Legal Literacy as a Strategy for Economic Empowerment: A Case of the Implementation of By Laws on Urban Agriculture by Kadoma Municipality, Zimbabwe

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Abstract:- This paper aims at gaining a deeper understanding of how the dissemination of legal information impacts on the socio economic rights, especially in the informal settlements. One of the most notable areas where change is taking place in Zimbabwe is the dramatic change in the rights of individuals through constitutional amendments. What is also evident is that many individuals, probably most, have little knowledge of their rights. The study focuses on what individuals in Kadoma, Zimbabwe know of their rights on urban agriculture and most importantly what they think they need information on. The study also focused on the important element of how communication is structured between the municipal council and the residents and how residents communicate and engage with the municipal council and other public service entities. The research thus moved a step further from investigating issues into trying to provide people with legal information that will allow them to engage with services that are available.

Key words: Legal Literacy, By Laws, Women’s Law, socio-economic rights, urban agriculture, human rights

I. INTRODUCTION

Legal Literacy can be defined as ‘the process of acquiring critical awareness about rights and the law, the ability to assert rights and the capacity to mobilize for change’ (Schuler and Kadrigamar-Rajasingham, 1992). They also note that ‘empowerment’ could be viewed as a process for acquiring the psychological and social capabilities needed to effect changes in social relations. It is in relation to laws on urban agriculture that this study will be discussing how legal literacy on the same can be a strategy for economic empowerment in Kadoma City. Urban agriculture (UA) can be defined as the growing of plants and the raising of animals within and around cities (FAO, 2015). According to the Food and Agriculture Organization (FAO), over 800 million people practice urban agriculture in the world with the majority coming from the low-income residents in a city. Urban agriculture is mostly practiced by poor urban families to cater for their basic needs. Residents of a city or town can practice urban agriculture either for consumption, sale or both. According to a UNDP report, urban agriculture can be investments which can make the urban dwellers much more food secure (UNDP, 1996). The research findings also indicate that urban agriculture is a source of many urban families’ income. Despite of the significant role that agriculture plays in the livelihoods of the people in urban areas, it goes unrecognized in agricultural policies and in urban planning. FAO further notes that growers often operate without permits and since it is officially “invisible”, the sector receives no public assistance or oversight in many cities (FAO, 2015). This was also supported by the research findings which indicated that agriculture was not legally recognized and supported in the City of Kadoma. The only ‘recognition’ was that it was illegal in the city.

II. PROBLEM STATEMENT

Kadrigamar-Rajasingham (1992), notes that mere knowledge of the law is not sufficient to assure enjoyment of rights and citizen participation so there is the need ‘to transform social relations and require the development of psychological, cognitive, social and political capacities in order to take effective action for change’. According to the Zimbabwe plan for socio-economic empowerment popularly known as the Zim Asset (2013), agriculture is acknowledged as the back bone of the economy with a majority of the people in Zimbabwe benefitting from it but the sector has deteriorated although plans are under way to revitalize it. The Zim Asset also notes that strengthening urban agriculture is one of the strategies to uplift the welfare of over 1 000 000 people living in extreme poverty. The practice of urban agriculture is on the rise in Zimbabwe, notes Zim Asset, 2013. This has been brought about by among others, the harsh economic times in Zimbabwe, which has seen a large number of people in the urban areas lose their jobs. (Sheunesu, 2007). The small scale vendors, urban farmers and the institutional sources indicated that many people in Kadoma practice urban agriculture. Despite this, there exist by-laws which discourage urban agriculture as stipulated in the Master Plan which is as a result of the Regional, Town and Country planning Act Part V section 22.
Although there are laws, and many urban farmers seemed to be aware of them, they were not aware about these laws’ potential to curtail or discourage their main source of economic activity/livelihood. Despite the provision on the Regional, Town and Country planning Act, Part II subsection 15 to provide sufficient information and access to the Master Plan or the Act, findings of this study will show that the residents rarely have access and or knowledge of these documents and other laws that influence or have the potential of influencing negatively the practice of urban agriculture.

