



**MASVINGO CENTER  
FOR RESEARCH  
ADVOCACY AND  
DEVELOPMENT**

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**Masvingo Centre for Research Advocacy and Development  
(MACRAD) enquiry with Shangaan people in  
Chiredzi Rural District Council facing eviction to pave way for  
Lucerne grass project.**



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**# Tseu  
Campaign**

**# WomenLandNow  
Reintroduce tseu concept**

**#munda wambuya #nsimu yakokwani #isivande**



## Introduction

**M**asvingo Centre for Research Advocacy and Community Development (MACRAD) embarked on a fact-finding mission regarding government's proposed eviction of thousands of Shangaan people to pave way for lucerne grass farming in Chiredzi District. Focus group discussions were conducted with some of the community leaders within the affected district.

In this position paper, MACRAD commence by giving a brief summary background of the issue at hand and goes on to outline the agricultural, religious and cultural set up within the affected area. The paper looks into relevant domestic and international legislation and concludes with some recommendations.

### SUMMARY BACKGROUND

1. On April 30, 2020, the Minister of Local Government, Public Works and National Housing (Honourable July Moyo) who was acting on behalf of the Minister of Lands, Agriculture and Rural settlement (Honourable Perence Shiri) convened a meeting in Chiredzi, a district in South-eastern Zimbabwe.
2. Present at the meeting was Chief Sengwe, Member of Parliament for Chiredzi South Constituency, Chiredzi District Administrator, Chiredzi District Education Officer, Chiredzi Rural District councilors. Headman Chilonga, Headman Masiwamele, the minister's delegation and a few other stakeholders.
3. At the meeting, the Minister indicated that the government had identified about 6000ha of development land in Chiredzi. He added that a private company, Dendairy had an interest in growing lucerne grass in the identified area. The identified area covers part of Chiredzi East and Chiredzi South Constituencies.

4. The Minister hinted that that the growing of lucerne grass would boost livestock production in Chiredzi and at the same time earn the country vast amounts of foreign currency.
  5. The minister told ZBC journalists who were present that the agenda of the meeting was to look into how the government and the private company were to engage the local community over the project.
  6. It was also highlighted that the Government intends to evict hundreds of Xangani (Shangaan) families residing within the identified land to pave way for lucerne grass farming.
  7. Chiredzi Rural District Council (CRDC) Edward Matsilele called for a meeting on the 18<sup>th</sup> of May 2020 with about thirty local leaders to discuss issues concerning government proposed evictions.
- The meeting was abandoned after Headman Chilonga started to speak and villagers started to protest and this lead to the District Development Coordinator and his team to abandon attending the meeting. Chilonga villagers present on the meeting protesting the presence of security officials, which they were viewing as a means to intimidate them to accept government's offer to be removed from their ancestral land.
8. Dendairy, the purported investor is a private local milk processor based in Kwekwe. The company produces full cream milk, long life milk, powdered milk, ice cream and yoghurts among other dairy products. It exports some of its products to Zambia, Malawi and Mozambique.



9. Lucerne, also known as alfalfa is a deep-rooted perennial legume primarily used as dairy cows forage. It is usually harvested as hay and can also be made into silage.

## AGRICULTURE

1. **Chiredzi District lies in the South Eastern part of Zimbabwe (and it borders Mozambique and South Africa. It is in ecological region V and it receives minimal and uncertain rainfall. There are rich red soils and most crops can only be sustained through irrigation. It is on this background that the district has over decades been the sugar basket of Zimbabwe.**

2. The Shangaan people mostly grow sorghum grains (*xibedlani*, *xitishi* and *mutode*) and millet grains (*mahuvu* and *mpowo*). They also cultivate some maize *xifake*, sweet reeds (*matimba*) sweet potatoes (*muhlata*), cotton, pumpkins *mandunghu*, groundnuts (*timanga*).
3. Small and large scale farmers in the district mostly rely on sorghum because it is a drought resistant crop. Over the past years Delta Corporation Limited, a local beverages and brewery company has been capacitating the Shangani people in growing sorghum through a scheme referred to as Beverages Sorghum Contract Farming Scheme (BSCFS).
4. Through the BSCFS, Delta contracts farmers and supply seeds and sometimes fertilizers. In return communities sell the sorghum to the Company and earn a living with the proceeds.

