

LAND REFORM IN ZIMBABWE:
MUGABE'S WAY OR THE HIGHWAY

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One of most unfortunate recent historical developments on a continent rife with tragedy has been the ongoing destruction of Zimbabwe's economy and society under the Robert Mugabe regime. In the middle of the 20th century, this landlocked neighbor of South Africa became one of the most prosperous and developed of all the African nations; today, however, Zimbabwe is spiraling towards more famine, hyperinflation, ostracism, and complete social breakdown. Historians tend to identify the troubled legacy of colonialism as the root of most modern African woes, and the story of Zimbabwe/Rhodesia has its share of racism, oppression, and exploitation. The leading political figure in the country's recent history, Robert Mugabe, a liberator turned tyrant, has only created new forms of racial division, oppression, and exploitation. While the legacy of colonialism has had harmful affects on Zimbabweans, their worst enemy has been Mugabe. While Mugabe intended his radical land reform program to be the source of Zimbabwe's success, his program has become the wellspring for his nation's current misery.

Control of a nation's most valuable land has often been the centerpiece of various forms of class, ethnic, or religious struggle.

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Europeans were the last in a long line of invaders to occupy the fertile volcanic, ore- and mineral-rich highlands between the Limpopo and Zambezi Rivers west of what is now Mozambique. The earliest culture, related to the Kalahari Bushmen, was displaced during the extensive Bantu migrations from the 3rd century A.D. onwards. A later Bantu-speaking group, the Shona, established itself by the 10th century as the dominant ethnicity in what is now Zimbabwe. One of the Shona subgroups, the Kalanga, created a wealthy trading empire whose capital at Great Zimbabwe is now a UNESCO World Heritage site. Trafficking in gold, copper, ivory, cloth, and glass, the Kalanga traded with Arabs, Indians, and Portuguese until Portuguese aggression in the 1700s forced the militarization of the region. Following the formation of Shaka's powerful Zulu Empire in the 1830s, one of Shaka's former warlords, Mzilikazi, led his tribe, the Ndebele, into the Shona heartland and conquered most of what is now Zimbabwe. Today Zimbabwe remains 14 percent Ndebele and 82 percent Shona. Mzilikazi's son and successor, King Lobengula, in turn was forced to concede mining rights to Cecil Rhodes' British South Africa Company (BSAC), which by 1897 seized control of the whole region that lay between South Africa and the Belgian Congo. The British Empire acquired the area from the BSAC in 1923, naming the areas that are presently Zimbabwe and Zambia, Southern and Northern Rhodesia, respectively, and granting Southern Rhodesia internal self-government.

After World War II, Britain gradually recognized the inevitability of black majority rule in its African colonies; therefore, from 1953 to 1963, it experimented with a complex and ultimately unworkable federation of both Rhodesias and Nyasaland (now Zimbabwe, Zambia, and Malawi). After 1963, Britain planned to grant Southern Rhodesia independence predicated on racial equality. The white minority, accustomed to keeping its land, power, and privilege to itself, drafted a constitution that denied black suffrage; when Britain tried to rescind these laws, the whites rebelled against the mother country in 1965 and Prime Minister Ian Smith announced a unilateral declaration of independence—the second time since 1776 in the British Empire—for the nation

of Rhodesia. Rather than sending in the redcoats, Britain worked with the United Nations and imposed sanctions including a trade embargo. Black nationalist groups formed along tribal lines as guerrilla warfare broke out, with the Ndebele joining Joshua Nkomo's Zimbabwean African People's Union (ZAPU) and the Shona flocking to Robert Mugabe's Zimbabwe African National Union (ZANU). White resistance eroded as fighting and sanctions continued, and Smith agreed to a revised constitution, which included black suffrage and the equal distribution of power. In the nation's first universal franchise election on April 21, 1979, Anglican Bishop Abel Muzorewa's coalition party, which had served as an umbrella organization for both ZANU and ZAPU, won a small majority in the black-dominated parliament of "Zimbabwe Rhodesia." Both Mugabe and Nkomo continued their guerrilla activities, however, believing that real power—especially over questions of land ownership—eluded them. Finally all factions, black, white, and British, accepted a cease-fire in December 1979 and shortly thereafter signed the Lancaster House Agreement that organized majority-rule independence—although negotiations almost collapsed over the key issue of land reform. On April 18, 1980, Rhodesia became Zimbabwe, and a new constitution provided for a ceremonial president, who served as head of state, and a powerful prime minister, who served as head of government. While Canaan Banana Robert served as the first president of the newly independent nation, Mugabe became the first, and eventually only, prime minister. Though strongly attracted to Marxism, Mugabe promised that there would not be widespread nationalization and that the land reform that would occur would target the land owned by absentee landlords—not by local white commercial farmers.