III. THE OBJECTIVES OF THE STUDY

The main objectives of the study were to:

i. To study the relationship between the by laws and urban farming in Kadoma City
ii. To examine the level of knowledge of the law (legal literacy) on urban agriculture in Kadoma City
iii. Offer recommendations for effective, adequate and sustainable information dissemination strategies.

IV. RESEARCH QUESTIONS AND ASSUMPTIONS

The research was mainly based on legal literacy on urban agriculture by-laws by urban farmers in the City of Kadoma. The assumptions and the research questions are discussed below.

V. ASSUMPTIONS

The overall research assumption was that ‘Urban Farmers and Small scale traders in Kadoma do not have sufficient information regarding their constitutional rights on economic empowerment which encourages the enforcement of by-laws that do not support small scale trading’

The sub assumptions were:

i. Kadoma by laws discourages urban agriculture
ii. Insufficient information on urban agriculture bylaws by Kadoma residents contributes to food insecurity
iii. Restrictive practice of agriculture in urban areas infringes on the constitutional economic empowerment rights of the Kadoma residents
iv. A considerable number of residents in Kadoma City depend on urban agriculture as the primary source of livelihood
v. The dissemination of information on Kadoma by laws on urban agriculture is inadequate and ineffective

VI. RESEARCH QUESTIONS

From the sub assumptions I had the following research questions:

i. Does insufficient information on urban agriculture by laws contribute to food insecurity?
ii. Do Kadoma by laws discourage urban agriculture?
iii. Do restrictive practice of agriculture in urban areas infringe on the constitutional economic empowerment rights of the Kadoma residents?
iv. Are there a considerable number of residents in Kadoma City who depend on urban agriculture as the primary source of livelihood?
v. Is the dissemination of information on Kadoma by laws on urban agriculture inadequate and ineffective?

VII. STUDY AREA

The City of Kadoma is situated at the southern end of the Mashonaland West province and according to the 2012 population census, it has a population of approximately 110 000. As a result of the closure of major companies, unemployment rate has increased and people have resorted to urban agriculture as a form of employment (Mashonganyika 1992). In more recent years the city has seen an increase in the informal sector. Urban agriculture is one of the informal activities that have developed in the city. This activity developed because of a number of reasons which include the increase in population and closure of industries. These poor unemployed urban people have then resorted to urban agriculture on open spaces as a source of income. The activity of urban agriculture takes place mostly in high-density areas of Rimuka and Ngezi areas since this is where most of the poor people reside (Kadoma City Council Records, 2003). The researcher set out to research on the legal information dissemination on urban agriculture in Kadoma City as discussed above. The following chapter is on some of the available literature on the subject of the research. This literature also informed the researcher’s assumptions as well as the recommendations.
VIII. LITERATURE REVIEW

1.1 Food and Agriculture Organization
Urban agriculture has been on the rise throughout the world. FAO estimates the number of those engaged in the practice as over 800 million (FAO, 2015). The purpose for the practice of urban agriculture could be for consumption, sale or both. Some of the major reasons behind the practice of agriculture in the urban areas include but not limited to lack of access and ownership of alternative farmland, easier access to the produce and the market (FAO, 2015). A majority of urban farmers are women, especially in African countries and as FAO notes, urban agriculture provides employment and incomes for poor women and other disadvantaged groups. The argument against the practice of urban agriculture is that it carries health and environmental risks – potential use of contaminated land and water smells and noise pollution, and inappropriate use of pesticides and of raw organic manure that can leak into water sources.

1.2 Bulawayo Urban Agriculture Policy
In Zimbabwe’s second largest city, Bulawayo, the Urban Agriculture Policy, 2007, acknowledges the potential that the sector has to alleviate poverty and ensure food security in the city. The policy envisages to ‘enhance food security, maintain good nutrition, good health through the provision of safe water and sanitation and urban agriculture related challenges’. The policy notes that those engaged in it realize commercial benefits, or practice it for subsistence to supplement their meager incomes or simply for survival and for many families, the policy adds, cultivated vegetables and crops within the residential properties and outside, provide the much-needed source of nutrition. The policy notes that there are many challenges on urban agriculture but notes that urban agriculture can be considered to provide one of the best potentials, for employment creation under the present economic circumstances. Urban Agriculture plays a significant role in many economies around the world which include Kenya, Nigeria, Ghana, Brazil and Singapore.