Delta uses the crop to brew sorghum beer; the legendary Chibuku-Scud, Super and Eagle larger brands. Chibuku is no doubt the market leader in Zimbabwe's traditional beer.

5. The Shangani tribe inherited their name from their then King Soshangane. They are agriculturalists and pastoralists. The main domestic animals reared are cattle, goat and sheep. Zebu and Senga breeds of cattle are mainly kept. Other farmers also have Brahman Red Sindhi and other crossbreeds. Almost every households own goats. Goats are more adaptive to the semi-arid climate conditions.
6. The South Eastern lowveld is dominated by mopane tree (*Colophospermum mopane*) Cattle, goats and sheep mainly rely on dry mopane leaves for browsing during the dry season. It has been scientifically proven that the mopane leaves are highly nutritious.
7. Livestock is a symbol of wealth within the Shangaan people. Communities use livestock for food, payment of lobola, school fees payments and also to financing their medical and other daily needs and expenses.



## **CULTURE AND RELIGION**

1. The Shangani people boast of a unique and vibrant social culture, which they are proud to preserve. They are proud of their hunter/gatherer culture, which recognizes the importance of respecting the environment. They depend on sustainably utilizing the natural resources within their communities.
2. The Shangaan people are still conducting a number of traditional and cultural ceremonies. During these ceremonies high-spirited dances such as Chinyambele Muchongoyo, Chokoto, Marula, and Chigubu are performed. Musical wind and string instruments such as Chizembe and Chitende are used. During the dances, men would be wearing grass, cowrie shell; armbands adorned with animal hides and porcupine quill headdresses. Shangaan people play Chizambe, Timbila and Majoro music.
3. The Shangani people perform rainmaking ceremonies at several sacred sites. Traditional beer is brewed and a black chicken is used to ask for the rains from ancestors. This is normally done at Chikhovo hill, Mapume hill, Lusesa, Maliza and at the Dzinzela baobab tree. Other key tombs such as that of Mungoni, Hahlani and Kangale are also rainmaking sites.
4. The Shangaan people are still conducting male initiations to adulthood ceremonies known as Ngomeni. Circumcision has been done during these ceremonies since time immemorial.

Before the actual circumcision, young boys are isolated from their villages. They are normally taken to the sacred Chitiyo hill or at Chikulungu stream. No unauthorised persons are allowed at these sites. The boys are taught about manhood after which they are then circumcised. They receive further lessons before graduating into manhood.
5. Girls are also initiated into womanhood through a ceremony known as Khomba. Elders in Chilonga say female genital mutilation is no-longer part of Khomba but it used to be. Girls are isolated from their families for a month. They and they are taught about womanhood, cultural and traditional dancing and other cultural practices. After the Khomba ceremony the young women wear red caps with pins. Khomba is a sacred ceremony, which is normally done annually between the month of July and August. The ceremonies are conducted at sacred sites along streams, which includes Chigwejiva and Chipinda.
6. There is a traditional method of catching fish, which the locals call *Saila/Muvasa*. It is organised by the Chief. The Zimbabwe National Parks and Wildlife Management Authority (*ZimParks*) allows the people to do *Saila* fishing. In 2011, *ZimParks* even assisted the Shangaan people with food and fuel to facilitate *Saila* fishing.
7. The Shangaan elders have vast experience in indigenous knowledge systems. They have unique understandings, skills and philosophies that have been developed over decades. This skill enables the Shangani people to sustainably interact with their natural surroundings.



