

**Where State Order Created Conflict And Lawlessness: An Analysis of the Impact of the Native Land Husbandry Act and Policy of Community Development in Bikita (1951-1965)**

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***Abstract***

*Using Bikita as a case study, this paper aims at analyzing the Native Land Husbandry Act (NLHA) of 1951 and the policy of Community Development and why these policies were met with massive opposition. We argue that the two policies, concerned with reshaping the social and economic order of the reserves actually heightened conflicts between and among individuals, families and communities. Land disputes between village heads, headmen and chiefs became common as they competed and jostled for land. Lawlessness spread into the countryside as peasants confronted government officials and defied state orders. These developments threatened settler rule and so NLHA was abandoned in 1962, to be replaced by the policy of Community Development. Again, it was hoped that community development would bring order and stability in the countryside by dampening peasants' protests and nationalist activities. Unfortunately for the colonial state, community development had the unforeseen consequence of furthering rural opposition as both nationalists and the rural peasants perceived the policy as apartheid in disguise. Development of nationalism and the growing articulation of African grievances about land is another theme explored in the paper. We argue that nationalists capitalized on these African grievances to politically mobilize rural masses. Events of this period (1951-1963) are an important feature of Zimbabwe's social, economic and political history considering the fact that these developments continue to shape the socio-economic and political dynamics of the country.*

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*Unfortunately, developments of this period have received little academic attention compared to exhibited scholarly interest on the periods 1890-1945 as well as the attention paid to the era of the liberation struggle of 1976-1980.*

### **Historical Background**

The implementation of the 1951 Native Land Husbandry Act in Rhodesia should be understood within the economic developments in the post war period. After the Second World War, Southern Rhodesia faced three major challenges. The colony faced food shortages particularly maize, beef and dairy products forcing the country to import food stuffs, an exercise which proved to be expensive. Another problem faced by the Rhodesian government was the pressure it received from new white landowners to remove Africans from designated European lands. By 1948 it was estimated that nearly one third of the African population was still living on European land as tenants or squatters. The problem was that the Rhodesian government had nowhere to put these people considering the fact that the reserves were already overpopulated. European land owners

complained about the slow pace of relocations. On the other hand, rural discontentment and peasant restiveness were experienced as Africans resisted forcible relocations. In some areas, peasants fought relocations by asking the assistance of the British African Voice Association (BAVA), others fought relocations through courts whilst some offered passive resistance. The third problem experienced by the country was shortage of labor particularly on European farms and mines due to low wages offered to Africans and bad blood between the government and the African people. A Native Commissioner pointed out that

It is clear that the rapid development of Southern Rhodesia and its neighboring territories has outstripped the labor supply. Unless adequate steps are taken to meet the anticipated demand for labor, the colony will suffer a severe setback during the most important time of its history.<sup>2</sup>

The answers to all these problems were to be found in the NLHA of 1951. Proponents of the Act argued that allocation of more land to Africans would not

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<sup>2</sup> S1194/190/1 Report of the NC Selukwe to PNC Gwelo, 1946

solve the problem of overcrowding in reserves. Instead, what was needed was a change of character of land ownership and the encouragement of good husbandry practices. It was pointed out that the standardization of land and cattle holdings would bring order, rationality and progress in the reserves.<sup>3</sup> To solve the land issue the commission recommended that land be given to peasants who had worked it in the last twelve months. Each farmer was to get 6 acres or 8 acres in areas where soils were of poor quality. Farming rights were to be registered and holders would be legally responsible for the construction of conservation work within a year. The Internal Affairs report of 1951 indicated that out of the 338 000 families only 212 000 managed to get land rights. The remaining 126 000 families were rendered landless by the Act.<sup>4</sup> It was argued that those excluded from the land would provide a

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<sup>3</sup>Report of the Godlonton Commission on Native Production and Trade, Salisbury, 1945, para 62.

<sup>4</sup>14.8.8f/69691 Internal Affairs Correspondence, Working Party D Report, pg 11



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stable workforce for industry and farms. Justifying the Act, Arthur Pendered, Minister of Internal Affairs stated that

The time has come when all indigenous natives can no longer continue to maintain a dual existence as part time employees in the European areas and as part time farmers in the native reserves for, apart from its impossibilities, it is not conducive to efficiency in either area, nor on the economy of the colony in both areas for a dual mode of life.<sup>5</sup>

It was agreed that the native will either become a peasant farmer only, adopting proper agriculture and soil conservation methods or become an industrial worker with tentacles pulled out of the soil.....because there is not enough land available for all natives to be both wage earners and peasant farmers.<sup>6</sup>

To solve the problem of food production it was recommended that a statutory board to direct what crops to be grown, acreages to be planted and how

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<sup>5</sup> S 1217/9 Native Reserves Land Utilization and Good Husbandry Bill 1956.