1.3 Local and international legal Provisions on urban agriculture
There are various local and international laws and conventions that provide for the practice of agriculture, including urban agriculture.

Local Provisions
The Constitution of Zimbabwe (Amendment 20) Act 2013 section 15 notes that:
The state must encourage people to grow and store adequate food; secure the establishment of adequate food reserves and on Section 77 (b): Every person has the right to sufficient food and the state must take reasonable legislative and other measures, within the limits of the resources available to it, to achieve the progressive realization of this right. Section 17 subsection 1 (c) states that the state and all institutions and agencies of government at every level must take practical measures to ensure that women have access to resources, including land, on the basis of equality with men while on Section 64 it reads: Every person has the right to choose and carry on any profession, trade or occupation, but the practice of a profession, trade or occupation may be regulated by law

ZIM Agenda for socio-economic transformation (Zim Asset), 2013
The policy notes that agriculture is the backbone of the economy. Among others the Plan seeks to boost economic growth and development and is guided by Investing in sustainable and robust solutions in order to address the challenges of food insecurity and undernourishment.

Regional, Town and Country Planning Act
The Act provides for the establishment of a Master Plan in the area of a City Council and the Local Plan for Municipal Councils. The Act designates the land use of towns and cities. The Act prohibits the practice of agriculture in cities, especially in residential areas and by the roadsides.

International Legal Instruments
International Covenant on Economic, Social and Cultural Rights
The United Nations’ International Covenant on Economic, Social and Cultural Rights, 1966 provides for right to food and freedom from hunger. In Article 11 (1) the covenant notes that: The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.
Convention on Elimination of All Forms of Discrimination against Women
The Convention on Elimination of All Form of Discrimination against Women, Article 3, also acknowledges and provides for the right to economic rights of women, which includes the right to engage in economic activities and the promotion of the same.

Beijing Declaration and Platform for Action
The Beijing Declaration and Platform for Action, 1995 also notes the sector of food security as a key priority area. The Beijing declaration also calls for the involvement of women in legal literacy programmes, and in particular reference to those in the agricultural sector. In section 82 (f), the declaration states that: The state in cooperation with other actors shall: Promote women’s central role in food and agricultural research, extension and education programmes;

United Nations’ Universal Declaration of Human Rights
The United Nations’ Universal Declaration of Human Rights (1948) also provides for the right to food and the promotion and protection of the same. In Article 25 (1) the declaration reads in part: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food

African Charter on Human and Peoples’ Rights on the Rights of Women in Africa
Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa Maputo Protocol, 1995, on the right to food: Article 15 provides that States Parties shall ensure that women have the right to nutritious and adequate food. In this regard, they shall take appropriate measures to:

9.1 Women as the starting point
The study used the Women’s Law approach / methodology as the overarching approach. Women have over time been subjected to laws that are not cognizant of their historical marginalization. The women’s voice and experiences need to inform our laws and policies. This approach seeks to take the women as the starting point and notes that it is ‘Women-centred legal discipline which takes women’s actual lived experiences and life situations based on sexuality, birth, care and domestic work as starting point for the analysis of the position of women in law and society’ (Bentzon et al, 1998).

9.2 Understanding lived realities of urban farmers
The study also used the grounded approach where I sought to understand how in touch with reality the law was in relation to the realities of both men and women practicing agriculture in Kadoma City. The aim of the grounded approach was ‘to engage empirical knowledge about gender relations and local practices and procedures, in a constant dialogue with theoretical generalization and concept building’ (Bentzon et al, 1998).

9.3 Are laws and policies on urban agriculture gendered?
The bylaws and laws on urban agriculture formulation can be influenced by the gender and experiences of the people involved (Tsanga and Stewart, eds). The formulation of laws can be influenced by the sex of the formulators, their experiences and their perceptions. To understand whether these laws were engendered the study used the masculinity approach.