Mugabe immediately set about consolidating power, and the careful planning to include checks and balances in the constitution became irrelevant.² First the white military was neutralized, and then Mugabe and Nkomo signed the 1987 Unity Accord, thereby merging ZANU, renamed ZANU-PF (for Popular Front), and ZAPU, and effectively making Zimbabwe a one-party state.³ Resistance, including guerrilla attacks on the part of the Ndebele,

was eventually crushed by the end of the decade with at least 20,000 civilian deaths.⁴ Mugabe began altering the constitution as well, abolishing both the 20 parliamentary seats reserved for the white minority and the ceremonial presidency in 1987, and effectively making himself, as executive president, head of state on all levels. After receiving a strong electoral mandate in 1990 as the ZANU-PF candidate, Mugabe was able to maintain his position as president by winning the subsequent highly contested elections in 1996, 2002, and 2008. With this sustained control, Mugabe accumulated substantial power, which he largely wielded to enact radical land reform policies.⁵

As Zimbabwe had a long history of agrarian strife over property rights, Mugabe chose land reform as the driving force behind his plan to restructure the social hierarchy of his country. Rhodesia, where whites made up at most 4 percent of the population and controlled almost all the most fertile land, was rife with agrarian rebellions as far back as the BSAC. Despite Cecil Rhodes' rhetoric of "the white man's burden," blacks under the BSAC had no property or land rights. After 1923, the Colonial Office in London was not anymore sympathetic to the plight of black farmers: in 1930, under the Land Appointment Act, Africans were forbidden to own land and were forced to work the land owned by the white colonial leaders.⁶ After World War II, the British began to reverse this policy, and 51 percent of the country was designated "European Areas," while only 7.8 percent of the country was under African ownership, largely unfertile land called "Native Purchase Areas."⁷ In response, a white protest movement spurred by the threat to give "European" land to Africans coalesced to form the Rhodesian Front in 1962. This political party was completely opposed to any measure moving the country away from white leadership, and in elections that year (recall that blacks did not have the franchise until 1979), the Rhodesian Front won 50 out of 66 parliamentary seats. The Front thereby reserved these seats for whites, outraging the black majority. By 1990, remnants of The Front had evolved into the Commercial Farm Union (CFU), which to this day has had an uneasy relationship with black Zimbabweans who remember the origins of the organization.⁸ Ian Smith became the Front's leader

in 1964, paving the way for his assumption of the prime ministry. At the Lancaster House Conference, Smith and Bishop Muzorewa requested clear and specific wording in the Declaration of Rights to guarantee whites compensation if land were to be taken from them. Thus, the Declaration of Rights was drafted to prevent the government from acquiring land except on a “willing seller, willing buyer” basis and given an expiration date in 1990. This principle was protected under Section 16 of the Lancaster House Agreement, which gave Zimbabwe’s Supreme Court jurisdiction over whether or not compensation for land acquired was fair.⁹ Critics felt that Section 16 guaranteed property rights developed under racially unjust laws. However, the Supreme Court had significant input in establishing the meaning of property rights since Section 16 did not explicitly define them. Furthermore, the 1980 Constitution provided for a 10-year period in which no land seizures could occur; after this period ended, the government could redistribute the land to reform the “strikingly-unequal, racially-distorted agricultural system.”¹⁰

To counteract the inequitable distribution of land, the government of Zimbabwe enacted a land reform plan that fell roughly into three phases: the first two were benign though ineffective as they depended on foreign largesse, while the third was violent, destabilizing, and greatly destructive. The first phase, the Land Reform and Resettlement Program Phase One (LRRPI) lasting from 1980 to 1996, and the second, the Land Reform and Resettlement Program Phase Two (LRRPII) lasting from 1997 to 2000, were to be financed by foreigners while directed and controlled by Mugabe.¹¹ Concurrent with most of Phase One, between 1980 and 1990 Zimbabwe enjoyed real GDP growth averaging 4.3 percent and was often lauded as one of Africa’s success stories. However, 4,500 white commercial farmers still owned most commercial farms while 840,000 black farmers lived on communal lands.¹² The linchpin of LRRPI was the pledge made by Britain at Lancaster House to fund the policy of “willing buyer, willing seller;” to that end, £44 million (approximately \$80 million) was contributed with pledges collected amounting to over \$1 billion.¹³ However, most of the pledges failed to materialize, includ-

ing an extensive pledge made by the Carter Administration that was withdrawn by the Reagan White House. However, historians have found Mugabe's government guilty of taking unreasonably large portions of the funds received for its own "administrative purposes"—thus initiating the modern Zimbabwean kleptocracy.¹⁴ Most likely due to corruption, the majority of the pledges went unfulfilled. Of the goal set in 1980 of resettling 162,000 black farmers on 8 million hectares, only 71,000 moved in (about 43.8 percent) by 1989. Yet, because some arable land previous to the program was underutilized, production increased. On the other hand, early in LRRPI, Mugabe, influenced by Marxist-Leninist dogma, attempted to implement co-operative farming, which was eventually abandoned in the 1990s when it proved to be unsuccessful.¹⁵

