
CONSISTENCY AND FAIRNESS OF PROPERTY VALUATION FOR COMPENSATION FOR LAND AND IMPROVEMENTS IN ZIMBABWE

Partson Paradza

Faculty of Engineering, Built Environment and Information Technology,
University of Pretoria, South Africa
e-mail: u13099770@tuks.co.za

Joseph Awoamim Yacim

Faculty of Engineering, Built Environment and Information Technology,
University of Pretoria, South Africa or Department of Estate Management
and Valuation, Federal Polytechnic, Nasarawa, Nigeria
e-mail: joseph.yacim@gmail.com

Benita Zulch

Faculty of Engineering, Built Environment and Information Technology,
University of Pretoria, South Africa
e-mail: benita.zulch@up.ac.za

Abstract

Property valuation for compensation of expropriated properties in Zimbabwe has been characterised by inconsistencies for decades. Previous studies have noted that displaced people are dissatisfied with the compensation paid by the expropriating authority. Even though many academic works were done on expropriation and compensation in Zimbabwe, issues surrounding consistency in property valuation practices and fairness of compensation paid remain unresearched. Thus, the purpose of this paper is to close this gap. Data for this study were collected through primary sources (questionnaire surveys to members of the compensation committee, private property valuers, designated property valuers and former commercial farmers) and secondary sources (literature surveys including a review of statutes, official reports, books, journals, and newsletters). Findings reveal that there is inconsistency in property valuation for expropriation, no clear legal definition of what constitutes fair compensation, and that views on the fairness of the compensation paid for expropriated properties in Zimbabwe are divergent. The study suggests that there is a need to review existing expropriation and compensation laws in Zimbabwe to create consistency in practice, thereby improving the fairness in the amount of compensation paid to the displaced person(s).

Key words: *compensation, consistency, expropriation, fairness, Zimbabwe.*

JEL Classification: *Q15, Q51.*

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1. Introduction

Expropriation of land and its attendant improvements for overriding public purposes or interests

have become part of growing and grown societies. Similarly, compensation payments for the expropriated landed property assets are not an uncommon practice in most societies. However, challenges normally occur when equity and natural justice are jettisoned by the acquiring authorities or claimants, leading to discontentment and myriads of court cases. One area of concern is when consistency and fairness are relegated in assessing compensation for land and improvements.

Property assessment or valuation for compensation of expropriated properties falls under the purview of the statutory valuation. The consequence of carrying out such a valuation is that valuers must strictly adhere to the provisions of laws. However, what happens when the expropriation and compensation laws fail the requisite tests for its acceptability? Undoubtedly, a crisis situation is brewed and will continue to ensue until a common platform that accommodates all parties is reached.

This has been the situation in independent Zimbabwe, whereby lands and their attendant improvements are constantly expropriated without adequate compensation to the displaced person(s) or claimant(s) (Chishanga, 2014; Marungwara, 2014; Ruguwa, 2017; Gukurume & Nhodo, 2020). Additionally, there was the lack of political will on the part of the previous Zimbabwean government to adequately compensate the former commercial farmers, whose lands were compulsorily expropriated during the Fast-Track Land Reform Programme. This strained not only the relationship with the farmers, but also the international community (Mutema, 2019). Thus, any discussion on expropriation in Zimbabwe is not complete without considering its historical background, which dates back to the arrival of colonial rule in 1890 (De Villiers, 2003; Pazvakavambwa & Hungwe, 2009; Nyandoro, 2012; Magaisa, 2010; Moyo, 2016).

Many scholars agreed that during colonial rule, discriminatory laws were used to expropriate productive land from Africans who were relegated to less productive areas in favour of the colonial settlers (Worby, 2001; Thomas, 2003; Utete, 2003; Pazvakavambwa & Hungwe, 2009; Chivandi et al., 2010; Moyo, 2011a, 2011b; Nyandoro, 2012; Manjengwa et al., 2014; Tom & Mutswanga, 2015). After gaining independence, the government of Zimbabwe repealed such land laws and replaced them with laws designed to correct the ills of racial segregation in access to land resources (Utete, 2003; Pazvakavambwa & Hungwe, 2009; Magaisa, 2010; Moyo, 2011a; Nyandoro, 2012).

The government argued that since these farmers were beneficiaries of the skewed colonial land laws (Pilossof, 2016), where land was expropriated without compensation, fair and adequate compensation is only possible for improvements done by former commercial farmers on the land. The Constitution of Zimbabwe is very clear that compensation for land acquired for land resettlement must be paid by Zimbabwe's former colonial masters (Britain) (Moyo, 2016). Thus, a law (Land Acquisition Act) that mandates the assessment of improvements on land as an exclusive preserve of the designated (government) valuers was enacted. Due to political reasons, implementation of the law was delayed until the year 2000 and continued until a new government was formed in 2017. Though the law was not revised, a proposition for compensation on improvements only was made to the former commercial farmers. However, it must be noted that the Zimbabwean 2013 constitution was clear on the payment of compensation for land and improvements expropriated from nationals of countries having investment agreements with Zimbabwe.

In the spirit of fairness and justice, the new government aligning itself with the provisions of the 2013 constitution mandate all Zimbabwean nationals and other nationals with an investment agreement with Zimbabwe to re-apply for repossession of their lands or be paid compensation. However, the main concern was the lack of fairness and consistency in the process leading to "how" the amounts of compensation had previously been arrived at between the designated and private valuers. The designated valuers (designated valuation officers) were accused of undervaluing the former commercial farmers' land and improvements, while the private valuers (claimants' valuers) were accused of overvaluation (Moyo, 2006; Chimbetete, 2016; Kaseke, 2016; Nemukuyu, 2018; Mpfu, 2019). While it is a known fact in the property valuation industry that subjectivity plays a prominent role in assessing land and property values, the margin of error must be within the acceptable limit.

The question that readily comes to mind in this context is on what laws do the designated and private valuers base their assessment of the victims'/claimants' land and unexhausted improvements in Zimbabwe? In the past, several studies were undertaken to deal with the problem of inconsistencies and fairness in property valuation for compensation of expropriated properties. The known studies that reflect inconsistencies and fairness in compensation for expropriation include Kakulu (2008) and Uwayezu & De Vries (2019) in Nigeria, Yirsaw Alemu (2013) and Ambaye (2013) in Ethiopia and Chang, (2010) in China. However, these studies concentrated on other countries with different

environmental settings and legal frameworks to those of Zimbabwe. As such, results from these countries cannot be generalized to reflect the Zimbabwean situation.