<sup>6</sup> S1194/190/1 Report of the NC Selukwe to PNC Gwelo , 1946.

they should be planted be put in place. Thus through the Act, the state was to exercise extensive powers on the rural populace. State officials were given the powers to control and direct the use of land production, determine who could have access to farmland and how they used that land. Under the Act NC s were given powers to grant chiefs and headmen with more than the standard arable holdings and to graze more cattle than those prescribed for commons in a given area.<sup>7</sup>

By changing the character of land ownership, destocking and directing peasant subsistence agriculture it was argued that every peasant family could support itself at subsistence level, allowing a cash income of about £75 per year from surplus production.<sup>8</sup> These measures were said to be designed to increase production. As the rural population produced more, they would sell produce to mine and urban workers thereby broadening the

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<sup>7</sup> S1217/9 Native Land Utilization and Good Husbandry Bill 1956.

<sup>8</sup>Ibid.

cash economy, creating a larger market for the colony and its industries. The Act was designed to solve the problem of labor. As many young men lost access to land, they were rendered vulnerable and became a large pool of cheap labor and subject to control by the white settlers. Finally, the Act stipulated that peasants were subject to call-ups, to perform labor in the direct interest of the native inhabitants...in connection with the conservation of natural resources. Failure to comply with the call-up order resulted in fine or imprisonment.<sup>9</sup>

### **Implementation of the Native Land Husbandry Act in Bikita**

In Bikita, the Native Land Husbandry Act was implemented in 1952. The implementation of the Act saw whole communities moving into the district a move which resulted in overpopulation. In addition, these changes resulted in a lot of confusion and resentment. Local communities were moved from the control of their original leaders to

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<sup>9</sup> The Statute Law of Southern Rhodesia, 1951, pg 917-19.

be placed under new leaders. Often Duma communities were placed under Rozvi communities and Rozvi communities were placed under Duma leaders. As testimony, chief Jiri's Rozvi groups of Madzvamuse, Mazise, Matumba, Chirobo, Maruta, Chigamba and Manhambewere were placed under chief Mazungunye's headman Mutsimba. Zengeya, Chiwubvi, Paradza, Tandani, Kwenda, Magocha, Matigwadza, Mushirivindi, Madzivenyika, Katena, Chakanyuka, Taruona and Kakono continued owing their allegiance to chief Jiri despite the fact that they were settled in Mupakwa's area. Gumunyu's Rozvi groups of Chisi, Chivasa, Makotore, Bongozozo, Rukkara, Ndinde and Shone were moved to and placed under Marozva. Whilst in Marozva's area, they still owed their allegiance to Gumunyu. On the other hand, Jiri's headmen, Imbayaro and Taruvona lived in Gumunyu's area whilst their people and lands were in Jiri's Murwira community.<sup>10</sup> Gumunyu's Nyika, Chitare and Bodja groups were moved into Mazungunye's headman

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<sup>10</sup> S2929/8/1 Report on Bikita District 1958.

Mupakwa's area, a move resented by the Mupakwa community because the three were resettled in the areas sacred to the Mupakwa community. Latham, then Bikita's delineation officer, pointed out that

The implementation of the NLHA has complicated the settlement pattern by moving the people without reference to their ancestral homestead so that the Gumunyu people now occupy land claimed to be the former home of Mupakwa, where the graves of Mupakwa's children are situated. Consequently, the ancestors are all confused and generally in an uproar. There is a case that was brought before chief Jiri which involved the people around Nyika kraal who are said to have moved the gravestones of some of the Mupakwa fore bearers.<sup>11</sup>

So disgruntled were the Mupakwa people by the move that in 1952, the District Commissioner F.H Dodd recommended that a compromise was therefore necessary. Nyika and Chitare had to move to make peace with the spirits of the departed children of Mupakwa. Bodya could remain but should change allegiance from Gumunyu to Mupakwa.<sup>12</sup>

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<sup>11</sup> Ibid

<sup>12</sup>Ibid.