In the meantime, when the Declaration of Rights expired in 1990, the ZANU-controlled Parliament amended the Constitution so the state could acquire land and removed Section 16.¹⁶ In 1992, the government passed the Fourteenth Constitutional Amendment and the Land Acquisition Act, which expanded its power to obtain land for resettlement but required it to provide "fair" compensation for the land it seized.¹⁷ Mugabe hoped that the Act would expedite land reform through compulsory land acquisition, while in reality the Act was expensive and difficult to implement.¹⁸ Thus, by the late 1990s, whites accounted for less than 1 percent of the population but still owned 70 percent of all arable land. As the process of obtaining land and resettling continued at a slow pace—only 43 percent of the 1980 goal was achieved by 1997—the government decided to expand land redistribution on its own terms and created LRRPII.¹⁹ Mugabe announced in November 1997 that he would seize 1,500 large commercial farms and that Britain must compensate their owners, which it did not do since the John Major government claimed it was no longer responsible for funding the program.²⁰ Zimbabwe's commercial farmers, represented by the Commercial Farmers' Union (CFU), without much of a guarantee of compensation, nevertheless tried to cooperate with LRRPII. At a 1998 United Nations Development Program (UNDP) land conference, the CFU offered 5 million

hectares of land. Per the agreement, farmers had to sell their land to the government before selling it on the open market. At this point, the government could have bought all of the land it wanted, but chose not to procure the funds.²¹ As a result, farmers dug in their heels on LRRPII. Mugabe experimented in 1998 with a few brute force land seizures in East Mashonaland, a province surrounding the capital of Harare and tightly bound to his political base.²² Encouraged, Mugabe then in 1999 attempted to grant himself the power to evict landowners without compensation by drafting a new constitution. Surprisingly, and despite great efforts of promotion by the government-controlled media, the constitution failed to ratify in a national referendum by 55 percent to 45 percent. Clearly Mugabe's once immense popularity had waned considerably; he was openly opposed at this time by students, business people not favored by his inner circle, Ndebele, and the intelligentsia, which formed an opposition party, the Movement for Democratic Change (MDC), chaired by Morgan Tsvangirai. However, despite his remarks that he was "following the will of the people," Mugabe still wielded the reins of power and decided to soon change the law to accommodate his wishes.

The third program, The Fast Track Land Reform Program (FTLRP) of 2000 to the present, has been the most radical and violent of all attempts at Zimbabwean land reform. The FTLRP was supposed to achieve similar results to LRRPI and LRRPII, but at a significantly faster pace. Its essential features were that the government could simply seize white-owned farms without any compensation to the owners or farm workers, block any attempt at legal redress, and use any means available to achieve its ends. Thus the FTLRP was so characterized by violence that a term for chaotic brutality, *jambanja*, entered the popular Zimbabwean vocabulary and perfectly described what was occurring.²³ When Britain criticized the escalating brutality and patent racism of the FTLRP, Mugabe referred to himself in a November 2003 speech as the "Hitler of our times" with an "academic degree in violence" and as one who would outdo Hitler "tenfold" if necessary to achieve his aim.²⁴

Before FTLRP went into full effect, Mugabe met with international leaders to discuss alternative land reform programs that he could implement instead. Most significantly, in September 2000, Mugabe met with UN Secretary-General Kofi Annan to discuss the UN's possible involvement in resolving Zimbabwe's land distribution difficulties.²⁵ Annan suggested a technical mission under the auspices of the UN, which was subsequently carried out and found that land targeted by the 1992 Land Acquisition Act was "not acquired principally on account of technical and administrative considerations due to the legal challenges launched by white commercial farmers."²⁶ Annan, regional leaders, and important western donors, including the World Bank, gave Mugabe reassurance that the UNDP would gain support for the continuing LRPPII. However, their support fell through due to "law and order issues" and Annan presented Mugabe with the option to either follow a "more systematic, investment-backed approach" or the FTLRP.²⁷ Mugabe chose the latter option.