This current study is different because it both identifies the causes and proffers solutions for the problem of inconsistencies in property valuation for expropriation in Zimbabwe. The lingering controversy surrounding the previous property valuation undertaken for the former commercial farmers was the focus of this study. Thus, the research subjects in this study include the designated valuers, the private valuers, members of the compensation committee and the former commercial farmers. Accordingly, the objective of this study was to seek the views of designate and private valuers on critical issues surrounding the differences in property valuation for compensation in Zimbabwe. After the introduction, the remaining sections are divided into four (4), including the literature review in section two and research steps taken to achieve the study objective in section three. Results and discussion are discussed in section four, and finally, section five provides the conclusion and policy implications.

2. Literature review

This section is divided into two parts. The first discusses consistency in property valuation for compensation whereas the second part discusses fairness in compensation for expropriated properties.

2.1. Consistency and Uniformity in Property Valuation for Expropriation and Compensation

In theory, during expropriation, the affected people and the expropriating authority must negotiate and agree on a fair market value for compensation at arm's length. Both parties may be assisted by professional property valuers to estimate what they offer or claim as compensation value for the expropriated property (Food & Agriculture Organisation (FAO), 2008). The problem of differences between compensation estimates done by valuers representing the expropriating authority and displaced people is under-researched (Hordijk & Van De Ridder, 2005), despite the existence of such gaps in the literature and practice (Kakulu, 2008).

Boyd and Irons (2002) define valuation inconsistency as the difference between estimated values by two or more valuers valuing the same properties. Inconsistency can also be considered when the same valuer considers two similar properties (in terms of legal rights, design, use and location) and treats these properties differently in terms of valuation principles (Ibid, 2002). Since property valuation for expropriation is statutory, Hordijk and Van De Ridder (2005) emphasize that there is a need to assess compliance with valuation law and practice as well as whether there is uniformity in the valuation methods used by different valuers.

Hordijk and Van De Ridder (2005) conclude that differences in compensation values estimated by valuers representing the expropriating authority and the displaced people are caused by adopting different assumptions on variables used when calculating the compensation. Important variables when the valuer is using the Discounted Cash Flow (DCF) method include the:

"...net yield, discounting rate, exit growth yield, investment capital value percentage and tenancy turnover rate." (ibid, 2005).

Holtslag-Broekhof, et al. (2018) and Kakulu (2008) attributed the problem of vast differences in property valuation for compensation to differences in the interpretation of ambiguous laws guiding expropriation and compensation. Moreover, Kakulu (2008) concludes that the use of unqualified people to estimate compensation contributed to the lack of uniformity in property valuation for expropriation. The following section discusses the expectations and level of satisfaction of the displaced persons.

2.2. Fairness of Compensation Values Paid to Dispossessed Persons

As a point of departure, it might be necessary to define fairness and adequacy, which are the key terms in this paragraph. Firstly, the concept of fairness, which is also known as, just, emanates from the legal fraternity, and it relates to the treatment of different people with the same circumstances equally. Legal provisions directly influence fairness in compensation, and ambiguous legal frameworks leave room for subjective interpretation, which results in inconsistent approaches (FAO, 2008; Kakulu, 2008). In this case, if two or more values are given, the assignment values the same property during the same period and uses different valuation methods or compensable heads of claim due to differences in the interpretation of statutes, then there is no fairness (Yirsaw Alemu, 2013).

The same principle also applies when the same valuer is assigned to value two or more different but similar (in terms of location, size and rights, to name just a few) properties during the same period. In this case, if the valuer is not going to be consistent with his/her valuation approach as guided by the statutes, then there is no fairness because people with the same circumstances will be treated differently (Chang, 2010). FAO (2008) highlighted factors that can affect fairness in compensation, which are summarised in Box 1.

Box 1
Factors that Lead to Unjust Compensation

- Poorly drafted laws and regulations create confusion, error, conflicting outcomes, and opportunities for the abuse of power.
- Determination of equivalent compensation is difficult when people do not have clear legal rights to the land.
- Affected owners and occupants often have less negotiating power, experience, and skills than the acquiring agency. They may be unaware of their rights and under pressure to accept a low offer to enable them to resettle elsewhere quickly. The rich may be able to afford professional advice on the value of compensation, but the poor are likely to be at a disadvantage.
- A lack of standards and acceptable governance practices allows corrupt officials to provide favourable compensation to those who offer bribes.
- An accurate valuation is problematic because it is time-consuming and expensive: each land parcel must be inspected to determine the value of the land and improvements. A shortage of skilled valuers will increase the time required to complete the work. In addition, it may be challenging to prepare reliable indicators for valuation when land sales are informal or where markets do not exist or are just developing. It may also be difficult to financially quantify non-economic losses, e.g. religious, historical, or cultural claims to the land.
- News of the project may affect the market value of the land. Legislation that does not clearly state the basis for compensation may result in inequitably low compensation if values fall and inequitably high compensation and greater costs to the government if values rise.
- Appeal processes that are expensive and difficult to use are accessible only to the rich. The poor may have little option but to accept the offer of compensation even if they believe it is inadequate.

Source: FAO (2008:25)

As indicated in Box 1, several factors can affect fair compensation. One key issue in fair compensation is coming up with well-crafted statutes that are clear on how compensation is estimated and paid. This also relates to issues like well-defined compensable heads of claim, valuation date and method, as well as setting out precise prerequisites for the expropriation process. Equally crucial in statutory provisions is the issue of the protection of property rights. If property rights are not legally provided and protected, then fairness in compensation might be compromised.

It can be noted from Box 1 that capacitation and representation of affected people are critical in the fairness debate. If affected people (especially the poor) are not supported, they can end up accepting unfair compensation due to their weak negotiating powers. Yirsaw Alemu (2013) recommends that affected people need valuation and/or legal assistance when negotiating for compensation. It is prudent to make it a statutory requirement for the government to capacitate affected people to enable them to make informed decisions. If the government cannot provide the much-needed support to displaced people, then non-governmental organisations can come in to close this gap and make sure that affected people have proper professional representation during negotiations for compensation.

Another related point is the issue of good governance; if there are no strict legal provisions with punitive measures to curb the scourge of corruption, then fairness can be compromised. Uwayezu and De Vries (2019) reiterated that if the property valuers assigned to estimate the compensation quantum are not independent, the chances are that the compensation will not be fair. Again, this is a statutory issue, but most importantly, it will require efficient monitoring mechanisms.