9.4 Do institutions influence the behavior of actors?
Laws and bylaws in some cases, as the research findings indicated, need to be reviewed, repealed or reformed from time to time. This mostly involved the officials in the legislature. The role of officials is most of the times influenced by the institutions that they play a part in. To understand that concept, the study also applied the institutional approach to study whether institutions have the power to influence the behavior of individuals in the system.
9.5 What role does legal pluralism play in the implementation of laws on urban farming?

The study also applied the legal pluralism approach as the researcher sought to study the intersectionality of the community under study in Kadoma. The researcher stood in the premise that there is a possibility that the application of the different laws that is state law, customary or otherwise contributes to the food insecurity in Kadoma.

9.6 The practice of urban agriculture as a rights issue

As part of the research, the study sought to determine whether the regulations of urban agriculture in Kadoma City were a rights issue. Some of the rights that the study looked into included but not limited to the Right to Food and Freedom from hunger, right to health, right to economic activity/empowerment among others. The researcher’s assumptions included that there is lack of information on the urban farming by laws in Kadoma City and that the strategies applied were both inadequate and ineffective. It was also the researcher’s assumption that the bylaws in Kadoma City do not encourage urban farming/agriculture. The study theory was that although the bylaws prohibited and discouraged the practice, it was a right for the people of Kadoma to practice any economic sustainability activities for their survival. This would be necessitated by the fact that the government was unable to adequately offer an alternative means of income to the people and was also underscored by the fact that it was a constitutional provision for the government to empower the people of Zimbabwe as a whole, in their various economic activities. The use of the rights based approach went an extra mile in the research as the assumption that people were not knowledgeable on the bylaws was somehow challenged in the field. The study maneuvered this by changing the focus on entirely the lack of information on the bylaws, to the fact that the practice of urban agriculture could be utilized as one way to access the people’s rights to food and to an economic activity.

9.7 Collection of Primary Data

The study had a purposefully pre-selected sample, having identified the people to be interviewed. When in the field, the researcher interviewed more people for the purposes of clarification, need for more information or triangulation. The researcher also interviewed most of the respondents in their places of work as shown in fig 4 below.

<table>
<thead>
<tr>
<th>Category of People Interviewed</th>
<th>sex/ gender of respondents?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional Sources/Kadoma City Council</td>
<td>Sex (M-Male, F-Female)</td>
</tr>
<tr>
<td>1. His Worship the Mayor, Kadoma City</td>
<td>M</td>
</tr>
<tr>
<td>2. Municipal Police</td>
<td>M</td>
</tr>
<tr>
<td>3. Public Relations Assistant Director</td>
<td>M</td>
</tr>
<tr>
<td>4. Finance Director</td>
<td>F</td>
</tr>
<tr>
<td>5. Town Planner</td>
<td>F</td>
</tr>
<tr>
<td>6. Water and Sanitation Director</td>
<td>M</td>
</tr>
<tr>
<td>7. Housing Director</td>
<td>M</td>
</tr>
<tr>
<td>8. The Chamber Secretary</td>
<td>M</td>
</tr>
<tr>
<td>Local Government</td>
<td></td>
</tr>
<tr>
<td>9. District Agricultural Extension Officer</td>
<td>F</td>
</tr>
<tr>
<td>Individual Urban Farmers</td>
<td></td>
</tr>
<tr>
<td>10 Urban Farmer 1</td>
<td>F</td>
</tr>
<tr>
<td>11 Urban Farmer 2</td>
<td>M</td>
</tr>
<tr>
<td>Street Vendors</td>
<td></td>
</tr>
<tr>
<td>12 Vegetable Small Scale Vendor</td>
<td>M</td>
</tr>
<tr>
<td>13 Vegetable Small Scale Vendor</td>
<td>F</td>
</tr>
<tr>
<td>Elected leaders</td>
<td></td>
</tr>
<tr>
<td>14 Councilor Ward Five, Chedonje, Rimuka, Kadoma City</td>
<td>F</td>
</tr>
<tr>
<td>Resident Chairperson</td>
<td></td>
</tr>
<tr>
<td>15 Ngezi Residents Association Chairperson</td>
<td>M</td>
</tr>
<tr>
<td>Focus Group Discussions</td>
<td></td>
</tr>
<tr>
<td>16 Ngezi 15</td>
<td>F</td>
</tr>
</tbody>
</table>
Most of the urban farmers and small scale traders interviewed were married and had children.