Frightened by the growth of an actual opposition party, MDC, after almost 20 years of one-party, one-leader rule, Mugabe acquiesced to national elections in March 2002. Against the MDC's Tsvangirai, Mugabe won, claiming 56.2 percent of the vote in the closest presidential election to date. Although the Organization of African Unity described the election as "transparent, credible, free and fair," the conduct of the election was strongly condemned by British Commonwealth and Norwegian observers, Zimbabwean opposition figures, and Western governments and media.²⁸ Mugabe then declared that he had a mandate to aggressively pursue the FTLRP. To give himself sweeping legal authority to implement the program, Mugabe simply amended the old 1992 Land Acquisition Act to permit white commercial farmers to be evicted without recourse to the law.²⁹ The Zimbabwe Supreme Court approved the law by the late spring, which was not surprising since the President (Mugabe) appointed the justices and many have benefitted from his land reform policies.

The precarious relationship between the CFU and ZANU was virtually destroyed when the CFU backed all of Mugabe's

political opponents in the 2002 elections, hoping that the MDC's Tsvangirai would not alter the existing LRRPII.³⁰ When ZANU used violence to retaliate against CFU members, many white commercial farmers thought that Western nations would come to their defense, so they counterattacked with even more violence.³¹ This action angered Mugabe so much that on June 25, 2002, he ordered 2,900 commercial farmers to stop farming and notified them that in 45 days they would be evicted. The farmers were only allowed to take the possessions that they could carry with them; however, ZANU-led police and military personnel at roadblocks stole most of their possessions.³² Farmers who did not comply with the order could be sentenced to a maximum of two years imprisonment.³³ Moreover, Mugabe decided that 95 percent of commercial farmland was targeted for land reform with 60 percent of the owners immediately to halt farming and 35 percent given notification of eviction but permitted to continue working. The remaining 5 percent would not be seized and redistributed due to the owners' political connections.³⁴ Farmers responded to this news in many ways: some continued to farm and filed lawsuits in court for unlawful evictions, while others emigrated to neighboring countries. The survival of the majority of the nation depended on those who continued to farm illegally, as white commercial farmers produced more than one-third of the nation's food.

Unlike LRRPI and LRRPII, FTLRP mainly targeted farmers based on their race, despite vehement protests to the contrary from Mugabe. In a 2002 speech, he claimed that because of FTLRP, "There is now a brighter future... across color, gender and ethnic divides."³⁵ He went on to say that all information stating otherwise were misrepresentations circulated by his opponents. Mugabe called the program "a firm launching pad for our fight against poverty and food insecurity,"³⁶ yet both poverty and food insecurity rose significantly during this time. Government documents and amendments also fail to support Mugabe's claim; in particular, the Seventeenth Amendment to the Constitution, added on September 14, 2005, transferred title of all land that was targeted for resettlement—"gazetted" is the local term—to the state with no financial compensation to the owners, that is, to

commercial farmers. Furthermore, it allowed the state to seize all agricultural land after it was gazetted and “denied access to the courts to challenge the legality of the compulsory acquisition of their lands.”³⁷ As a result of this amendment, white commercial farmers suffered racial discrimination since they were the only ones whose lands had been acquired under Amendment 17. According to one farmer, “Black racism by Mugabe and his cronies against whites is plain to see...there have been lots of statements and actions that have been very racist. The new draft constitution specifically forbids us from being able to go to court if our properties are taken through a discriminatory process. The whole farm *jambanja* system has been racist—and was ruled to be by the black judges of the South Africa Development Community (SADC) Tribunal.”³⁸ By 2012, 4,500 white commercial farmers’ land was confiscated and redistributed to 150,000 black families.³⁹

Mugabe and his supporters use primarily three arguments to justify the severity of the FTLRP: the poor desperately need land; the war of liberation was fought for radical land reform; and black Zimbabweans are taking back, based on the entitlement theory of justice, land that was stolen from them. The first claim is undermined by the fact that Mugabe’s policies have so damaged the economy and agricultural production of Zimbabwe that the ranks of the desperately poor (including the starving) have increased greatly throughout the 21st century. FTLRP sympathizers assert that the poor who need land “have a claim to other people’s farms” despite the vast amount of evidence that this policy will continue to worsen food shortfalls and increase famine.⁴⁰ Next, whether or not the revolution centered on land reform—and many historians would not disagree—the Lancaster House agreements stipulated a multi-racial society rather than a racially divided society. Lastly, the land entitlement argument falls quickly apart because a good deal of Zimbabwean farm land has changed ownership multiple times since 1980, and a large portion of land that would be expropriated without compensation was hitherto purchased with the government’s permission.⁴¹ History drives another stake into that claim, beginning with the Shona who believe the Ndebele “stole” their land, and vice-versa. Fur-

thermore, both black and white migration has been more or less continual; less than 5 percent of white farmers could trace their ancestry back to the British colonists who arrived in the 1890s.⁴² ZANU's claim that blacks' land was stolen does not receive much support since most political philosophers and legal theorists are wary of the existence of a natural right to property. Accordingly, the claim that "legitimate title to landed property must be traced back to an original possessor with a natural, pre-legal right to it"⁴³ is faulty since it implies that land property belongs only to those of a certain ethnicity.