These factors will be used as a reference point for this study when considering if the existing statutes and practices in Zimbabwe result in just compensation. This study's twin objectives are

consistency in the valuation method and fairness in the value of compensation paid by the expropriating authority in Zimbabwe. The reviewed literature revealed the need for this study as previous Zimbabwean studies failed to directly address the subject matter.

Fairness in compensation can also be compromised when there are delays in compensation. Even if the estimated compensation value is fair the time of estimation, the value might be eroded due to inflation if there are payment delays. Thus, the fairness of delayed compensation is usually a challenge due to changes in circumstances. Statutory provisions can also deal with this issue by specifying the period in which the compensation must be paid for it to be considered fair. Also, attaching an interest for delayed payment can help to guarantee fairness in cases of delayed compensation.

Box 1 highlights the need for appeal mechanisms. Grievance resolution mechanisms must be spelt out in statutes and affected people must be informed well in advance (World Bank, 2004). Merely providing an appeal mechanism might not be enough if the cost of the appeal is beyond the reach of those affected. Therefore, it is essential to make statutory requirements for either the expropriating authority to bear the legal costs of appeal or to ensure that the fees are affordable to the affected persons. Furthermore, non-governmental organisations can help affected people to get appropriate professional advice and representation.

2.3. The History of Expropriation and Compensation in Zimbabwe

There is a vast amount of literature on expropriation and compensation in Zimbabwe. Some scholars believe that expropriation without compensation in Zimbabwe started around 1889 when the country was under colonial rule (Pazvakavambwa & Hungwe, 2009; Nyandoro, 2012; Njaya, 2013). The Royal Charter of Incorporation, which was granted to the British South African Company (BSC) in 1889 gave eminent domain powers to the settlers (the BSC) (De Villiers, 2003; Pazvakavambwa & Hungwe, 2009), who went on to expropriate three-quarters of the productive land from Africans between 1890 and 1902 (Bonarjee, 2013; De Villiers, 2003).

It is believed that the first recorded land ownership dispute in Zimbabwe was the Southern Rhodesia case which was brought before the Privy Council in 1918. The dispute regarded the right of claim to the land in Southern Rhodesia (Zimbabwe) between the indigenous Africans, the BSC and the Crown (Britain) (De Villiers, 2003; Magaisa, 2010; Moyo, 2016). In its ruling, the Privy Council concluded that the rightful owner of the disputed land was the Crown (Moyo, 2016).

Since this dispute, the land issue remained a thorny issue which culminated into fifteen years (1964 – 1979) of war which was finally ended by the signing of the *Lancaster House Agreement* of 1979 (United Nations Development Programme (UNDP), 2002; Magaisa, 2010; Government of Zimbabwe, 2013). According to Manjengwa, Hanlon and Smart (2014), the land issue was on top of the agenda during the *Lancaster House Conference* of 1979 negotiations leading to the independence of Zimbabwe. Magaisa (2010) points out that no lasting solution has been found to resolve land contestation issues in Zimbabwe, decades after independence.

According to Nyambara (2001) and Nyandoro (2019), expropriation in Southern Rhodesia was guided mainly by the *Land Apportionment Act* of the early 1930s, the *Native Land Husbandry Act* of 1951 and the *Land Tenure Act* of 1969. Many scholars agree that these laws were discriminatory, as productive land was allocated to whites while Africans were relegated to less productive areas (Worby, 2001; Thomas, 2003; Utete, 2003; Pazvakavambwa & Hungwe, 2009; Chivandiet et al., 2010; Moyo, 2011a, 2011b; Nyandoro, 2012; Kori, 2014; Manjengwa et al., 2014; Tom & Mutswanga, 2015).

Many people were displaced during the expropriation of land in Zimbabwe. For example, people were displaced from Tengwe in Mashonaland West Province around the mid-1950s. The land was given to the veterans of the Second Chimurenga War as compensation for their participation in the war (Pazvakavambwa & Hungwe, 2009; Magaisa, 2010). Another example is the displacement of local communities from Kwekwe and Mvuma (natural region 3), which were relocated to Silobela and Gokwe (natural region 4) between 1965 and 1979 to pave the way for the establishment of the Central Estate ranches (Pazvakavambwa & Hungwe, 2009; Nyandoro, 2012, 2019).

After gaining independence in 1980, the Zimbabwean government repealed and replaced all discriminatory laws (UNDP, 2002; Shaw, 2003; Pilosof, 2012). During the first decade of independence, compulsory land acquisition in Zimbabwe was guided by the *Lancaster House Agreement* of 1979. One of the conditions of this agreement, incorporated into Section 16, the first supreme law of Zimbabwe, which is popularly known as the *Lancaster House Constitution* of 1980, was

the requirement for prompt and adequate compensation for expropriated properties based on market value (Palmer, 1990; UNDP, 2002; Moyo, 2006; Njaya & Mazuru, 2010; Moyo, 2011a). This policy, which was based on a willing buyer, willing seller principle (Nyandoro, 2012; Mutema, 2019), was problematic since landowners offered unproductive land at inflated prices (UNDP, 2002; Pazvakavambwa & Hungwe, 2009).

Soon after the expiry of statutory provisions of Section 52 of the *LHC* of 1980 in the early 1990s, the Zimbabwean government amended Section 16 of the *LHC* of 1980 and repealed the *Land Acquisition Act (LAA)* of 1985 (Ng'ong'ola, 1992; Moyo, 2000; Adams & Howell, 2001; UNDP, 2002; Thomas, 2003; De Villiers, 2003; Moyo, 2005; Chivandi et al., 2010). The overall aim was to simplify the compulsory acquisition and speed up the resettlement process (De Villiers, 2003, Moyo, 2006). However, Ng'ong'ola (1992), Madhuku (1999) and Magaisa (2010) criticised some legal provisions which denied affected people the right to challenge the expropriation and compensation in the court of law.

Even though Zimbabwe has been working on land reform since 1980 (Pazvakavambwa & Hungwe, 2009; Chimbetete, 2016; Mutema, 2019), it is the Fast-Track Land Reform Programme which attracted global attention due to its violent nature and the displacement of multitudes (Pazvakavambwa & Hungwe, 2009; Scoones et al., 2011; Mutema, 2019). This was compounded by delayed payment of compensation due to a compensation dispute which took close to two decades (Moyo, 2006) as well as the lack of government resources to finalise the compensation exercise (Chimbetete, 2016; Mutema, 2019).

Another factor that complicated the compensation matrix was the lack of reliable information since some of the properties were vandalised during the Fast-Track Land Reform Programme and the shortages of property valuers (Chimbetete, 2016; Mutema, 2019). Some of the displaced farmers challenged both the expropriation and compensation offered in local, regional, and international courts (Moyo, 2016; Chimbetete, 2016).