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In Matsai, a portion of chief Mabika`s chiefdom was alienated to make contributions towards Devuli and Humani ranches. Another portion was placed under Zaka country. People from these areas were moved further into Matsai creating more shortages of land. Chief Gudo and headman Chamburukira were moved to Zaka District. In their place chief Mabika received Ndau groups from Chipinge, namely, Chikukuti, Rukande, Rukutwi, Dekesa, Chipfumo, Kudzinesa, Chakaza, Mafaune, Chipimo and Makatereka.<sup>13</sup> All these movements created bitterness and confusion. Mabika complained that he did not have land to resettle these people.<sup>14</sup> The delineation officer decided to reduce the sizes of arable plots of existing holders to cater for the groups moving in. Chief Ziki explained that with the implementation of the Act, he lost the Marozva, Mpera, Nebasa, Nedzingayi, Machirivayi, Negahi,

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<sup>13</sup> S2929/8/1 Report on the Mabika Chieftainship, by Latham, Delineation Officer, 1968

Interview with chief Mabika, Matsai, 23 September 2013

<sup>14</sup> S2929/8/1 Report on the Mabika Chieftainship, by Latham, Deliniation Officer, 1968

Gava, Mutumi, Mukushwa, Siyiwa and Neganwa groups to chief Mazungunye, a fact also corroborated by the later.<sup>15</sup> These groups were transferred from chief Ziki to chief Mazungunye's area causing congestion in Mazungunye's already overpopulated area. The groups were moved to create room for the Devuli ranch. Latham explained that much of the Nyahunda area became part of the Nyahunda purchase area. Villages moved from Nyahunda were placed in Ziki's area but the snag was that they continued to be considered as part of the Nyahunda community, owing their allegiance to Nyahunda, creating a lot of confusion.<sup>16</sup> In 1953, DC Bikita remarked that

The Act seem to have been applied with little concern as to the social organization and this has led to the breakdown of the functional matunhu. Since the social order has been submitted to tremendous pressures, incidents of discontentment and disgruntlements are high. People are resentful in the extreme about the

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<sup>15</sup> Interview with chief Ziki, 17 August 2013, Ziki

Interview with chief Mazungunye, 10 August, 2013, Bikita

<sup>16</sup> S2929/8/2 Report on the Ziki Chieftainship, Report by Latham, 1968.

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implementation of the NLHA and can see little reason in the movement of villages.<sup>17</sup>

Chief Mazungunye explained that since the policy stipulated that Africans had to be actually living and working on the land at the time of land allocation many urban workers returned home hoping to secure land.<sup>18</sup> In addition to these changes a group of agricultural officers invaded the district telling people what to grow, methods to be used and where to grow these crops. Permanent grazing lands, residential and garden areas were proclaimed by state officials. The same officers forbade cultivation of flat and wet lands together with stream banks. In addition, land holders were required to follow approved cropping systems, build contour ridges, storm drains and grass buffer strips to curb the problem of soil erosion.<sup>19</sup> Order and compliance was to be maintained by an array of fines and punishments. Failure to carry out good

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<sup>17</sup> S2929/8/1 Bikita District, 1958.

<sup>18</sup> Interview with chief Mazungunye, 10 August 2013, Bikita.

<sup>19</sup> Interview with chief Mabika, Matsai, 23 September 2013.



farming regulations was punishable by a fine of £1, £5 and £ 15 where fined first, second and third offenders respectively. Should a peasant cultivate without arable right the penalty was confiscation of the harvest which was then sold and the proceeds were paid to the Native Development Fund.<sup>20</sup> People resented all these moves brought about by the Act as they felt that the officers were intruding much in their lives at the same time fleecing them by demanding fines now and again over trivial issues.

Chief Mukanganwi explained that officers were deployed in Bikita for the de-stocking program. Surplus stock was slaughtered or disposed of through sales.<sup>21</sup> According to Mr Zhenje, a villager,

The policy of de-stocking deprived Africans of their stored wealth. Europeans wanted African cattle and that was a way to get/ build herds cattle under the pre-text of reducing the carrying capacities of the reserves.

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<sup>20</sup> The Statute Law of Southern Rhodesia, 1951.

<sup>21</sup> Interview with chief Mukanganwi, 17 September 2013, Bikita.

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What angered most Africans was the fact that the cattle were sold at rock bottom prices.<sup>22</sup>

Indeed, this could have been the motive because the majority of the buyers at these state-organized sales were settler speculators and ranchers who formed rings and fleeced the African peasants by buying cattle at rock-bottom prices. To control stock, individual grazing rights were granted. Compulsory weekly dipping was enforced to allow officials check that peasants did not exceed their permitted number of stock.

In addition to these changes, NC Bikita continued with the enforcement of a multitude of agricultural changes such as the construction of contour ridges and gully dams. In addition, Alvord's model of agricultural intensification continued to dominate agricultural production of crops. Intercropping, cultivation of wet lands and cultivation near streams were prohibited. All these moves frustrated the Bikita populace who began to see the colonial

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<sup>22</sup> Interview with Amosi Zhenje, 17 September 2013, Bikita.

state as their major enemy. The speed at which the Act was implemented together with the sizes of the areas involved resulted in enormous errors being made. Attempts to reallocate people only served to generate further feelings of ill will.