Although Mugabe claimed that land reform would transfer land that whites had stolen back to its rightful owners, impoverished blacks, the land has been overwhelmingly given to Mugabe's ZANU supporters. Some analysts compare these actions to how the colonial leaders of Rhodesia redistributed land to the Pioneer Club and their family and friends.⁴⁴ While the government has preached that each family should only own one farm, reports show that Mugabe's closest allies own multiple farms and that Mugabe's family owns 39 immense farms.⁴⁵ Some analysts believe that Mugabe and his allies owe Zimbabweans over 40 percent of the land they seized.⁴⁶ In fact, in 2010 Mugabe and his cabinet controlled 5 million hectares of land, a number that continues to increase.⁴⁷ After the 2005 constitutional amendments, large amounts of land were then distributed to Supreme Court members and other judges. With the judiciary backing Mugabe, any legal protection granted to farmers is not enforced and they rarely receive a fair trial. Thus, most lawyers advise their white clients to be prepared to leave their land.⁴⁸ In an address to the CFU Congress in Harare this spring, Chair Deon Theron said that Mugabe's claim that his land reform policies had liberated black Zimbabweans was a lie, reporting that only 1 percent of the country's 1.8 million commercial farm workers and their families had been loaned land and that most of the land went to a handful of Mugabe's elite.⁴⁹

The Zimbabwean government has often evicted black farmers off the land they had received through the land reform

program. Furthermore, Mugabe has ejected black farmers who had managed to obtain land after independence in order to redistribute the land to other black farmers. As of 2011, more than 2 million black farm workers have been severely hurt by the land reform policies.⁵⁰ One farmer named Kundai states: “We were forced to leave our communal areas where we could sustain ourselves and were dumped on large pieces of land which we cannot afford to utilize. Now the government is threatening to take back the same land.”⁵¹ Another farmer, Luke Tembani, one of the first black commercial farmers to buy land after Zimbabwe became independent, saw his land auctioned off by the Agricultural Bank of Zimbabwe (ABZ) in November 2000 to pay off a loan. He volunteered to sell a portion of his land to cover the debt, but all his property was sold at minimal value to an outside party. Tembani took the case to the High Court of Zimbabwe, which ruled in his favor; however, the ABZ appealed to the Supreme Court, “Whose members—apart from one judge—were recipients of ‘redistributed’ farms,” so the sale was sustained. Tembani, like other black farmers, brought his case to the Tribunal of the Southern African Development Community (SADC) in 2009, which also ruled in his favor. Although, the SADC ordered the government to “take all measures not to evict him from the property and to stop interfering with his use and occupation of the farm,” Tembani and his family were evicted.⁵²

In the face of the violent prosecution of the FTLRP, most white commercial farmers have emigrated since 2005. As of 2009, only 400 commercial farmers have chosen to remain in Zimbabwe and file court cases against the government for their land or for compensation. Trevor Gilford, former president of the CFU, claimed that the government must pay commercial farmers close to \$15 billion in compensation.⁵³ In response, the government did not pay any compensation. The case of Colin Cloete, head of the Commercial Farmer’s Union and one of the last commercial farmers left in Zimbabwe after the FTLRP, is typical.⁵⁴ Cloete took his case to Zimbabwe’s Supreme Court, arguing that he purchased his farm after the country’s 1980 independence; therefore, he was not part of the oppressive colonial regime that had stolen land. Cloete’s attorney, David Drury, knew that he would not win

his client's case since the majority of Zimbabwean judges have benefited from the land reform policies. Moreover, Mugabe fired judges who had ruled in favor of the white commercial farmers during FTLRP. Even though they had little chance of winning the case, Cloete and Drury felt it was important to record Mugabe's injustices and hoped that a post-Mugabe government could use the court documents to correct the wrongdoings. Cloete also donated a farm that he owned and helped the new farmer learn to cultivate the land. This goodwill did not impress the ZANU war veterans who had lit Cloete's garden on fire and attacked him with clubs to make him leave. Only Cloete views himself as a Zimbabwean, as protestors often shout "Go back to Britain" at him despite his French Huguenot ancestry and the fact that both he and his father were born in Zimbabwe. Whenever Cloete had a court appearance, the judge referred to him as a "visitor."⁵⁵ In evaluating FTLRP, Theron remarked: "If the aim of the land reform was to evict whites and replace them with blacks then it can be deemed a success. However, if the aim was that it should benefit the majority and not only a chosen few, then it has been a failure."⁵⁶