3. Data and Methods

The research questions set for investigation in this study are, (1) if both valuers (designated and private) comply with the provisions of the existing laws, then why is there a persistent wide difference between their valuations? (2) Is property valuation practice in Zimbabwe done in line with the provisions of the existing law? A case study approach was adopted because of the complexity and sensitivity of the issue of compensation for expropriation in Zimbabwe. Data for this study were collected through primary and secondary sources. Electronic questionnaires were administered to members of the compensation committee, private property valuers, designated property valuers and former commercial farmers between June and November 2020. Secondary sources included a review of statutes, official reports, books, journals, and newsletters.

Properties expropriated during the fast-track land reform programme, valued by designated valuers for compensation and approved by the government between 2009 and 2019 were considered. The case study was chosen based on the magnitude of the impact on the displaced people and on the fact that the valuation was done during the multi-currency era (2009 – 2019), which was dominated by the United States of America Dollars (USD). The USD was used as a hedge against inflation, unlike the local currency, whose value plummeted before and after the multi-currency era due to hyperinflation. Questionnaires were sent to 144 research subjects, including private valuers, designated valuation officers, former commercial farmers and members of the compensation committee, as shown in Table 1.

A cover note was attached to the questionnaire to explain the aim and objectives of the study to the respondents. The cover note also assures respondents that the results of the study will be used solely for academic purposes, and their confidentiality is guaranteed. This was done to allay fears in respondents' participation in the study. Thus, the respondents willingly participated in the research.

Table 1

Composition of the Total Sample

Study population	Sample size	Percentage of the total sample
Private valuers	6	4%
Designate Valuation Officers	7	5%

Members of the Compensation Committee	11	8%
Former commercial farmers	120	83%
Total	144	100%

Source: own study.

Electronic questionnaires were sent to private valuers and former commercial farmers due to COVID-19 induced restrictions and the fact that they were located across the ten provinces of Zimbabwe. Questionnaires for designated valuation officers and members of the compensation committee were hand delivered with the assistance of field workers. Two field workers were engaged from among the local people to follow up with some of the respondents (designated valuation officers and members of the compensation committee). All field workers were trained before the actual data collection to enable them to explain to the respondents how the questionnaires were supposed to be completed. In addition, all field workers signed a fieldworker declaration before their engagement in the study. Content analysis was done with Atlas.ti8, which was used to create comments, memos and networks that relate the common and conflicting ideas from different sources. Before the coding exercise, documents were put in files which were then uploaded to the Atlas.ti8 software. During data analysis, selected quotations from participants were used to augment the researcher's interpretation of the research findings.

4. Results and discussion

This section is divided into 2, with the first part focusing on the consistency of statutes guiding valuation and the second part concentrating on the fairness of expropriation and compensation in Zimbabwe.

4.1. Consistency of statutes guiding property valuation for expropriation and compensation in Zimbabwe

This study noted inconsistencies in statutory provisions of different laws guiding compensation for expropriated properties in Zimbabwe. Firstly Section 71 of the *Constitution of Zimbabwe of 2013* states that fair and adequate compensation must be paid for expropriated properties. However, Section 16 of the *Land Acquisition Act (Chapter 20:10) of 1992* just provides for fair compensation for expropriated properties. One will be justified to question if what is termed fair and adequate compensation means the same as fair compensation. This difference in statutory provisions can confuse property valuation practice for expropriation and result in valuation differences. More detail on compensation for expropriated agricultural land is provided in Section 295 of the *Constitution of Zimbabwe of 2013*. This section elaborates on compensation for agricultural properties that were expropriated before the commencement date of the 2013 Constitution. Most of the properties that were expropriated before the commencement date of the Constitution were acquired during the fast-track land reform programme of early 2000. In terms of Section 295, if the land was expropriated from an indigenous person, then compensable heads of claim include the land and improvements.

For farms that were expropriated from foreigners, especially, people from countries with bilateral agreements with Zimbabwe, the compensable heads of claim are determined in terms of the provisions of the bilateral agreement. However, for all foreign nationals whose farms were not protected by the bilateral agreements, the compensable heads of claim include improvements on the land only. Section 72(7) of the *Constitution of Zimbabwe of 2013* narrates how the land was expropriated from Africans without compensation during the colonial era and stated that the former colonial masters must pay for compensation of the land. A new dimension to the compensation matrix as provided by Section 295 of the *Constitution of Zimbabwe of 2013* was brought by the Land Commission (Gazetted Land) (Disposal in Lieu of Compensation) Regulations (LCGLDLCR) of 2020 (Government of Zimbabwe, 2020). These regulations opened a new window for indigenous and foreign persons (protected by investment agreements prior to expropriation) to apply and regain the title of their former properties. Section 9 of the LCGLDLCR of 2020, which specifies that once ownership is transferred back to the former commercial farmers, there is no further compensation to be paid by the government of Zimbabwe, is of interest.

However, one is tempted to question if this compensation is equivalent to fair and adequate compensation dictated by Section 71 of the *Constitution of Zimbabwe of 2013*? Any compensation either

in cash or land that ignores issues like disturbance and delayed compensation might not be fair and adequate. Furthermore, besides the issue of the disturbance of farming, the LCGLDLCR of 2020 seems to ignore the fact that most existing improvements on farms were vandalised during and after the fast-track land reform programme and depreciated over the past 2 decades. Given this, the provisions of the LCGLDLCR of 2020 might fall short of what is required to bring a lasting solution to the 2-decades-long compensation dispute in Zimbabwe. Worth noting is the difference in legal provisions guiding the accreditation of designated valuation officers (designated valuers) and professional valuers (private valuers). The Minister appoints designated valuation officers from serving civil servants in terms of Sections 29B of the *Land Acquisition Act (Chapter 20:10) of 1992* and 5 of the *Acquisition of Farm Equipment and Machinery Act (CHAPTER 18:23) of 2004* (Government of Zimbabwe, 1992, 2004). However, professional valuers are registered by the Valuers' Council in terms of the provisions of Section 25 of the *Valuers' Act (Chapter 27:18) of 2006* (Government of Zimbabwe, 2006).

The law, which provides for the appointment of designated valuation officers, is silent on their academic and professional qualifications. In addition, the *Valuers' Act (Chapter 27:18) of 2006*, which specifies qualifications needed to practice as a professional valuer, does not provide a membership category for designated valuation officers (Government of Zimbabwe, 2006). Chimbetete (2016) noted that most professional valuers are employed in the private sector. This means that most professional valuers do not qualify for appointment as designated valuers by virtue of them not being civil servants. Also, most of the designated valuation officers are not registered as professional valuers.