9.9 Data Collection Tools

The following tools were used to collect data:

i. Face to face interviews
   These were mainly used on individual urban farmers and small scale vendors. This tool was mainly used so as to capture the individual experience of this category of the people.

ii. Key informants/institutional
   These mainly administered to the officials in the municipal council. This was to capture the institutional standing of on the various issues in the assumptions and the reasons behind the same.

iii. Focus group discussions
   This is a tool that was used among others to triangulate data captured by the above two tools as well as get the ‘group attitude’ on issues under study. This also gave the individuals who are comfortable in a group setting to express themselves more openly.

9.10 Observation

By observation, the researcher could corroborate the respondents’ statements, for instance the study observed that the most of the residential agriculture was not doing well as the crops were stunted, a clear demonstration that the water, fertilizer and other agricultural support was missing. Our efforts to access most of the by-laws were futile, which demonstrated legal information gap, right from the higher levels.

9.11 Data Analysis

The data collected was based on various subtopics. This was designed to help feed into the assumptions. The data collected was mainly qualitative with the sample purposefully pre-selected. The data was analyzed as per the various research questions and the conclusion and recommendations drawn. The literature review that the researcher did also fed into the research assumptions and contributed to the recommendation on the information dissemination strategies among other areas.

9.12 Limitation of study

The numbers of days in the field were limited and therefore the data that was gathered was also limited. As a result, the study did not manage to get enough information from the local government officials on comprehensive land use from the national government’s perspective. The theoretical framework and the methodology guided the study on the various research questions and the approach that were employed in attempting to confirm the assumptions.

The following chapter illustrates the research findings on the legal information gaps as guided by the assumptions and the methodological and theoretical frameworks.

X. RESEARCH FINDINGS

The research was mainly based on the knowledge of the law by both men and women, at the institutional and at the ‘ground’ level. The researcher has categorized the research as per the following areas.

10.1 Practice/prevalence of Urban Agriculture. Most of the respondents cited the small scale trading as their main occupation. This was also confirmed by the Mayor of the city of Kadoma and the District Agricultural Officer who noted the main livelihoods as small scale trading, gold panning and urban agriculture.

![Figure 6 Chart showing the main sources of livelihood in Kadoma City](image-url)
1: Urban Agriculture  

Urban agriculture was the third most widely practiced source of livelihood/income. This was mainly done in residential areas and on the roadsides. Some of the respondents indicated that the farming supplemented their income and some noted that it was their guaranteed source of food. Most of the crops that were grown included maize and vegetables. The water that was used mainly for irrigation was the water that was left after washing the dishes or other domestic use and from rain. Some small scale vendors acknowledged that they bought the vegetables from people who grew the same in Kadoma city. ‘Even though I do not practice urban farming, I know people who do especially those who sells the vegetables to me’, noted one small scale vendor.

Though the council through the various officials that were interviewed stated that there were designated areas that the people of Kadoma could be allocated farmland of at least an acre each, the residents form Kadoma either individually or in groups refuted this and noted that the farms were either non-existent or it was very hard and bureaucratic to access the said farms. The council bylaws, Kadoma (Incorporated Area) (Amendment) By-Laws, 2012, provided for the dissemination of such kind of information but as was evident the people knew very little about it.

10.2 Women as the majority urban farmers

It emerged from the research that women were the majority urban farmers. This could be explained by the fact that women farming, especially in small scale and in urban areas are considered to be a women’s job and also that women are increasingly taking up the roles of being the bread winners, especially in Kadoma city. A respondent noted that this was due to the fact that many men have lost their jobs due to the closure of the industries around Kadoma. The respondent added that some men were reluctant to take up ‘small’ jobs like urban farming and small scale trading.