In fact, FTLRP has devastated Zimbabwe. Over 2 million black farm workers and their families lost their jobs and many have become poverty-stricken. The International Federation of Red Cross and the Red Crescent Societies in 2009 said that Zimbabwe was, and still is, the most food-aid-dependent country in the world.⁵⁷ Since the government has a statutory monopoly on staple cereal sales, it could have legally taken privately held grain that was targeted for commercial sales—sales that enrich Mugabe's offshore accounts with export cash—and distributed it to the starving. What aid was distributed went to government supporters. In one case, with the 2005 election approaching, a large supply of cereal arrived; hundreds of people who had ordered and paid for portions months in advance came to a ZANU rally to retrieve their food, only to hear party officials announce that only party supporters would receive food. Opposition voters were handed their money back and the few leftover bags of cereal were later sold for twice the price. Mugabe, in a 2004 interview with Britain Sky

News firmly stated “We are not hungry... Why foist this food upon us? We don’t want to be choked. We have enough.”⁵⁸ In response, many food donors redirected their efforts, and in some cases, donated food sat in warehouses while millions starved. However, in June 2005, a combination of severe inflation and the crippling results of FTLP, Mugabe finally conceded that the country could not support itself and accepted donations that could feed an estimated 4 million people.⁵⁹ Despite this aid, approximately 12,000 Zimbabweans died of malnutrition each month during 2009, with, according to the UN, only 600,000 receiving food from international donors, when an approximate 2.8 million were in need of food aid until the April 2010 harvest. Mugabe resisted declaring an official emergency, which could have allowed donations to quickly arrive, believing that by doing so he would be admitting the failure of his land reform program.⁶⁰ This number continued to rise: in May 2009, the World Food Program (WFP) estimated that 7 million Zimbabweans were in need of food assistance, which was approximately 65–80 percent of the population.⁶¹ As of July 2012, according to the WFP, only one in 10 children in Zimbabwe “received the minimum acceptable diet.”⁶²

While this immense tragedy unfolded, the remaining white commercial farmers took their cases to the SADC Tribunal, which ruled in their favor in every case. The first of such cases was Michael “Mike” Campbell, who in 2008 contested the Zimbabwean government’s seizure of the farm, Mount Carmel, he owned with his son-in-law, Ben Freeth. On December 13, 2007, the SADC Tribunal issued an interim order urging the Zimbabwean government to stop evicting farmers like Campbell. The Tribunal ruled that the government of Zimbabwe was “in breach of its obligations under the Treaty by implementing Amendment 17 and that the compulsory acquisition of the lands belonging to the Applicants (farmers) by the government was illegal.”⁶³ The Tribunal called the FTLRP discriminatory, illegal, and against the Convention on the Elimination of All Forms of Racial Discrimination, which says, “SADC and Member States shall not discriminate against any person on the grounds of...race [or] ethnic origin.”⁶⁴ The SADC

states that the land reform program “might be legitimate if and when all lands under the program were indeed distributed to poor, landless, and other disadvantaged and marginalized individuals or groups,”⁶⁵ but it was not. However, at a rally to celebrate his 85th birthday in February 2009, Mugabe rejected the SADC’s ruling by calling it “absolute nonsense” and challenged its authority claiming: “Our land issues are not subject to the SADC Tribunal.”⁶⁶ On June 5, 2009 the SADC Tribunal held Zimbabwe’s government in contempt again and ordered it to pay the farmers compensation, but the government never obeyed the order. On July 16, 2010 the SADC found the government in contempt a third time. The SADC cited the farmers’ argument saying that Zimbabwe’s government’s actions had been solely or primarily based on race and ethnic origin as they were “aimed at persons who owned land because they were white.”⁶⁷ Dismissing Mugabe’s claim that he was restoring land back to its original owners, the ruling stated, “It mattered not whether they [white farmers] acquired the land during the colonial period or after independence.”⁶⁸ The SADC again ruled that the farmers had been “Denied access to the courts in Zimbabwe; have been discriminated against on the grounds of race; and that fair compensation is payable to the farmers for their lands compulsorily acquired.”⁶⁹ With the support of the SADC, the commercial farmers’ livelihood depended on whether the Zimbabwean government would obey the second ruling, which it has not.