4.1.1. Consistency of estimated compensation values: The Case of Valuation for Fast Track Land Reform Programme

It was established that there was a wide gap between the values estimated by designated valuers and those done by the private valuers. Initially, designated valuers estimated the expropriated properties at US\$1.2 billion, while private valuers estimated the same properties at US\$5.2 billion (Compensation Steering Committee (CSC), Commercial Farmers Union (CFU) & Valuation Consortium (VALCON), 2020; VALCON, 2020). This presents a valuation difference of US\$4 billion translates to a 77% difference. In as much as valuations done by two or more valuers are not expected to be identical, they should at least remain in the same range; a 77% difference is serious cause for concern.

Expert opinions were sought from the World Bank, Zambia and Namibia, which valued the same properties at US\$2.7 billion (Ncube, 2020; Valcon, 2020). It can be noted that the compensation estimate by experts was more than double that of designated valuers and just above half of the estimates by private valuers. However, Orphanides (2020) points out that the US\$2.7 billion estimated by experts was for infrastructure alone without considering the value of biological assets and land clearing. In this case, if biological assets and land clearing were factored in, the figure would have been more than US\$2.7 billion. Thus, it is difficult to conclude if their estimated value was going to be in the same range as the US\$5.2 billion estimated by private valuers.

The claim by Orphanides (2020) might be true, especially given that the government of Zimbabwe agreed to pay US\$3.5 billion, which was more than double the value estimated by designated valuers as well as more than the US\$2.7 estimated by the experts. The agreed US\$3.5 billion global compensation figure can be interpreted to mean that the government of Zimbabwe admitted that designated valuers undervalued the property. In the same line of thinking, one might be tempted to argue that the acceptance of a compensation by former commercial farmers which was below their initial claim is an indication that the same properties might have been initially overvalued by private valuers. However, it is important to note that a negotiation is a give and take process where parties involved must make compromises to reach a consensus.

It was also established that the agreed figure was based on data collected by private valuers, as designated valuers admitted that their data were inaccurate. As a result, the valuation by private valuers, designated valuers and experts was based on the same data, i.e. on the private valuers' database (CSC, CFU & VALCON, 2020; VALCON, 2020). The *Land Acquisition Act (Chapter 20:10) of 1992* does not provide for the use of data collected by private valuers when calculating property valuation for compensation; it also does not provide for the use of international valuation standards.

The government of Zimbabwe and former commercial farmers agreed that an initial payment of 50% of the global compensation figure (US\$3.5 billion) was to be paid within a year from the date of the agreement and the remainder to be cleared over 4 years (CSC, CFU & VALCON, 2020; Ncube, 2020; Orphanides, 2020). Again, this was a slight deviation from the provisions of Section 29C of the

Land Acquisition Act (Chapter 20:10) of 1992 which states that the initial payment must be a quarter of the total compensation.

4.1.2. Consistency of estimated compensation values: Evidence from Court Cases

An analysis of court cases from the Administrative Court of Zimbabwe shows that very few cases on property valuation for compensation of expropriated private properties were brought before it. The only court case brought before the Administrative Court during the multi-currency period that was relevant for this study was the *Interfresh Limited and AARDCOR Limited versus the Minister of Lands and Rural Resettlement* (the Interfresh case) of 2015. Two compensation appeals were settled by institutions outside Zimbabwe - the Southern African Development Community Tribunal (SADCT) and the International Centre for Settlement of Investment Disputes (ICSID). *The SADCT settled the Mike Campbell (Pvt) Ltd. and William Michael Campbell and 77 others versus the government of Zimbabwe* (the Campbell case) in 2008. Also, a compensation dispute of *Bernadus Henricus Funnekotter and others versus the government of Zimbabwe* (Funnekotter case) was settled by the ICSID in 2009. The next sections discuss these cases in detail.

4.1.2.1. Interfresh Limited and AARDCOR Limited versus the Minister of Lands and Rural Resettlement

In 2015, Interfresh Limited and AARDCOR Limited (the appellants) appealed against the compensation offered by the Minister of Lands (the respondent) in the Administrative Court of Zimbabwe. The dispute emanated from a compensation value for seven plantation assets that the respondent expropriated from the appellants. Both parties used the DCF method to value the biological assets but arrived at different compensation figures (Administrative Court of Zimbabwe, 2015).

The appellants valued their seven plantations at twenty-seven million, seventy-four thousand eight hundred fifty United States of America Dollars and two cents (US\$27 074 840.02). The respondent, on the other hand, valued the same plantations at five million, twenty-five thousand one hundred and twenty United States of America Dollars and twenty-eight cents (US\$5 525 120.28). This presents a difference of twenty-one million, five hundred and forty-seven thousand, seven hundred and nineteen United States of America Dollars and seventy-four cents (US\$21,549,719.74) (Administrative Court of Zimbabwe, 2015).

The court noted that the wide difference emanated from the discounting process. The respondent discounted the income at the end of the investment period, the present value of the sum of all future income (that is all income is received at the end of a specific period, and everything then discounted for the full period under investigation). In contrast, the appellants discounted the present value of income as it is incurred over time (that is discounting at different periods). In its ruling, the court agreed that the appellants demonstrated how they calculated their compensation value, but the respondent failed to do so. As such, the appellants won the case (Administrative Court of Zimbabwe, 2015).

4.1.2.2. Mike Campbell (Pvt) Ltd. and William Michael Campbell and 77 others versus the Government of Zimbabwe

In the Campbell case, the displaced farmers' Mike Campbell (Pvt) Ltd. and William Michael Campbell and 77 (applicants) others challenged the decision of the government of Zimbabwe (respondent) to acquire farms without payment of compensation before the SADCT (Case number 2/2008). The dispute was on the heads of claim, and the applicants argued that fair compensation for the expropriated properties should include the value of land and improvements. However, the respondent counter-argued that Section 16B of the *Constitution of Zimbabwe of 2013* states that compensation is only for improvements on the land, and placed the responsibility of compensation for land on the former colonial masters (SADCT, 2008).

The Tribunal ruled out that compensation for expropriated properties must be paid by the expropriating authority (the Zimbabwean Government). The Tribunal went on to say that the Zimbabwean Government cannot use its local statutes to avoid its obligation provided by international law. Therefore, in its final ruling, the Tribunal ordered the respondent to pay fair compensation for the expropriated properties (including land and improvements) (SADCT, 2008).