Figure 8 Chart showing the sex representation of urban farmers

Key
1: Women  
2: Men

The women respondents did not seem to have any knowledge of the various legal provisions that encourages them to engage in the various economic activities, including agriculture. They seemed to be the most affected by the lack of legal knowledge since most of them did not attend the meetings that were called by the councilors, deeming them political. This would be as a result that many women tend to occupy the ‘private space’ and leave the ‘public space’ for the men (Lasswell1936).

10.3 Main Purpose of urban farming

Most of the respondents indicated that they practiced urban farming for consumption and or sale with many citing the harsh economic times as a major contributor to venture into urban farming. One of the respondents noted that he was barely able to feed his family or even pay for rent. He added that with farming there is always ‘something small’ to eat at home.
To some it was also a way of supplementing their income, while to others it allowed some savings. Urban farming, noted some of the respondents, was a main way of supplementing their diet. This demonstrates that the access to information on the available opportunities which include the introduction of legal provisions for the encouragement of urban agriculture no matter the purpose for it is largely lacking.

10.4 Land Use

Nolon and Salkin 2006 note that ‘Land use planning is a process that allows municipalities to consider the impacts of land use decisions and actions on the immediate and long-range protection, enhancement, growth and development of the community’. According to the town planner, The City Council of Kadoma used the Town, Regional and Country Act to develop the Master Plan of the city which prohibited the practice of urban agriculture in the City of Kadoma and noted that the practice of agriculture could not occur within 200 meters of the road and areas that were residential. She noted that there was specific land for commercial, residential institutional use as well also agro-residential places like Sabanaba, Mandloy, and Blue Ranges where people are given at least one acre each for farming.

The department of urban planning noted that the reason this was so that there should be no compromise of ‘standards’ in the town and added that what was on paper should be what is on the ground. However he noted that since the economic well being of the people was not good and therefore the laws on urban planning and land use were relaxed. However, he noted that those who wanted to practice agriculture could access ‘hectares and hectares’ of land that is provided by the council for farming.

The department added that the farms around and in town harbored thieves and other evil doers. They also contributed to pipe clogging and vandalizing of council property. Though the people of Kadoma had an understanding of these rules, they deemed them not to be justifiable due to their disadvantaged economic situation and chose to ‘rebel’ against them.
10.5 Land ownership and access

Most of the people did not own but had access to the land in which their houses were built by the City Council and paid rent. There was a system, according to the city council officials, that allowed them to own the houses after paying rent and living in the house for about 25 years or so. It was surprising that many of the respondents did not know about this system and in reality this rarely happened. It was clearly evident that the people did not have sufficient information on this system and therefore they did not demand of it, with some having lived in the houses for more than 25 years. Most of them seemed unaware that there was land that was set aside for farming in some areas of the City like Visser and Madaloy with some stating that they had never heard of the same.

10.6 Kadoma bylaws on Urban Farming and their effect on urban farming

The Kadoma bylaws, through the Master Plan largely prohibited and even discouraged urban agriculture in urban areas. The Regional, Town and Planning Act, the Local Plan and the Master Plan discouraged the practice of urban agriculture in most of the areas in Kadoma City. This they did by prohibiting agriculture ‘carried out within two hundred metres of the centre line of any main road or district road; or to be carried out on any property which is less than one hundred hectares in extent; or on land less than 100 acres’. This was also asserted by the department of urban planning which noted that this was done as the town needs to conform to certain standards. These notwithstanding the bylaws were not being implemented. The respondents noted that this was so because the city was undergoing tough economic times and since the council was not in a place to offer them adequate financial aid, it allowed them to engage in urban agriculture.

