limits women's entitlement to land. According to Bonthuys & Albertyn (2007) the concept of patriarchy was first used by social scientists to describe a system of government where men held political power in their capacity as heads of households. Patriarchy therefore is a social system whereby men dominate in all spheres of life. The system has worked in the favor of African men as women became more subordinate.

### **The constitution of Zimbabwe**

According to Arisuntha (2010), the Zimbabwean constitution (section 3,13,17,26 and 76) provides for gender equality and equal access to land and other means of production. The constitution states that the state and all institutions and agencies of government must take practical measures to ensure women have access to resources, including land, on the basis of equality with men. However, this does not seem to be the case in Zimbabwe.

Gender inequality and difference in rights and privileges between women and men are reflected in legal statutes, customary laws and community practices. In Zimbabwe access to land is governed by both statutory and customary laws. Customary laws emerge from unwritten social rules derived from shared community values and traditions. Masiwa (2004) further indicates that Most rural women in Zimbabwe do not have the capability to claim rights to land under customary marriage as most of these marriages are unrecognized.

### **Theoretical framework**

Various feminist scholars have come up with different ideologies that seek to explain gender relations that seem skewed in favour of men. In their quest to understand gender oppression, feminists differ widely in terms of analysing the origins of gender oppression and what situates gender discrimination. This study employed a liberal feminist paradigm to understand the root causes of women's marginalization. According to Garry et al (1996), Liberal feminism is a feminist paradigm based on the modernisation theory. Liberalism argues that women have been discriminated against by virtue of their sex throughout the world. It preaches for equality of men and women in the public sector and in schools, the legal system and the private sector as well. Our motivation in using this theory as a guiding torch is its emphasis on changes in the legal and political system to ensure that women are being represented on an equal level. Women's entitlement to land has been strained by the existing legal frameworks that are failing to accommodate women in Zimbabwe

According to Mushunje (2001:15-16) The major problem that Zimbabwean (African) women face is that the legal Framework is set within the context of colonial hangovers where many of the laws were designed to perpetuate a system in which women were objects within the family setup who were viewed only as providers of labour. Furthermore the Zimbabwean constitution consists of what is called the dual legal system that has both customary and general law. Goebel (2005) mentioned that the use of customary law on issues relating to land sets the ground for discrimination against women in that traditional leaders of many communities hold the view that land is for "household heads" who in most cases are males.

While generally both the men and women in Zimbabwe seemingly have equal user rights to land, in practice the women's user rights are determined by men. The system of patriarchy has managed to enforce the subordinate position of women in the society whereby only men are allowed land ownership. Women do not have available resources needed for them to meet the requirements of land ownership.

### **Research design and methodology**

According to Babbie and Mouton (2010:75) research methodology focuses on the research process and the kind of tools and procedures to be used. In order to conduct a research one has to consider the methods of gathering data and the area of study.

#### **Data collection**

According to Halloway (1997:45), data collection involves the gathering of information for a research project through a variety of data sources. He further states that in the process researchers do not merely collect and describe data in a neutral and detached manner but are involved in a more creative way. The researcher is seen as actively constructing knowledge. Maree (2007:76) further pointed that data collection is done through social interactions with participants, field studies, participants' observations and semi structured interviews.

For this research data was collected through the use of open ended questions. According to Maree and Pietersen (2007:161), open ended questions provide for a set of responses from which the respondent has to come up with his/her understanding of the study without limitations.

Furthermore interviews were conducted directly with women from Nyadgori farm. In-depth interviews were used in order to gain a detailed picture of the participants' belief about, or perceptions or accounts of a particular topic. According to De Vos et al (2011:315) this method gives the researcher and participants much more flexibility. 11 women were interviewed.

#### **Research design**

Babbie (2007: 42) conceptualized research design as the process of focusing your perspectives for the purpose of a particular study. Having a design is important on the consideration of how the variables will be measured as well as which methods will be appropriate for the research. For the purpose of this study a qualitative research design was used. Rubin and Babbir (1993:30) defines qualitative method as a research method that emphasizes the depth of understanding that attempts to tap a deeper meaning of human experience and intend to generate theoretically richer observations.

Qualitative research design enabled the researchers to explore and describe what it means for participants to be denied of ownership to land. The qualitative approach had many advantages such as allowing the participants to talk freely about their plight pertaining to land ownership.

#### **Data analysis**

According to De vos et al(2011:397) data analysis is the process of bringing order ,structure and meaning to the mass of collected data. This also involves unlocking information hidden in the raw data and transforming it to something useful and meaningful. Boejie (2010:16) sates that data analysis is the process of systematically searching and arranging the interview transcripts, field notes and other materials that you have accumulated to increase your understanding of them and to enable you to present what you have discovered to others. The analysis and discussions of the findings of this research was carried out under major categories as reflected in the methods. The presentation of the data is mainly narrative.

#### **Location of the study**

Neuman (2006) defines a location as a place or venue where the researcher will conduct the study in which the events and activities will be conducted and it is a socially defined territory with shifting boundaries. The location of this study is Nyadgori farm that is situated in Mhondoro, under Chegutu district, Mashonaland west province in Zimbabwe.

#### **Population of the study**

Population is generally the aggregation of elements from which the sample is actually selected. The population of this study consist of women in the Nyadgori farm (ward11) that is situated in Norton under Mhondoro district. Women included in this study are those who own the land independently and those who do not own any land.