4.1.2.3. Bernadus Henricus Funnekotter and others versus Government of Zimbabwe

Bernadus Henricus Funnekotter and twelve others (applicants) applied for arbitration against the government of Zimbabwe (respondent) at the ICSID in June 2003 (case number ARB/05/6). The applicants were of Dutch and Italian nationalities, whose farms were expropriated by the respondent during the FTLRP. However, their investments were under the protection of an investment agreement (the treaty) signed between the respondent and Netherlands on the 11th of December in 1996 and entered into force on the 1st of May in 1998 (ICSID, 2009). Like in the Campbell case, both parties agreed that the respondent was supposed to pay compensation, but the dispute was on the compensation value or amount (ICSID, 2009). There were wide differences between the compensation amount asked by the applicants and the ones offered by the respondent, as shown in Table 2¹.

Table 2

Valuation Differences Between the Applicants and the Respondent

Property/farm	Applicant(s) asked value (Euros)	Respondent's offered value (Euros)	Difference (Euros)	Percentage difference
Warren farm	1,050,000	261,964	788,036	75%
Anwa farm	1,070,000	51,507	1,018,493	95%
Bimi Estate farm	940,000	99,168	840,832	89%
Warren A farm	780,000	109,329	670,671	86%
Faroe Estate farm	1,030,000	52,819	977,181	95%
Farways farm	1,130,000	20,157	1,109,843	98%
Chiripiro farm	680,000	36,917	643,083	95%
Springdale Farm	770,000	52,819	717,181	93%
Ruia Ranche farm	640,000	45,000	595,000	93%
Roscommon farm & Preston Estate farm	550,000	45,716	504,284	92%
Rio Dora farm	910,000	51,000	859,000	94%
Whindale ranch	1,410,000	46,551	1,363,449	97%
Total	10,690,000	872,947	9,817,053	92%

Source: Adopted from ICSID (2009:40).

An analysis of valuation in Table 2 shows vast differences in property values estimated for compensation by the applicants' valuer and respondent's valuer. The ICSID (2009) observed that these wide variations emanated from the use of different valuation methods. The applicants' valuer used a direct comparison method, whereas the respondent's valuer used the depreciated replacement cost method. The ICSID (2009)'s position was that the most appropriate method to be used in this case was the direct comparison method and not the depreciated replacement cost method. Therefore, the valuation figures that the applicants estimated were considered with adjustments (ICSID, 2009). Table 3 compares the difference between the applicants' estimated property values and the adjusted compensation values by the ICSID (2009).

Table 3

Valuation Differences Between Applicants and ICSID

Property/farm	Applicant(s) asked value (Euros)	ICSID value (Euros)	Difference (Euros)	Percentage difference
Warren farm	1,050,000	690,000	360,000	34%
Anwa farm	1,070,000	700,000	370,000	35%
Bimi Estate farm	940,000	620,000	320,000	34%
Warren A farm	780,000	510,000	270,000	35%
Faroe Estate farm	1,030,000	680,000	350,000	34%

¹ Valuation figures for this case were presented in Euros as they are in the ICSID (2009). The current exchange rate of Euro to United States Dollars as at 10/10/2020 was 1 Euro: 1.18 United States Dollars.

Farways farm	1,130,000	740,000	390,000	35%
Chiripiro farm	680,000	450,000	230,000	34%
Springdale farm	770,000	500,000	270,000	35%
Ruia Ranche farm	640,000	420,000	220,000	34%
Roscommon farm & Preston Estate farm	550,000	360,000	190,000	35%
Rio Dora farm	910,000	600,000	310,000	34%
Whindale ranch	1,410,000	930,000	480,000	34%
Total	10,690,000	7,200,000	3,760,000	35%

Source: Adopted from ICSID (2009:42).

As indicated on Table 3, it is evident that there are also notable differences between the property values estimated by the applicant and the ones approved as fair compensation by the ICSID (2009). However, they used the same valuation method. This indicates that private valuers also over-value expropriated properties, just as valuers for the expropriating authority under-value the same properties. For example, private valuers estimated a disturbance claim of USD40,000, but the ICSID (2009)'s position was that USD20,000 was enough; private valuers estimated interest for delayed payment at 10% per month, while the ICSID (2009) used 10% compounded bi-annually (ICSID, 2009).

It was established that the government of Zimbabwe lost all compensation cases that were reviewed in this study. In the Campbell case, the court concluded that the expropriating authority's failure to compensate for land was against international best practice (SADCT, 2008). Also, in the Funnekotter case, the conclusion was that the government used an inappropriate valuation approach (ICSID, 2009). Lastly, in the Interfresh case, the court ruled that the expropriating authority failed to justify why it discounted all income for the entire period under investigation instead of discounting at different periods (Administrative Court of Zimbabwe, 2015). These cases paint a picture of an incompetent government valuation office and biased private valuation officers.

4.2 Fairness and Adequacy of Compensation Paid for Expropriated Properties in Zimbabwe in Terms the Provisions of Section 71 of the Constitution of Zimbabwe of 2013

This study established that there is currently no clear definition of fair and adequate compensation in both the *Constitution of 2013* and the *LAA of 1992*. Without a standard yardstick, it was difficult to measure if the compensation offered by the government of Zimbabwe was fair and adequate in terms of Section 71 of the *Constitution of Zimbabwe of 2013*. The researchers sought the views of designated valuation officers, private valuers, members of the compensation committee and former commercial farmers on the fairness and adequacy of compensation offered/paid by the government of Zimbabwe; their responses are presented in the sections to follow.

4.2.1 Views of Designated Valuation Officers on Fairness and Adequacy of Compensation Paid for Expropriated Properties

Half (50%) of the designated valuation officers were of the view that the current compensation for expropriated land is not fair and adequate, 33% were unsure. In comparison, 17% were of the view that the existing compensations are fair and adequate, as provided at law. In the word of DVO1:

"The reason why I think that compensation that is currently paid is not fair and adequate is that most if not all people displaced from their communal land complained because of compensation that, according to them, is not fair and adequate. Also, the reason why former commercial farmers were disputing compensation offered by the government is that they felt that what was offered by the government was neither fair nor adequate. In my thinking, we need to revise our compensation framework taking into consideration lessons learnt from previous expropriation and compensation experiences."

4.2.2 Views of Members of the Compensation Committee on Fairness and Adequacy of Compensation Paid for Expropriated Properties

Sixty-three per cent of the Compensation Committee members were of the view that compensation offered by the Government of Zimbabwe to former commercial farmers was fair and adequate as provided by Sections 71, 72 and 295 of the *Constitution of Zimbabwe of 2013* and the remaining 37% did

not comment. The general view of members of the Compensation Committee was that the provisions of the existing law should be used as a yardstick to measure fairness and adequacy of compensation offered or paid by the government of Zimbabwe.