The Mayor noted that the times have changed and that since many people now practiced agriculture as a means of livelihood there was the need to ensure that the bylaws prohibiting agriculture were revised and made more farmer-friendly. He acknowledged that the council was in the process of revising and they had set a target of revising at least one by law in every three months. He added that the political divisions within the councillors always hindered progress in the passing and amendment of by-laws. He admitted that the council was not prepared for the influx of people in the City, ‘there are now so many residents and there was the need to change tact in planning’. However, he noted that the revision of the bylaws on agriculture was not urgent since people were already practicing agriculture and would come after a year or two. Interestingly, in these same bylaws and Acts as well as the Master Plans, there were provisions on the consultation with the public and making the same available at all times for public consumption but the Mayor noted that this was a challenge since there were no enough funds for publicization.

10.7 Knowledge of the bylaws and Information dissemination on urban farming

Tsanga (2003) notes that ‘failure to communicate or, on the part of the target group, to receive the message is located in the nature of communication. The strategies employed are indeed great determinants on whether the message will reach its target, and be effective’. The information was mainly disseminated through the local councilors when they called for meetings. Most of the respondents noted that this was the best strategy since the councilors were always with the people at the grassroots level. The mayor noted that the municipal also announces any change in law in the local dailies. However dissemination of the communication has not been sufficient due to lack of funds. The public relations officer noted that the use of the councilors meeting had more impact and was also cost-effective but noted that this also experienced challenges since only the supporters of the politician might turn up for the meeting. He further noted that the council has the mandate of disseminating information and it does this through the newspapers after the gazetting of a bylaw. There was also the use of the social media. The Public Relations Officer noted that there was the use of information kiosks which was supported by a donor and would inform people about various issues but they were misused and vandalized. The respondents suggested that more NGOs could be allowed and encouraged to operate in the City and they would play a supplementary role to the council. The use of social media and bulk SMS was also recommended. The District Agricultural Extension Officer noted that the people have the information on where to practice agriculture in Kadoma city but most of them still preferred growing near their residential areas since it are more convenient for them. She noted that the ministry of Agriculture used field speakers, demonstrations plots and field days and also there were officers on the ground to assist ‘illegal’ farmers around Kadoma.

10.8 Legal information gap

Schuler and Kadrigamar-Rajasingham 1992 notes that legal literacy is only justified if it is a process of self and social empowerment that moves women not only to activate the rights they have, but to redefine and reshape the inadequate ones as expressed in law and in practice. During the discussions, it emerged that there is the need of approaching the issue of urban agriculture as a rights issue. Though the municipal allowed the people to practice urban agriculture, the laws prohibit and restricted the
same. During the conversation with the mayor, he noted that there were plans to legalize and even support urban agriculture in Kadoma City since there was no need from running away from reality. Most of the respondents acknowledge that they knew, albeit vaguely, what the bylaws provided, that they prohibited agriculture in certain designated areas. However, it emerged that the people were not aware that it was their right and the responsibility of the council to empower them with information on the various provisions of the bylaws. There was the need to make the bylaws and the various Acts easily accessible to the people. It’s important to note that even the other researchers and I were not able to access the bylaws in spite of making a personal request to the mayor. The people were not full aware of the urgency of the revision of the bylaws to encourage and support urban agriculture. His Worship the Mayor also noted that the plans to amend the laws on urban agriculture were not urgent since the people were already practicing agriculture.

10.9 Challenges of Urban Farming

The challenges that were experienced by respondents include harsh economic conditions in the City. The small scale traders were in constant running battles with the municipal police for selling at undesignated places. This was further complicated by the fact that if they were caught selling their wares would be confiscated and it was almost guarantee that they would not be returned back. The fees that they paid were high while the revenue they got from the businesses was limited.

The urban families lived in fear of the enforcement of the bylaws that prohibited agriculture in some parts of Kadoma City. There was insufficient water or any subsidies from the government to help in this important economic activity. This was confirmed by the District extension officer who noted that they could not give the extension services to some of the urban farmers who practiced in their residential places since at the first place they were violating the law. This brought in a complex web of arguments. The urban dwellers had a right to food and an economic activity, a source of livelihood. This was according to the Zimbabwe constitution as well as the stipulated international conventions and legal instruments. It is largely evident that urban agriculture is one of the main economic activities and illegalizing seems to directly infringe on the rights of the people in Kadoma City. Most of the respondents note that they were being rebellious to the laws of the city on urban agriculture since they had nothing else to do for a livelihood. Though they knew that the council should promote their activities in farming, they were largely unaware that it was a human rights issue.