Mugabe has been able to ignore the SADC’s ruling because the organization is a regional alliance without police power to back up its decisions. To be fair, if the SADC did impose economic sanctions against Zimbabwe, the nation’s already crippled economy would most likely get even worse; if famine increased, such hardship could possibly topple Mugabe. On the other hand, Zimbabwe’s leaders have yet to cross him openly. In my interview conducted via e-mail with Ben Freeth, he stated: “SADC is split on the issue—but to date they have been notoriously weak...Partly it is because of his [Mugabe’s] black nationalist stand—and ‘the brotherhood’ of ‘liberation’ leaders that he is a senior member of. Partly it is because...Mugabe’s army [is] still very good. Partly

it is his notorious charm...” Freeth adds, “Partly it is just a lack of any real backbone within SADC...” In fact, the SADC leadership has grown frustrated with the Tribunal’s rulings, and on May 20, 2011, the SADC Extraordinary Summit of Heads of State decided that the Tribunal should not take on any new CFU cases until the SADC Protocol on the Tribunal had been reviewed and approved by the SADC Heads of State. After Campbell, who never fully recovered from injuries sustained when he, Angela, and Freeth were abducted in 2008, passed away on April 2011, Freeth became a leading figure in the case. As the Tribunal was suspended until review in August 2012, Freeth and Tembani focused their efforts on having the Tribunal reinstated.⁷¹ In an unprecedented move in November, the African Commission on Human and People’s Rights (ACHPR) agreed to hear a formal complaint by Freeth and Tembani against all 15 SADC Heads of State for suspending the Tribunal.⁷²

Seeing little or no chance for justice after FTLRP, most white commercial farmers chose to flee Zimbabwe and resettle, particularly in Zambia, where they have become extremely successful and have helped their new home become much stronger economically than Zimbabwe. Peter MacSporan, a commercial farmer who fled from Zimbabwe to Zambia where he established one of the largest tobacco farms in the world with over 3,500 workers, exclaims: “The doors of opportunity have suddenly sprung open for us.”⁷³ For example, at the Chirundu border between Zambia and Zimbabwe, Zambian officials went through the immigration lines asking if anyone was a Zimbabwean farmer and if so, he was “fast-tracked” through the process.⁷⁴ Similarly, the Zambian government sent officials to Lusaka, Zambia, so that commercial farmers could register with investment centers that check the farmer’s financial qualifications and fast track their loans.⁷⁵ Furthermore, in 2002, President Levy Mwanawasa, interested in diversifying Zambia’s copper-driven economy by focusing on agriculture, allotted large amounts of money to establish commercial farmers.⁷⁶ Two years later, Mwanawasa stated that 300 Zimbabwe farmers were successfully running 150 farms in Zambia.⁷⁷

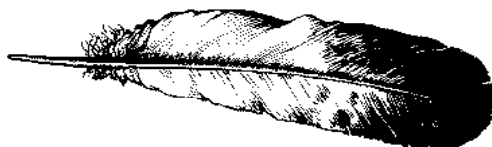
In fact, a direct correlation can be made between Zimbabwean commercial farmers' moving to Zambia and Zambia's economic boom. From 2002 to 2003, Zambia faced supreme food shortages and needed emergency aid to feed more than 2 million of its people. However, the following year, Zambia sold 80,000 metric tons of grain to the World Food Program, the largest amount an African nation has ever sold to the organization.⁷⁸ Zambia's food production made so much progress that in 2007 the country made a \$2.5 million maize donation to the WFP, its first ever donation to the organization.⁷⁹ That year, for the first time since 1978, Zambia exported more corn than it imported; ironically, Zambia shipped 19,000 tons of seed corn to Zimbabwe.⁸⁰ In 2011, Finance and National Planning Deputy Minister David Phiri continued to praise Zambia, saying that it "is one of the very few countries in the region that is able to feed itself and even export food."⁸¹ Meanwhile the UN Food Program estimated that 2 million Zimbabweans were in need of food in 2008, but that number would rise to 5.1 million (45 percent of the population) by early 2009.⁸² Prior to the land reform programs, Zimbabwe was often called the "breadbasket of Africa" because of its arable land and the huge amount of grain, cereal, and corn it exported to other nations in Africa.⁸³ Now, as a result of the influx of Zimbabwean farmers into Zambia, it now claims the title of Africa's breadbasket and is "benefitting from the mistakes made by Zimbabwe."⁸⁴ Food is not the only story; tobacco is one of the most valuable export crops in the world. In 2004 Zambia's tobacco production rose 86 percent as a result of private investments into the tobacco industry and the Zambian government's support for commercial farmers resettlement in the country,⁸⁵ while Zimbabwe's tobacco production decreased by 65 percent between 2000 and 2003 and remained on the decline well into 2004.⁸⁶