MCC5 explained that:

"The process is very fair, and it provides for the involvement of the former owner of the property. The value is not imposed on the owner, but there is a dialogue that allows input from the owner, who can even involve a private valuer of his/her choice. The input from the private valuer will be considered, and this has been the practice for a long time without much change."

Also, MCC8 was of the view that when assessing the fairness and adequacy of compensation that is paid for land acquired for resettlement purposes, it is important to have a historical background of the land issue especially during years of colonial rule. In the words of MCC8:

"In your study on fairness and adequacy of compensation paid for land acquired during the Fast-Track Land Reform Programme, you need to read widely on compensation for expropriation before independence. For your information, people were forced to leave their productive land without compensation. If you have this bigger picture, you will appreciate that what is provided for at law is more than fair and just compensation. Most of the FCFs if not all, benefited from stolen land directly or indirectly. What is fair is for former colonial masters to compensate victims of colonialism, and this might also include victims of the slave trade."

All Compensation Committee members agreed that fair and adequate compensation includes land and improvements when properties are expropriated from indigenous Zimbabweans or foreigners from countries with investment agreements with Zimbabwe. When properties are expropriated from people who are neither indigenous Zimbabwean nor foreigners protected by bilateral agreements, fair and adequate compensation is just for improvements on the land. MCC1 stressed that:

"Sections 72 and 295 of the constitution are clear that compensation for indigenous Zimbabweans is for both land and improvements, whereas compensation for affected foreigners is divided into 2. Suppose the expropriated property is owned by a foreign national who is from a country with an investment agreement with Zimbabwe. In that case, the compensation is done in terms of the provisions of the agreement protecting that investment. On the other hand, compensation for properties owned by foreigners who are not nationals of countries with investment agreements with Zimbabwe, fair and adequate compensation is just for improvements on the land."

MCC4 explained that:

"Improvements include hard infrastructure like buildings, roads, dams and irrigation infrastructure to point just 4. Furthermore, improvements in agricultural land include land clearing and biological assets like plantations, orchards and many more. Different valuation methods are used to calculate fair and adequate compensation for improvements on the land, and the commonly used methods are the depreciated replacement cost method, the direct comparison method and the investment methods (income and DCF)."

4.2.3 Views of Private Valuers on Fairness and Adequacy of Compensation Paid for Expropriated Properties

All private valuers believed that the compensation offered for expropriated properties was not fair and adequate. In their view, fair and adequate compensation is an international principle that goes beyond the provisions of national laws. Most private valuers believed that the exclusion of land on compensable heads of a claim under certain circumstances makes the current compensation unfair and inadequate. PV4 underscored that:

"Non compensation of land which is expropriated from former commercial farmers. Most of the victims of the land reform in Zimbabwe bought their properties after independence through financial support from the Agricultural Finance Cooperation. The Zimbabwean Land Acquisition Act and the constitution placed responsibility for land compensation on Britain as the past colonial master; however, Britain cannot be bound by another country's constitution."

Furthermore, 75% of the private valuers pointed out that there is no fairness because the compensation committee is given the sole mandate to estimate fair compensation without the involvement of affected people. According to PV2:

"The Act specifies the composition of the compensation committee that include secretaries of various ministries, the Chief Lands Officer, The Government Valuation Officer and five others to be appointed by the Minister. In the past, this committee used to include professional valuers representing the affected people. However, currently displaced people can only appeal to a competent court of law if the compensation committee did not follow the procedure in terms of Section 21 and 29C."

Fifty per cent (50%) believed the violent nature of the fast-track land reform programme and

delayed payment of compensation makes the whole expropriation process unfair. PV3 underscored that:

"When the fast-track land reform programme started, farms were supposed to be valued at the time of acquisition. This did not happen, leading to problems with verification of assets 17 years later. Some of the assets were vandalised during the violent farm invasion, while others were rundown due to misuse or lack of maintenance after the acquisition."

4.2.4 Views of Former Commercial Farmers on Fairness and Adequacy of Compensation Paid for Expropriated Properties

This study established that the general view of former commercial farmers (FCFs) is that compensation offered and paid for expropriated properties is neither fair nor adequate. All the former commercial farmers believed that there was no transparency during the expropriation and compensation process as the fast-track land reform programme was more of a political move used by the ruling party to gain political mileage and regain its dwindling support base. Furthermore, lack of fairness was also evidenced in delays in handling court judgements on-farm invasions. As such, farmers also lost some of their farm produce that was not considered during the compensation debate.

More than half of the former commercial farmers (60%) decried that they were violently evicted from the farms they had bought after independence, without notice of intention to expropriate, and that they lost more than just improvements on the land as they were not allowed to take any of their farm belongings, including movables. All farmers lamented that the current laws do not include land as a compensable item. Compensation for land in terms of Zimbabwean law is the responsibility of the former colonial powers (Britain). However, FCF10 underscored that, unfortunately, the British government never accepted the responsibility for the compensation of land that left former commercial farmers on their own with no recourse for the expropriated farms. Half of the former commercial farmers believed that it was going to be fair if the Zimbabwean government transfer the responsibility of compensation for land that was acquired during the colonial era to the former colonial masters and takes the responsibility of compensation of all land that was acquired after independence.

"I, for one, did not benefit from land that was unjustly acquired during the colonial period. I am a Zimbabwean by birth who bought my only farm in the mid-90s. I happen to be a victim just because of my race. Like any other Zimbabwean, I deserve fair and just compensation for my lost investment."

Seventy-two per cent (72%) of former commercial farmers pointed out that the compensation offers were not fair, simply because they did not specify in a breakdown format how much was paid for each compensable head of claim; instead, they were just given the final compensation figure in the offer by the government of Zimbabwe. Seventy per cent of the former commercial farmers were of the view that the offer by the compensation committee just used a uniform method of calculating compensation for different types of agricultural properties, ignoring issues like the influence of location on property value and differences in agricultural activities carried out on each farm. One former commercial farmer pointed out that the acquired property had two running streams passing through it, and was very close to the capital city (Harare). Still, all those factors were ignored when compensation was calculated. Some former commercial farmers were of the view that rule of thumb was used by designated valuation officers when coming up with depreciation rates. In the words of FCF30:

"There was no compensation for movable assets, goodwill of my lodge and its assets and depreciation was based on generalised figures as the effective age of improvements was not considered."