### **Effects of the NLHA on the Bikita Populace**

Numerous minor conflicts erupted as many people found it difficult to adjust to the limited amounts of 3-6 acres of land allocated to them under the Act. Minor tensions flared over bad behavior of a neighbors` children, or a neighbors` chickens or even dogs straying into one`s yard. All these tensions were attributed to closer settlements- a requirement of the NLHA. Informants exposed that land restrictions also worsened gendered conflicts over land within the family. Land shortages resulted in husbands and wives arguing over who should use which area and what should be grown where. <sup>23</sup> According to Jekero, under the Act,

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<sup>23</sup> Interview with Maria Jekero, Keziya Mukanga, Bikita 18 February 2013

cultivation of *matoro* (wet lands) and riverbanks, areas which had been controlled mostly by women was prohibited, resulting in the further segregation of women as a class as far as land ownership and control was concerned.<sup>24</sup> In addition, the implementation of the Act only served to destabilize family unity over farming space. Most women still expected their husbands to allocate them farming space where they could grow nuts, pumpkins and beans, crops associated with women. It emerged that in most cases husbands were reluctant to offer their wives space citing that their land holdings were inadequate as it were. Thus family tensions were heightened due to the implementation of the Act in Bikita.

Instead of promoting order in the reserves, the Act resulted in increased land and boundary conflicts. The moving in and out of people into villages and wards added to the growing conflicts over land entitlements in the district. Summer observed that

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<sup>24</sup> Ibid.

in Bikita, land dispute of every kind became the order of the day. Chiefs, headmen and village heads who in the past had never bothered to define boundaries now rushed to do so as evidenced by the conflict between chief Jiri and Mukanganwi in 1951. Land shortages and population expansion of both the Duma and the Rozvi groups resulted in the land dispute between the two chiefs over land claims in Bikita. As the Rozvi population increased throughout the northern part of Bikita, they encroached into Mazungunye's area under headmen Masasire, Mazvimba, Chivasa, Charamba and Nerumedzo. The five headmen whose lands were progressively taken away by the Rozvi resisted this encroachment vehemently. Bikita delineation officer establishing boundaries then, noted that Jiri had claimed an area too large and unrealistic than what he initially had, triggering conflict not only with chief Mukanganwi but with all the Duma chiefs of Bikita. Initially, Mukanganwi had been the only Duma chief who had disputed the land given to Jiri by NC Eskeen at the time of occupation in

1895. However when Jiri, in 1951, amid land hunger went on to make further claims, Mukanganwi and other Duma chiefs demanded that Jiri and his people be moved to Gokwe.

Besides conflicts and tensions created by the Act amongst the Bikita populace, the peasants also resented NLHA because of a number of reasons. Movements were resented by many since relocations forced people to leave behind their homes, ancestral graves and shrines creating intense feelings of hatred and disgruntlements towards the colonial government. In addition, people resented conservation as they were not consulted nor advised why they had to carry out conservation measures. Nechirorwe of Bikita who was a youth then, explained that people bitterly resented having to waste labor in soil conservation. In their opinion, conservation did nothing to increase productivity nor did it give an assurance

against farming in the wet gardens.<sup>25</sup> To the rural masses the Act posed a wide threat to peasants' production strategies, economic security and social interactions. Under the Act, state officials prescribed crops to be grown, how and when. All this was seen as an intrusion by the state into the lives of the rural populace.

Complaints against the Act were also raised by the peasants over what they termed unnecessary increased workload created by state conservation models. According to Chimenya, conservation was disliked by the peasants because people were not consulted neither were they advised as to why this was done. Instead, many were arrested for failing to comply with the NLHA. People bitterly resented having to waste labor in soil conservation work which in their opinion did nothing to increase productivity. <sup>26</sup>Masukume recalls that in 1952, the introduction of soil conservation and contour ridges

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<sup>25</sup> Interview with Chamunorwa Nechirorwe, Bikita 15 February 2013 .

<sup>26</sup> Interview with Nhamo Chimenya, Matsai, 4 April 2013.