8. They indigenous Shangaan people have developed exceptional traditional ways of weather forecasting that help them to fore-plan their activities some days in advance.
9. There are unique herbs and shrubs known by the Shangani elders. These herbs have medicinal properties for both the people and their livestock. The *Zhombwe*, a plant which produces a pumpkin like tuber is one such example. The tuber has medicinal properties used to cure cattle. They use a one pumpkin tuber to feed three cattle, a ratio developed by their forefathers. Other plants such as *Chikalambutani* are known to be highly poisonous.
10. There are several Shangani traditional healers recognised by the Zimbabwe National traditional healers Association (ZINATHA). The traditional healers have sacred sites where they perform rituals and ceremonies. The traditional healers obtain medicinal and spiritual resources from the forests and water bodies within their jurisdiction.
11. Christianity is one of the main religion within the Shangani community. There are a number of shrines within the communities. Some hills such as Chipfungwana, Chitiyo and Makwambe are sacred and members of apostolic sects such as Zion and Jeke Mission usually gather together in this mountains and pray for rains.
12. The Shangaan people believe that praying and fasting in sacred hills such as Chipfungwana is an effective solution to ravaging pests such as tsetse flies, army worm and locust swarms.
13. There are several other sacred hills, pools and ponds (tivalan'wamunzeyani pool). Chigwejiva-Sala is one example of a site regard as highly sacred and spiritual. The Chigwejiva- Sala pool never runs dry even during years of the worst droughts. It is strictly visited for spiritual purposes or for watering cattle. The elders are allowed to bath in the waters but without soap.
14. Dances such as Kelekele are performed at Chigwejila-sala. Abortion is condemnable and young women who abort are spiritually exposed at Chigwejiva-Sala.

## COMMUNITIES' CONCERNS

1. The majority, if not all the Shangani people in South-eastern lowveld of Zimbabwe are aggrieved by government's intended evictions. Some village heads under Headman Chilonga argued that this is not the first time the Shangaan tribe has been displaced.
2. The villagers argue that they were left homeless in the 1960s after the colonial government forcibly evicted them from their ancestral, part of which is the now Gonarezhou National Park. They say they were further evicted without any compensation to pave way for sugarcane farming.
3. The community argue that the Smith regime forced them to settle in the peripherals areas of the national park. Village head Mungoni recalls that he was 14 years old, the Smith regime relocated his family to the Chitanga area in Mwenezi, a place which was then Tsetse fly infested.



4. War veteran argues that it is the loggerheads with the colonial government that sparked the Chimurenga war which latter gave birth to an independent Zimbabwe. The villagers argue that the Land Reform Programme in the 2000s allowed the Shangaan people to regain some of their remaining ancestral land.  
They feel the government is now betraying them by grabbing the little that has been left for them.
5. The Shangaan community feel that tribalism is at play. The majority hold the view that the Shangaan speaking people are being discriminated by the Shona speaking people who dominate top government positions.
6. They argue that the government should identify alternative land for what they say is not a bona fide investor. They suggest that Dendairy be allocated land in Shona communities. They say there are large pieces of dormant fertile land in Mashonaland. One angry village head said the proposed displacements can cause an uprising and fuel an ethnic conflict in the country.
7. Villagers claim that they have developed symbiotic relations with their environment and further displacements will greatly affect them.
8. The Shangaan people claim that their ancestors were buried in the land which the government now wants to give away to a private investor. They say some of the graves have strong spiritual connections to the living. Headman Mungoni showed MACRAD one sacred grave where rain making rituals are annually performed. Several other Shangaan people share the same experience.
9. The Shangaan people have fears that if ever they will be evicted, their ancestral graves, sacred mountains, streams, pools and other cultural, religious and spiritual sites will not be preserved and protected if they are to be evicted. They also have fears that they will not have free access to these sacred sites.
10. One village head elaborates that the last time they were displaced and resettled to pave way for Sugarcane farming, they spent about 4 years without rains and he blames the displacements for the drought. The rationale being that the Shangaan elders no longer had access to their sacred places of worship and places of performing cultural ceremonies.
11. The communities argue that they were never consulted. They argue that sometime early this year they only saw some white touring their land driving Toyota Landcruizer vehicles and appeared to be surveying. They further aired out that in January 2020, they were made to gather and make declarations of their assets by some people whom they say had vehicles without number plates. They say they felt intimidated by these people who claimed to have been sent by the president.
12. Some village heads who opined that, if at all the government wants the community to benefit from lucerne grass farming, it should direct Dendairy to contract the communities so that they can themselves practice Lucerne farming. They say they are prepared to be taught by AREX officers and even Dendairy experts on how to farm lucerne.