It’s from the above discourse that the researcher drew the conclusion and the recommendations on legal dissemination strategies on urban agriculture by-laws in Kadoma City.

2. CONCLUSION AND RECOMMENDATIONS

11.1 Conclusion

Urban agriculture in Kadoma City plays a major role in the economic livelihoods of most of the people. This has been necessitated by among other factors the harsh economic times in Kadoma leading to high levels of unemployment. There are those who practice it for the consumption purposes while others benefit in terms of economic activity. This notwithstanding the Kadoma City Bylaws, the Master Plan and other legislations makes it illegal for the practice of the urban agriculture and therefore do not encourage or support it. The people of Kadoma are somehow aware of these bylaws but since most do not have an alternative, they still practice urban agriculture.

It emerges that there was need to adopt a right-based approach on the issue of agriculture or what might be termed as the right to food security. Participatory Legal information dissemination strategies need to be adopted, to engage the people in the City on the best way to approach and fulfill their right to food security and to an economic activity. The people of Kadoma need an effective and adequate as well as a cost-effective strategy to inform them of the available information on urban agriculture as well as the other constitutional provisional. These constitutional provisions include the right to an economic activity, right to food, right to information, among others. The people of City of Kadoma expressed the desire to be availed legal information since it would undoubtedly empower them, in more one way.

11.2 Recommendations on information dissemination strategies/legal literacy strategy

Tsanga (2003) notes that programmes within a participatory communication framework allow for an interface of information flow between the institutions or development experts and the target group and for a more people-centered approach.

Mobile phone as participatory information dissemination method

Most of the respondents noted that they rarely listened to radio, watched television or read newspapers. This was because they were engaged in their various mean of livelihood which demanded a lot of their time, or they were too poor to afford it. Time was also rare for them to attend the meetings that were called by the councilors and some opted to keep away from politics. However, almost all of them, from their responses and from the researcher’s observation had a mobile handset. According to Harmsworth and Turpin (2000)
information dissemination can serve three purposes. One can disseminate information for awareness, understanding and action. The research revealed that the most preferred mode of communication or promotion of legal literacy was the use of the councilors in their council meetings. As discussed above, this means that the people who share the same political affiliation the elected member will largely turnout for the meeting. While encouraging the use of this method, it is paramount and more effective to employ the strategy of participatory information dissemination methods, the main one being the use of bulk SMS’s. This is because most of the adults in Kadoma have access and/or ownership of a mobile phone and the literacy levels are high. A mobile phone could also be used to send requested to the council for certain information that include the latest bylaws and availability of farmland.

Figure 1 Flow of information through the down-top-down model

This would be a down-top-down method. This would provide a flow of information from the council to the residents as well as from the residents to the council. The method would be employed in terms of bulk SMSing. This means that the cost for information would be relatively cheap and would also defy political lines affiliations.

The main disadvantage which could also be termed as an advantage is the brevity of the message. The SMS does not provide details. This means that the message has to be clear and straightforward. Since many people do not prefer to read long messages, this is the more reason why the use of SMSs should be applied in legal literacy.

The following are some of the messages that the council could adopt in the implementation of this strategy:

i. Did you know it’s your right to food security, you and your family?
ii. The council encourages safe and healthy urban farming in Kadoma City
iii. It’s your right to agricultural extension officer within your area
iv. SMS the word ‘Agriculture Kadoma’ and get all the information you need on farming in Kadoma
v. Feel free to call our toll-free number 2000 for queries on farming in Kadoma

This therefore means that the use of mobile phone would create awareness, understanding and action on urban farming in Kadoma City. This would greatly improve on the access of other government services in support of urban agriculture which include but not limited to fertilizer subsidies and the available of markets and the prevailing prices.

XI. AUTHOR

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