( *makandiwa* ) brought in lot of miseries to many people. People were asked to make ridges which were time consuming. What angered them most was the fact that they were fined for not making them to the expected or given standard.<sup>27</sup>

Testimonies revealed that the Act was very unpopular with the Bikita people because it disregarded all the social and economic core values of the Africans. Cattle accumulation and farming success and independence all lay at the center of African male identity, factors ignored and disregarded by the Act, Juru, then, a youth recalled that as young men they were bitter with the colonial state since the Act threatened their prospects of progressing in life, marrying a wife and establishing an independent family. Prospects of ever accumulating cattle in life were shattered due to the policy of destocking. In African culture, where marriages were generally sealed by the payment of eight to ten heads of cattle to the

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<sup>27</sup> Interview with John Masukume, Matsai, 4 April 2013



bride`s family, requirements of the Act complicated the whole *lobola* process considering the fact that family was allowed to keep four to six herds of cattle under NLHA.

Last, the elderly in Bikita viewed the implementation of the Act with concern. Permanent holdings, housing stands, a requirement under the Act and the exclusion of young men from owning land holdings meant that children could not build homes closer to their parents` homes. Most parents preferred having at least one son building his home closer to them. They took comfort in this arrangement, secured in the knowledge that the son would have the primary responsibility to assist them in their old age. Thus, the basis of family relationships and social bonds were also disrupted under the Act making many to resent it.

## **Response and the Collapse of State Control in Bikita**

Victims of the draconian piece of legislation vented out their resentment against the Act by engaging in Acts of violence, defiance of state orders and in some cases physical confrontation with state officials. Many defied section 49 of the natural resources Act which forbade the cutting of trees and the ploughing of more land than one was legally entitled to. Others showed resentment towards the Act by driving their cattle onto European farms. At the end of 1957, the Native Affairs Department was forced to admit publicly that the implementation of the Act had not been a straight forward task and during the early stages stiff opposition has been rife in areas which were heavily over-populated and over-stocked.<sup>28</sup> In Bikita, the late 1950s were mostly characterized by *madiro* or freedom farming. However, it also appears that freedom farming became a national

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<sup>28</sup> Quoted from R.M.W Johnson, *The Economics of African Agriculture in Southern Rhodesia :A Study in Reserve Use*, 1967, pg 105

problem because in January 1961, the Undersecretary for Native Agriculture and Lands lamented of country wide freedom farming. The 1960 annual report for Bikita stated that “everywhere people expanded old fields and opened new ones near their homes. Stream bank and wetlands cultivation proliferated as people ignored the initial allocations made under the Act.<sup>29</sup> DC Bikita wrote to PC Southern Mashonaland complaining that during the few weeks, I have had reports that Africans in Victoria Province have suddenly gone wild and are opening up new lands all over the place.”<sup>30</sup>

The Board also cited growing instances of resistance to veterinary measures and the policy of destocking.<sup>31</sup> CNC S, E Morris warned that there

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<sup>29</sup> 14.8.8f/69691, Development and Land Returns, Annual Report, 1960-1962

<sup>30</sup> S1217/9 DC Bikita to PC Mashonaland, 1960.

<sup>31</sup> 6.1.9f/84256, CJ Bissert Acting Secretary, Native Agriculture, 1961.

will be bloodshed if destocking continued. The Native Affairs Board warned in 1961 that

The extent to which this criticism and opposition to what is government policy is undermining and obstructing the administration and maintenance of law and order.....This all important fact must be brought to the attention of the government in the plainest terms .The most urgent and dangerous aspect of this overall position is the determinant and by no means unsuccessful campaign to penetrate the rural areas with planned political agitation in which every possible grievance particularly in relation to land and stock are exploited to the fullest, ending to the point of violence and the fullest use of intimidatory practice .<sup>32</sup>

The reality of all these concerns raised by state officials became evident in 1958, when the African National Congress, (ANC) a nationalist movement appeared, championing the grievances of the African grievances. The emergence of the movement heightened the collapse of “order and lawlessness” in the country side.

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<sup>32</sup>F120/775/6343/2 Internal Security Weekly Reports, Secretary Memo, April 10 1961

## **The Native Land Husbandry Act and Rural Nationalism**

As mentioned above, an important development which took place during this period was the coming of nationalists into the picture, heightening defiance to the Act and lawlessness in the countryside. Ranger noted that, the evictions and displacements together with the resentments people felt towards the NLHA marked a key turning point in the development of peasant consciousness and radicalism in the 1950s.<sup>33</sup> Nationalist leaders fully manipulated the anger and resentment towards the Act. Naturally, nationalists exposed the evils produced by the racist land legislation; many rural peasants listened to them. NC and African demonstrators who allocated land and controlled its usage tended to have been very arbitrary in the application of land conservation measures and destocking regulations. Consequently, this created a conducive atmosphere for the growth of