#### **Sampling**

Kumar (2005) defines sampling as the process of selecting a few respondents (a sample) from a bigger group (the sample population) to become the basis of estimating the prevalence of information of interest of the researcher. According to Devos (2011:223) a sample can be viewed as a subset of measures drawn from a population of interest. A major reason for sampling is that more accurate information is obtained from a particular group rather than the

entire population. The non-probability sampling was used. A total of only 11 samples were purposively selected for the study.

The researchers also conducted purposive sampling as a type of non-probability sampling in this study. Babbie(2001) indicates that, purposive sampling is when you select your sample on the basis of your own knowledge of the population, its elements and the nature of the research aims, based on the judgement and the purpose of the study. Purposive sampling procedure was used for the purpose of drawing a representative sample, from whose findings generalizations to the bigger population was made. Advantages of purposive sampling are that people who do not fit the requirements are eliminated and it is less expensive as it involves lesser search costs.

### **Ethical considerations**

According to Babbie (2007:101) , the term ethics implies preferences that influence behaviour in human relations, conforming to a code of principles, rules of conduct, the responsibility of the researcher and the standards of conduct of a given profession. A researcher is expected to oblige to the ethical consideration so as to avoid any harm to the participants, ethical issues also guides to be a competent researcher who will always be able to produce quality findings. All ethical considerations were adhered to in the collection of the data.

### **Informed consent**

Bless, Higson-smith &Kagee (2006:142) state that participants have the right to know what the research is about, how it would affect them, the risks and benefits of participation and the fact that they have the right to decline to participate if they so choose. Researchers informed the respondents about the study and emphasized the fact that they would withdraw from the study if they so wished.

### **Confidentiality**

Bless C; (2006:143) indicates that information provided by participants, particularly sensitive and private information; should be protected and made unavailable to anyone other than the researchers. The researchers remained ethical by not exposing the respondents' information to the public. Researchers assured the respondents that the information shared would not be judged nor shared with people that may endanger their safety.

### **Limitations**

The study was limited to the Nyadgori farm in Norton, Zimbabwe. Nyadgori is a huge farm with almost 15wards (sections) but this research was limited to a sample of two wards only. These are ward 10 and 15.

### **Findings and discussion of the study.**

All of the participants believe that patriarchy is a factor that limits women's entitlement to land. They alluded to the cultural practice of patriarchy as an oppressive and unjust social system. This is in line with Ruiters' (2008) statement that women contribute a larger share (up to 80 percent) of the agricultural labor used in production, marketing and food preparation. Despite playing this significant role; women face a number of challenges which retard the development of their livelihood. At the core of these challenges is the system of patriarchy that relegates them to perpetual servitude. As such; some of the participants said the following:

*"It is because of the system of patriarchy that women continue to operate under the auspices of male hegemony and cannot come out with any initiative without consulting them. Claiming land on your own is like challenging or disrespecting your man. So we are left with no option but to put them in the forefront if we want to succeed" .*

Furthermore, all of the participants highlighted that lack of resources is a factor that limits women's entitlement to land. The participants also highlighted the lack of financial resources as a factor that limits land ownership as they cannot afford to purchase the land. Most of the women are not in possession of any tangible property or assets since these are largely in their husband's name. Respondents pointed to the under representation of women in decision making boards as a challenge to women's land entitlement. They said the following in this regard:

*"Decision making in most cases, is viewed as the domain of men even if we deal with issues that concern women. There is no way a man could effectively prioritize women's concerns when these do not affect them".*

Participants pointed out that when women are appointed to positions, they are associated with those positions which only portray women as mere tokens .Hence they cannot have any influence in decision making when dealing with matters that concern them. Usually they are associated with low positions such as being a committee member, or an assistant to a male leader.

They further mentioned the obstacles of owning land as follows:

*“I am only a woman; I cannot be able to cope with all the pressures of managing land and all the work associated with it”.*

The sentiment above shows that some of the women still feel that they are not capable of managing land, and that men should be entitled to land ownership. This ensures that they won't make crucial decisions especially when the land does not yield any profits. The decision to reduce the labour power as a result of this will be left in the hands of men who, in any case, enjoy making decisions of hiring and firing workers. Moyo (2000) contends that this skewed access to land ownership has meant that women are dependent on males in order to benefit from land to eke out a living.

The majority of the participants pointed out that the government is not at all accommodating to women. Participants further emphasized the fact that if the status quo was really accommodating to women, the majority of them would own land but the fact that only a few women are having land entitlement shows that they are not effective enough in representing themselves in their quest for equal access to land.

One of the participants who was a widow pointed out the following after being refused ownership of the land that belonged to her late husband:

*“ I would have expected my fellow women to stand by me during the case to the extent of marching, demonstrating and raising posters that talk about justice concerning my case so that it will never happen to any other woman again” .*

In supporting this viewpoint, Wiggins (2003) says that lack of land rights deprives women and girls the right to economic empowerment. Their struggle for equity and equality within the patriarchal society robs them of the unity they so dearly need in challenging their subordination.

### **Conclusion**

From the discussions and findings illustrated above, the majority of the participants are in agreement that women's participation in commercial farming and land ownership is still a contentious issue in Zimbabwe. Most of the participants acknowledged that barriers to their entitlement to land is rooted in the lack of knowledge about the procedures involved in land claims. The involvement of women's organizations and other stakeholders is essential in leveling the playing field regarding land ownership. The United Nations and the African Union may be helpful in urging individual countries to promote gender equality and women's right to own land as this can be one of the vehicles towards the empowerment of women.

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