13. The village heads argue that they have over the years been working very well with Delta Corporation Limited through BSCFS project. One village head who is also a farmer says him and other locals have been each producing up to 60 tonnes of sorghum per season. He says he personally owns two tractors and other hand farming equipment's courtesy of Delta Corporation.
14. The complainants also fear that they may never be adequately compensated by the government or by Dendairy. They persistently cited Tugwi-Mukosi dame project and the Chisumbanje ethanol plant project as practical examples of non-payment of compensation.
15. The other concern raised by Shangaan communities is the fact that there is uncertainty on where they will be relocated to if they are to be evicted. They are not aware as to whether there are or would be schools, clinics, hospitals roads or other infrastructure at the places where they will be relocated to, if they are to be evicted. They are worried about the proximity of the intended resettlement sites with their sacred religious and cultural shrines and sites. They do not even know if at all there will be able to access these sites.

## **LEGISLATIVE FRAMEWORK**

1. Zimbabwean law is founded on in the value of the supremacy of the Constitution.

It follows therefore that any decision that the government may make must be in all fours with the Constitution of Zimbabwe Amendment(No 20) Act 2013 (hereafter the Constitution)..

2. The nation's diverse cultural, religious and traditional is one of the key values and principles, on the respect of which Zimbabwe is founded. As has been elaborated above, the Shangani people have a vibrant cultural, religious background. Equally relevant is section 3 of the Constitution which states that the principles of good governance, which binds the government includes the recognition of the rights of ethnic, racial, cultural, linguistic and religious groups.
3. The national objectives set out in Chapter 2 of Constitution are an important yardstick upon which upon which the government can be held accountable in terms of compliance with its human rights obligations towards the people.
4. National development is one of the country's objectives. It is no doubt that the proposed lucerne grass farming is a national development programme. Section 13(2) of the Constitution provides that whenever the government put national development programmes in place (like Lucerne production in this case), such measures must involve the people in the formulation and implementation of development plans and programmes that affect them. It therefore goes without saying that the Shangaan people who are to be evicted must actively be involved in the lucerne project plans and project.



5. The constitution further imposes an obligation upon the state to ensure that local communities benefit from the resources in their areas. This means that the government must ensure the Shangaani people benefit from the land and other resources in the south –eastern lowveld of Zimbabwe.
6. Another important national objective with a direct bearing on the Shangani people is the Preservation of traditional knowledge systems. Section 33 of the Constitution mandates the state to take measures to preserve, protect and promote indigenous knowledge systems, including knowledge of the medicinal and other properties of animal and plant life possessed by local communities and people, As has been elaborated above there is a vibrant traditional knowledge system within the Shangaan community that ought to be preserved protected and promoted.
7. Section 16 of the Constitution further imposes an obligation upon the government to promote , preserve cultural values and practices which enhances the dignity , well-being and equality in Zimbabwe.
8. The government's proposed decision to displace the thousands of indigenous Shangani people to pave way for lucerne production by Dandairy may infringe fundamental rights and freedoms set out in the Constitution,
9. There is a likelihood that regional and international law will be violated through the intended evictions. There is potential violation of the African Charter on Human and Peoples' Rights (ACHPR), the United Nations International Convention on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR) all of which Zimbabwe is a signatory.
10. Section 60 of the Constitution protects the right to freedom of conscience, which includes freedom of thought, opinion, religion or belief; and. The same right is protected in article 18 of the UDHR, article 18 of the ICCPR and article 8 of ACHPR. It is a fact that evicting the Shangani people from the their land will disconnect them from their religious and sacred spiritual sites within their land.
11. The Constitution also recognise culture rights in section 63. Correspondingly, article 27 of UDHR states that “Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.” Article 27 ICCPR and article 17 ACHPR also protects cultural rights. As elaborated above, the cultural lives of the Shangaan people is depended upon sacred mountains, streams, pools other unique cultural sites within their ancestral land.
12. Section 71 of the Constitution recognises property rights. It states that every person has the right, in any part of Zimbabwe, to acquire, hold, occupy, use, transfer, hypothecate, lease or dispose of all forms of property. The Constitution however provides that. Section 71(3) provides no person may be compulsorily. A person cannot be deprived of their property except where the following conditions are satisfied.
  - “(a) the deprivation is in terms of a law of general application;
  - (b) the deprivation is necessary for any of the following reasons—
    - (i) in the interests of defence, public safety, public order, public morality, public health or town and country planning; or