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<sup>33</sup> T.O Ranger, *Peasant Consciousness and Guerrilla Warfare*, 1985, pg 139

nationalism in the countryside. According to John Guri, land hunger and the impoverishment of the peasants forced the rural masses nationally to look up to the politicians for solutions.<sup>34</sup> To that extent, G.Nyandoro, the party's Secretary dubbed the Act, the "best recruiter the congress ever had." Sibanda observed that by accelerating the rate of evictions and migrations from the country, the Act helped to lay the social foundations of mature rural politics.<sup>35</sup> The ANC demanded abolishment of the 1930 LAA and the NLHA thereby championing the interests of the peasantry and the urban African middle class. The same observation was made by Day who pointed out that

In the history of African political organization in Southern Rhodesia, the revitalized ANC was unique in that it succeeded as no other had done in creating by vigorously politicizing a countrywide, mass movement with perpetual momentum. It united a new proletariat of the African township with the traditional peasantry of the reserves in radical protest at political, economic and

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<sup>34</sup> Interview with John Guri, 17 March 2013, Bikita.

<sup>35</sup> Day, *International Nationalism*, 1967, pg 15, quoted E.Sibanda, *The Zimbabwe African People's Union 1961-87 : A Political History of Insurgency in Southern Rhodesia*, Trenton, Africa World Press, 2005, 47.

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social discrimination produced by the European minority rule against the Africans.<sup>36</sup>

Lawlessness was heightened when nationalist encouraged people to disregard the policy by cultivating more land, others refused to pay taxes. Thus instead of creating order and stability in the district, the Act provided an impetus to the spread of lawlessness, through peasant resistance and peasant rural nationalism.

PNC Victoria lamented that the NLHA is the theme song at all meetings....even rural Africans are becoming politically minded. He is now questioning government policy and he expects answers.<sup>37</sup> In 1958, Federal security intelligence observed that

At rural meetings, congress speakers notably Nyandoro...have continued their attacks on government legislations and government departments particularly the Native Department....The greater part of the Congress propaganda has clearly been to cause unrest. ....The inevitable consequence of this trend will be the creation of a situation in which African masses will be

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<sup>36</sup> Day, International Nationalism, 1967, pg 14.

<sup>37</sup>27.6.6f/100842 Internal Affairs, PNC M Capier Victoria to the Secretary of Native Affairs, 7 September 1960

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induced to take unconstitutional action over some imaginary grievances and the peace and tranquility of the territory will be unnecessarily disrupted.<sup>38</sup>

Again in the same year, CNC Morris reported that

Chiefs and headmen were encountering a new and strange influence in the shape of the ANC. Blandishments, threats...ridicule and intimidation were meted out to them according to their reactions.....Most chiefs stood for government and denounced these political visitations from unknown urban orators who made a point of collecting grievances.<sup>39</sup>

In 1961, senior delineation Officer for Bikita Latham reported to the CNC that people were resentful in the extreme about the implementation of the NLHA. As a result of the high percentage of malcontents in the area, nationalists and politicians have found fertile ground and their influence is, in my opinion, aggravating an already dangerous situation.<sup>40</sup>

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<sup>38</sup>F 163/78/31 FSIB, Security Intelligence Review, no.29, May 1958

<sup>39</sup>6.1.9F 84256 Special NAAB Meeting, The NLHA and Present Problems of Political Agitation, Annexure B.

<sup>40</sup> S2929/8/1 Bikita District 1958, Report by Delineation Officer, Latham.



In 1959, the Unlawful Organization Act of 1959 under which the Congress was proscribed accused the Congress of wickedly and maliciously embarking upon a campaign for usurping the function of government and in furtherance therefore have resorted to various dishonest practices and have assembled meetings...of ignorant and unwary persons where at in violent language, the speakers have willy fully misrepresented facts...urging disobedience and passive resistance.<sup>41</sup>

The government, worried not only by the growing disorder and lawlessness in the reserves banned the ANC in 1959. However, soon after the banning of the ANC, another new party the National Democratic Party (NDP) party was formed in 1960. The effects of the NLHA which accounted for the rise and growth of the ANC continued to play a significant role in the formation of the NDP. This

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<sup>41</sup> The Unlawful Organization Act, 1959.

was also further aggravated by the fact that in the 1960s Southern Rhodesia was going through a period of economic recession which meant high levels of unemployment both in the rural and urban areas. Thus the NDP was born in a period of African economic hardship. Equally provocative were the rallies held by the nationalists in the district and elsewhere. At rallies the party continued concentrating on issues of immediate concern to the peasants such as land hunger, conservation and contour ridges. A reversal of these unfair practices was made once the NDP once they get into office. Reports by Security Intelligence of the 1960-6 indicated that the NDP had succeeded in turning rural masses into becoming militant, following the lead of nationalists.