In Zimbabwe, Mugabe's policies have resulted in a loss of jobs, runaway inflation, and starvation. In Zambia, the government has taken a more liberal approach towards growing its economy and its citizens have benefitted from the government's efforts. Rather than implement radical land reform policies, Zambia has seen black farmers and black laborers learning higher skilled jobs,

agricultural techniques, and production skills—so much so that Guy Robinson, the president of the Zambia National Farmers Union, declared that “Zambia is Africa’s success story.”⁸⁷ United Nations Under-Secretary Rebecca Grynspan said: “I must say that the UN is very impressed with the performance of Zambia’s economy. The country has achieved so much in the past few years to make the lives of the Zambians better.”⁸⁸ She added that the country’s growth so far was a “shining example” of the potential for reduction in poverty. In fact, the 7.6 percent growth recorded in 2010 surpassed all other Southern as well as the Sub-Saharan African countries, giving Zambia the potential to earn a successful middle-income country status. In 2008, Zambia’s inflation rate, the lowest in all of Sub-Saharan Africa,⁸⁹ hit a high of 16.6 percent in December after maintaining single digit inflation since May when its inflation rate rose to 10.9 percent (2008); while in October 2008, Zimbabwe reported that its inflation rate, already the highest in the world, had risen from 11,200,000 percent in September to 231,000,000 percent in October.⁹⁰ In light of Zambia’s success, leaders from other African nations including Nigeria, Mozambique, Malawi, and Uganda have encouraged and continue to encourage the displaced Zimbabwean commercial farmers to move to their countries.⁹¹

Unfortunately, Zimbabwe remains an example of the consequences of a nation’s struggle to overcome policies and ideas left over from its colonial period. In Zimbabwe, because of its economy’s dependence on agriculture, altering land reform policies and property rights, despite good intentions, affects every aspect of daily life. Both white and black farmers have resisted and successfully won cases in significant courts; however, when a leader of a country refuses to listen to the populace that elected him/her, very little will be accomplished. Similar situations have occurred in which Western nations attempt to repair colonial nations; however, Zimbabwe, like many other nations in Africa, Asia, and South America, is led by a leader trying to do the same. Left without experience in democracy, funding due to the economic crisis, and numerous other challenges, dictators, many elected, have come to power. Similar to Italy and Germany after the Great Depression, a poverty-stricken populace elects an exuberant leader

who quickly turns out to be far from the leader they had expected. Mugabe has reportedly expressed fear of being prosecuted by the International Criminal Court, but whether or not this will ever occur remains unanswered.⁹² As Mugabe ages and declines in popularity, the international community is left to wonder what will happen to Zimbabwe's land policies and the nation as a whole once a new leader finally takes over the nation.



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Mark Steyn, "Expensive Illiterates"

The New Criterion, January 2004, p. 6

...And now Iraqi schools are re-joining the real world—or, at any rate—a mildly less unreal world: I noticed the giant picture of a brave Iraqi crushing a soldier from the Zionist Entity underfoot hadn't been taken down. A schoolroom is the place at which the state makes plain the range of its ambitions—either (as in Iraq) to create a bizarre alternative universe in the hopes that its young charges will be unable to see it for the prison it is, or (as in Saudi Arabia and other parts of the Arab world) to disdain education for a toxic ideology of blame and victimhood that renders its graduates incapable of functioning in a modern democratic state.

For example, the Alexandria Library recently opened a manuscript museum, funded by the Egyptian and Italian governments and UNESCO. Its centerpiece is a display of the three holy books of the monotheist religions—i.e. the *Torah*, the *Bible* and the *Koran*. But the museum director, Dr. Yousef Ziedan, decided to display alongside the *Torah* a copy of *The Protocols of the Elders of Zion*. "When my eyes fell upon the rare copy of this dangerous book, I decided immediately to place it next to the *Torah*," he told the Egyptian weekly *Al-Usha*. "Although it is not a monotheistic holy book, it has become one of the sacred [tenets] of the Jews, next to their first constitution, their religious laws, [and] their way of life." He then went on to reassure his interviewers that it was not six million Jews but only one million who died in the Holocaust. "In reality," he said, "an analysis of samples from the purported gas chambers has proven that these were sterilization chambers, without a sufficient quantity of cyanide to kill." Whether or not denial is a river in Egypt, Holocaust denial certainly is. And, if we're honest, most of us aren't in the least surprised to discover that in Egypt a distinguished man, a scholar, a trustee of the nation's heritage, a teacher of historical truth, is, to use the technical term, nuts.

If you're in an Iraqi school, you learn of Iraq's victory over Iran in their long war. If you're in a Saudi school, you learn that the Jews use the blood of Muslim children in their religious ceremonies. If you're in a Palestinian Authority school, you learn that the most glorious aspiration any child can have is to grow up to be a suicide bomber. If you're in a Syrian school, you study geography from maps which do not show one of your neighboring states...