Also, all former commercial farmers believed that failure to pay interest for delayed compensation is unfair and makes the compensation offered inadequately. To add more, ninety per cent of the former commercial farmers felt that existing laws deviated from international best practice as they were amended to unfairly dispossess them from their farms by closing all avenues for recourse. According to FCF10, a law was passed that gave anyone whose property was listed for expropriation 45 days to vacate their property, disregarding any court order reversing the acquisition. The gazetted law was specific that any farmer who fails to vacate within the stated time would face a 2-year jail sentence. Also, another FCF explained that:

"Several laws made in Zimbabwe, especially regarding land, are at variance with the internationally accepted principles of law-making. The first relates to discretionary powers. Bingham states that: "Questions of legal right and liability should ordinarily be resolved by application of the law and not the exercise of discretion."

Yet, under Zimbabwean law, the president has been granted wide discretionary legal powers."

Furthermore, forty per cent of the former commercial farmers were of the view that there is no fairness in the expropriation and compensation process in Zimbabwe because of the selective application of the law. In addition, some former commercial farmers felt that the expropriation process was not fair due to conflict of interest of those involved in the acquisition, valuation and appeal processes. FCF10 explained that:

"If you do your research, you will establish that government officials, including designated valuation officers, members of the compensation committee and even those in the judiciary, benefited from our expropriated farms. Do you think these people will be impartial when handling our issues when they have interests in the same issue?"

According to FCF1, most of the initial offers done by the compensation committee before the Global Compensation Agreement of 2020 (including the ones done during the multi-currency period) were very low and, thus, the offers were rejected by the farmers. Farms with previous offers were also included in the list to be compensated under the Global Compensation Agreement of 2020. Most (90%) of the farmers were satisfied with the compensation agreed on, but there were some (10%) who felt that the agreed figure was just a fraction of what they were supposed to get if property valuation was done in line with international best practice.

One of the former commercial farmers thought that the issue of satisfaction of the farmers with the compensation offered in the Global Compensation Agreement is an academic exercise since, currently, the government of Zimbabwe has neither the funding to pay the compensation amount nor external sources where it can raise the agreed US\$3.5 billion. Furthermore, all former commercial farmers were of the view that the expropriating authority should pay reasonable costs of engaging professional valuers and any reasonable cost of appeal in a court of law.

Furthermore, it was necessary to test the reliability of the findings made in this study. Accordingly, the Cronbach's or coefficient Alpha test, commonly used for similar assessment, was used. HOEKSTRA et al. (2019) report that the coefficient alpha is a common tool used to test reliability in behavioural and social sciences. In this study, the tool was used to test the reliability of the responses of the four research subjects on fairness and adequacy of the amount of compensation paid for expropriated properties in Zimbabwe. Though the questionnaires for Members of the Compensation Committee, and Former Commercial Farmers were structured differently (open-ended), responses were aligned to the Likert scale format to achieve the goal of this test. Table 4 provides a summary of each of the research subjects used in this analysis.

Table 4

Reliability analysis	
Research participants	Cronbach's Alpha
Designated valuation officers	0.729
Private valuers	0.748
Members of the Compensation Committee	0.721
Former commercial farmers	0.702

Source: own study.

The results in Table 4 shows that all the Cronbach's Alpha coefficients were above 0.7, which can be deemed reliable. In other words, the reliability test results represent an acceptable correlation between the items used across the entire questionnaire. According to KOONCE & KELLY (2014), even though a Cronbach's Alpha coefficient which is closer to 1 is more desirable, any value above 0.7 is acceptable.

5. Conclusion and Recommendations

A study on expropriation and payment of compensation to the displaced people is usually birthed when there are challenges relative to lack of fairness and inconsistencies in the assessment/valuation processes. The absence of fairness and consistency has been the cause of a protracted crisis between the former commercial farmers and the government in independent Zimbabwe. Thus, the objective of this research was to evaluate the level of consistency and fairness in property valuation of the expropriated land and improvements of the farmers for compensation. Unravelling what went wrong and how these faults could be remediated revealed that provisions of the Zimbabwean statutes, for

the most part, do not deal effectively with consistency and fairness of compensation for expropriated properties. This was supported by evidence of wide gaps in the valuation estimates of designated valuation officers and private valuers compared to those of the independent valuation experts authorised by the courts. This lack of consistency can be attributed to high levels of dissatisfaction amongst the displaced former commercial farmers. Furthermore, the obvious facts made the majority of former commercial farmers, designated valuers, and private valuers decry the inadequacy of the current Zimbabwean laws in dealing with several contemporary issues relative to expropriation and compensation.

The study found that the fairness of compensation for expropriated properties is complex, especially, when it relates to compensation for farms expropriated for land reform. This supports the findings of Magaisa (2010) and Pilosof (2016). The complexity of fairness for compensation for expropriated properties in Zimbabwe can be attributed to some of the errors made during the colonial era, which have remained unresolved for centuries. This is compounded by multitudes of victims who were affected before and after independence. In this case, fairness is only possible if compensation is provided for victims of expropriation going back to expropriation made by the former colonial masters.

To bring consistency to the existing laws guiding property valuation for expropriation practice, there is a need to synchronise all existing laws guiding expropriation and compensation and align the same to the provisions of the *Constitution of Zimbabwe* of 2013.

As highlighted before, the issue of the fairness of compensation for properties expropriated for land reform in Zimbabwe is complex. Though the willingness of the new government to put this complex issue of compensation dispute to finality is commendable, there is still a need for a political solution to this lingering problem. This political solution requires political will from former colonial masters and the Zimbabwean government to work together and develop a lasting solution. For this recommendation to see daylight, independent players might need to play a mediatory role given the sour relationships between the parties involved. Non-governmental organisations and/or churches might be best-suited for this mediatory role.

Additionally, it is recommended that the Valuers Council be empowered to develop a workable framework that guides property valuers in the assessment of compensation value for all hereditaments in Zimbabwe. The different nomenclature of property valuers in Zimbabwe needs to be harmonised in line with their qualifications to ensure standards in their estimation and related duties.

Lastly, it is recommended that there is a need for further research to build a model that can be used to deal with the issue of compensation for land expropriated during the colonial era and after independence. Academics and researchers must be resourceful in this regard to inform policy and propose models which might be adopted in the future. However, it must be emphasised that informative research needs sufficient funding, and the Zimbabwean government is currently facing financial constraints. Therefore, the donor community and non-governmental organisations can play a leading role in financing research on finding a lasting solution to lingering issues surrounding compensation for expropriation in Zimbabwe.

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