Lawlessness and violence became widespread in the countryside as peasants took the initiative to attack and destroy symbols of the colonial system and further threatened violence on all officials and

chiefs. At the end of 1962, the working party NDP reported that

Chiefs...throughout the country have had a difficult course to steer this year in their efforts to retain the support of their people and to stand up to the kinds of pressure which nationalist parties describe as political.<sup>42</sup>

Consequently, the party was banned in December 1961. However, although the party was banned it had succeeded in keeping feelings of mass nationalism high. By the time it was banned, the party had deeply penetrated into most rural areas, laying the foundations for the armed struggle that was to come.<sup>43</sup>

In an attempt to restore order and stability once again in the countryside, the Rhodesian government decided to abandon the NLHA replacing it with the policy of community development .The colonial state believed that order could be restored

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<sup>42</sup>14.8.8F/69691 Internal Affairs Correspondence, Working Party D, Report, pg 4

<sup>43</sup> 5.2.8R/82725 Working Party D, Third Report, Chapter 11, 30 July 1962.

by scaling down interventionist programs, returning land control , minor administration and local judicial matters to the chiefs.<sup>44</sup> Proponents of the Act felt that political agitation in the reserves could be combated if concessions uplifting the statuses of chiefs were made. They argued that failure to return power to the chiefs would lead them to swing to the extreme nationalist cause, along with their followers, causing a breakdown of good government.<sup>45</sup> In a memorandum, Fletcher stated that

We must obtain and maintain through chiefs, administrative assistance and political stability. Losing the loyalty of chiefs promises chaos. If the government fails to rally chiefs on its side, then either the chiefs will surrender to the demagogues, or the people, denied a strong lead by the chiefs, will be at the mercy of soap box orators.<sup>46</sup>

Thus, under the amendment 22c to the NLHA, chiefs were authorized to allocate land, demarcate

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<sup>44</sup> The Policy of Community Development.

<sup>45</sup> 23.7.5r/93142, Fletcher Minister of Native Affairs, Memorandum by the Minister of Native Affairs.

<sup>46</sup> Ibid.

grazing lands. The chief's court was given the authority to enforce by-laws and tax payments. The African Law and Tribal Act of 1969 granted chiefs' courts limited communal jurisdiction on top of the civil jurisdiction which they already possessed. Chiefs were to be involved in the implementation of all conservation measures. Chiefs' peggers replaced the hated officers of the Ministry of Agriculture. It was hoped that chief's peggers would not be subjected to the same contempt, antagonism and threats encountered by demonstrators and delineation officers.<sup>47</sup>

Unfortunately in Bikita, as elsewhere nationally, the policy of community Development failed to create order and stability as had been the aim of those who designed it. In fact it led to more chaos and the resurfacing of old conflicts over land. Community development failed to solve land hunger in Bikita. The Mazungunye-Mukanganwi conflict

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<sup>47</sup> 28.10.8F/98431 R. Cunliffe Assistant Secretary's Provision of Peggers for Chiefs, Annexure to paper 16164, TTL Board, 18 December 1963.

over the “problem zone” in 1965 is testimony to the fact that land hunger continued to besiege the district even under a changed policy. In 1965 as the Rozvi pulled out of Bikita, Mukanganwi and Mazungunye quarreled over the area previously occupied by Jiri and his people. Each claimed a lion`s share of Jiri`s former lands. The issue was resolved by R.C Plowden, the Bikita`s delineation officer who drew up the Plowden Boundary. Under the Plowden boundary, the area under headman Masasire and Mutsimba were given to Mazungunye since the areas had been under his control prior to Jiri`s settlement in the district. The rest of Jiri`s former area went Mukanganwi, considering that Mukanganwi had been the one behind Jiri`s removal in the area.<sup>48</sup> Nationalist argued that the legislation fall short of democratic standards. Instead of taking land from the LAA, the Rhodesian government, decided to open up thirteen more Districts in Gokwe and Binga to resettle the vast landless population.

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<sup>48</sup> S2929/8/1 Report on Bikita District, 1958.