- (ii) in order to develop or use that or any other property for a purpose beneficial to the community;
- © the law requires the acquiring authority—
  - (i) to give reasonable notice of the intention to acquire the property to everyone whose interest or right in the property would be affected by the acquisition;
  - (ii) to pay fair and adequate compensation for the acquisition before acquiring the property or within a reasonable time after the acquisition...”

Article 17 ICCPR also provides that everyone has the right to own property alone as well as in association with others and that No one shall be arbitrarily deprived of his property. Similarly, Article 14 ACHPR states that the right to property may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws.

13. That the thousands of people who are set to be evicted had constructed homes on the land is indubitable. Almost every household owns, cattle sheep, goats. It is not clear how the communities would be able to move and transport their livestock if they are to be evicted. Livestock is property and evicting the people borders will likely violate the enjoyment of property rights

- 14. The right to agricultural land is protected in section 72 of the Constitution. The section also provides that the state can compulsorily acquire land is the agricultural land, or any right or interest in such land, is required for a public purpose including settlement for agricultural or other purposes. Section 72 also provides that compensation for improvements effected on land before acquisition is payable.
- 15. It is a fact that the Shangaan people have been in peaceful and undisturbed possession of agricultural land. They have been exercising rights to agricultural land for decades. There is a high likelihood that these rights will be violated if they are evicted and if no sustainable measures are put in place to protect and safeguard their rights.



## RECOMMENDATIONS

1. The Government should properly give notice of the proposed acquisition of land by making a publication in the Government Gazette identifying the land in terms of Section 72(2) of the Constitution.
2. In line with the United Nations Guiding Principles on Internal Displacement and Guidelines on Development-Based Evictions and Displacement the government should take urgent measures to provide protection and assistance to the internally displaced persons (IDPs), including shelter, food, water, sanitation and medical services.
4. The negatively affected people in this case the Shangaan people should have the right to collectively negotiate, design, planning, implementation and monitoring and evaluation of the resettlement eviction.
5. The government and local authorities should decide effective grievance redress and feedback mechanisms to allow communication between the government official and the Shangaan people.
6. Legislate and enforce a clear prohibition on force

Prioritize the needs of vulnerable groups such as women, children, elderly and chronically ill persons. Access to humanitarian assistance should not be made conditional upon residence in specifically designated areas, but should be made available on the basis of need.

3. The Shangaan people have to participate in the decision making process not as affected people but as primary actors who contribute to socio-economic value of the lucerne project through their expectance of its cost and benefits.

### **About MACRAD**

Masvingo Centre for Research Advocacy and Development (MACRAD) Trust is an independent Zimbabwean Community Based Civil Society institution committed to the development of socio-economic rights and agrarian systems that enhance equitable land rights and sustainable land uses throughout Zimbabwe. MACRAD interacts with various organizations and communities to assist them in developing capacity for policy formulation and research. It also facilitates policy dialogue among communities, governments, academics, civil society and others on land and agrarian development, especially the land rights of marginalized social groups. Masvingo Center for Research Advocacy and Community Development (MACRAD) is driven by a desire to contribute towards improved rural livelihoods that should lead to greater capacities for the rural poor to determine their own destinies and contribute towards national development. MACRAD has worked with citizens in resettlements areas around Masvingo Province on civic and voter education to ensure their voices are heard. MACRAD's approach entails encouraging continuous policy debates and refinement of policy. This is achieved through generation and provision of research based information, platforms for dialogue, creating and nurturing a policy community in Zimbabwe. The ambition of Masvingo Center for Research Advocacy and Community Development (MACRAD) is to provide leadership in socio-economic justice and land-agrarian policy processes, to become a Centre of Excellence and remain an independent and credible center for knowledge on social and economic justice.