In addition, power to allocate land which was given to chiefs actually caused many problems which did not resemble order at all. In some cases chiefs used their new powers under the policy for personal gains. They could allocate additional pieces of land to themselves, relatives or friends heightening local conflicts over land. In some cases, chiefs allocated land to strangers, for a fee of course, creating more tensions in the district .Disgruntled peasants chased away or assaulted strangers allocated land by chiefs under community development. In Bikita`s neighboring Zaka District , peasants under headmen Nyakunhuwa chased away a group of people from neighboring districts given land by the headman in defiance of the policy of community development. In 1963, PC Victoria complained that by 1963, village heads had allocated 100 000 acres of land that had been opened in his province to existing landholders, his relatives or existing

landholders` children.<sup>49</sup> Chiefs accused headmen for not allocating land properly pointing out that if a headman had vacant plots in the area he would not allocate land to those that would have been recommended by the chief, reserving land for his people.<sup>50</sup> In Bikita, Zaka , Gutu and Manicaland, village heads ignored chief's allocation invoking rights and maintaining the stance that traditionally, village heads had complete control over land in the villages.<sup>51</sup> Conflicts between chiefs, headman, village heads, peggers and agrarian officers over boundaries, authorization for allocation and enforcement of conservation measures were common. The presence of land inspectors merely added to the confusion with peasants taking orders to construct contours as permission to cultivate land.

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<sup>49</sup>27.6.6F/100842 Acting PC M.E Hayes Victoria to Deputy Secretary Administration, 24 June 1964.

<sup>50</sup>5.2.8R/82725 Working Party D, District Survey, Bikita, 8 June 1962.

<sup>51</sup> Ibid.



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That the policy of community development failed to bring order and stability in the countryside was evidenced by widespread violence which continued. A new party, Zimbabwe African People's Union (ZAPU) was formed in December 1961 to replace the NDP which had been banned. In an attempt to kill nationalist movements Edgar Whitehead's regime amended the Unlawful Organization Act and the Law and Order Maintenance Act in August 1962. The police was granted permission to arrest political speakers on the platform if they suspected them to be violating sections of the Law and Order Maintenance Act. Consequently in the first half of 1962 alone 664 Africans were arrested and 555 were convicted. Instead of the Act stamping out nationalist activities, there was intensified political agitation and lawlessness. The policies faced increased difficulties to bringing order in Bikita as ZAPU activist discovered ways of circumventing the law. A government report on ZAPU indicated that ZAPU supporters attacked persons and property of suspected collaborators of the whites. Direct

attacks against mission schools were also reported as well as incidents of attacks, assaults of police officers. Facilities associated with the implementation of the NLHA such as dip tanks and roads were destroyed.<sup>52</sup> Such widespread lawlessness and use of violence by ZAPU supporters prompted the government to ban the party in September 1962, nine months after its formation. Unfortunately, by the time the party was banned, the decision to launch the liberation struggle had been taken. According to Shamuyarira,

These draconian responses and measures did not immediately cow the young members of the party. Instead, in September, the Zimbabwe Liberation Army was born under the council of "General chedu" a triumvirate of two members of the executive and a member of the Youth League. Within a short time, these had recruited sixty cadres in the use of crude local weapons. They attacked dip tanks, schools, houses, railways, roads and telephone lines. By December 1962, ZAPU had started ferrying arms destined for use in the armed struggle in Rhodesia.<sup>53</sup>

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<sup>52</sup>Southern Rhodesia Government Report on the Zimbabwe African People`s Union, Salisbury, Sept 1962.

<sup>53</sup> Shamuyarira, N, Crisis in Rhodesia, New York: Transantic Arts, 1965, pg 18-19

Thus by 1962 ZAPU was at an advanced stage in preparing for an armed struggle and together with ZANU, a splinter group of ZAPU that emerged in 1963 forged a successful liberation struggle which ultimately unset the settler regime in 1980.

### **Conclusion**

Developments between 1951-1963 culminated in the liberation struggle which ultimately led to the demise of colonial rule and the ushering in of Independence in 1980. We argue that developments of this period are crucial to the socio-political and economic history of Zimbabwe because, legacies of NLHA and Community development continue to influence and shape the country's rural landscape, agrarian services and state policies. For this reason, we argue that the period 1951-1963 is of importance to Zimbabweans. Land allocations and settlement patterns made under the Act were never reversed, instead they have remained an important feature of Zimbabwe's rural landscape today. Land

rights obtained under the Act continue to be used to legitimize one's claim to land in the rural areas today. Lastly the 1930 LAA was never repealed after the abandonment of the NLHA. As a result, Zimbabwe's limited land reform policy in the 1980s-1999 did very little to reverse the 1930 Act. Similarly, from 1980-1990 the country's rural areas continued to be plagued by overcrowding and environmental degradation. Ironically, it was these conditions experienced in the rural areas by the peasants which triggered the Third Chimurenga, ushering the country into yet another phase of lawlessness and violence, against the white commercial farmers who still held the better chunks of the country's land. This time it was the ZANU PF government which effectively capitalized on the peasants' grievances to secure its hold on political power against The Movement for Democratic Change (MDC), an opposition party accused of wanting to reverse the gains of the revolution.

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