

Urban Land Management in Zimbabwe: Stressed Points, their Urban Development Implications, and Ideas for 'New' Models¹

KUDZAI CHATIZA²

Abstract

Accessing and securing rights to urban land in Zimbabwe is a growing area of interest. This is both in terms of practical development and policy research. The interests cover processes of making rural land urban through to developing infrastructure and superstructure. Innovations instituted to address shortcomings and to install good practices have not always led to equitable access and secure rights. Increasingly, the urban poor feel left out. Some have experienced evictions. Inadequate administration of key processes has stressed state institutions and confused land-seekers. Lack of resources and authority contestations due to the emergence of new actors are the key stressors. Based on mixed method analysis, the article notes that urban land delivery, development, and management functions have become weak. These are ripe for transformation. Urban land management focused on elite, overly commodified and single land use zones developed from 'Greenfields' is contradicted. Temporally flexible, physically adaptable, and potentially more just spatial governance anchored on evolving combinations of *de jure*, *de facto*, and perceived tenure security are emerging. Planners and allied professionals are yet to embrace the emerging transformations as

¹ This article was supported through the Inclusive Urban Infrastructure research project funded by the UK Research and Innovations' (UKRI) Global Challenges Research Fund under the title 'Towards Trajectories of Inclusion: Making infrastructure work for the most marginalised' (Grant reference number ES/T008067/1)

² Development Governance Institute, www.degi.co.zw

part of consolidating altered urban land management practices into policy.

Keywords: *land governance, land commodification, transitional systems, land transfers, spatial governance, adaptable land uses, land tenure security*

INTRODUCTION

Zimbabwe's urban land management has generally appeared settled. Changing from rural (crop and livestock, wildlife, forestry, establishing rural housing, and other extensive uses) to urban land uses followed predictable processes in terms of acquisition and market-based channels defined in law and administrative guidelines. The settled nature of these processes was also evident in terms of the rights of individual residential, commercial, institutional, and industrial land users. Race-based, inter and intra-community urban and rural land struggles from before colonization in 1890 variously informed the core land policy, law, and administrative practice.

However, several post-independence changes strategically toppled Zimbabwe's 'settled' rural and urban land governance. These social and economic transitions included economic stress and structural reforms from the early 1990s, pressures towards political transformations including constitutional reforms after 1999, and politically radical and partisan land redistribution from the year 2000. Significant and enforced changes to land management occurred with implications for land policy, law, and administration. Several analyses have illuminated the nature, progression, actors involved and impacts of societal transformations (Bond and Manyanya, 2003; Vambe, 2008; Chatiza, 2003, 2010; Sachikonye, 2011, 2012; Coltart, 2016; Masungure, 2020; Muchadenyika, 2020; Sachikonye and Kaulemu, 2021; CCMT and TMMRI, 2021, Hammar *et al.*, 2003).

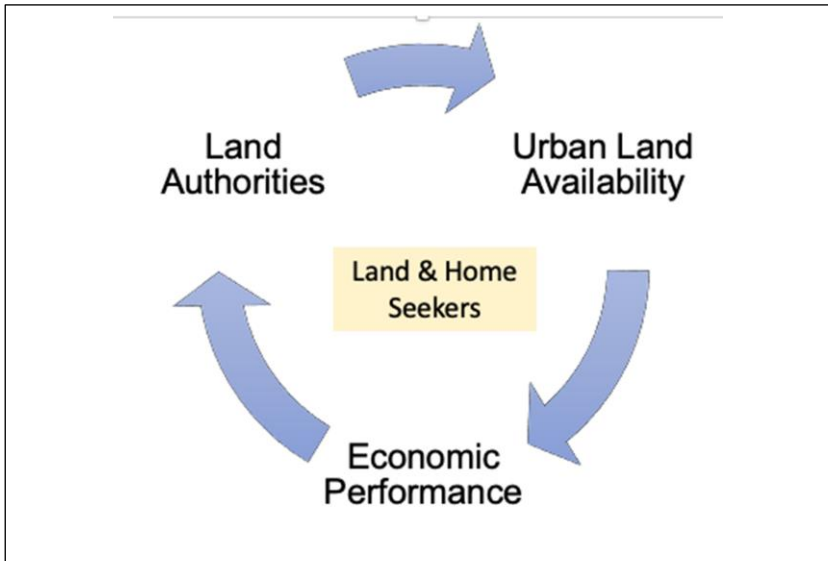


Figure 1: *Stressed context for seeking urban land and homes*

The article engages with the stresses and innovations that have affected urban land delivery and management. It also highlights the unresolved nature of some of the tensions arising from considerable adjustments to land access, rights articulation, and the role of local authorities (local governments). Some innovations were initiated, rolled out, and in some cases, abandoned with minimal consolidation of lessons. It is such experiences, based on an analysis of selected urban settlements that the article pulls together to inform the beginnings of a new urban land management framework. The article draws on the Zimbabwe National Human Settlements Policy preparation process (Chatiza and Dube, 2018), two University of Sussex coordinated studies (2016-2023³), and an African Cities Research Consortium study (Chatiza, 2022). These three research and consultation experiences respectively covered 23 rural and urban settlements, seven settlements⁴, and the City of Harare.

³ Migrants on the Margins from 2016 to 2018 (Grant No. ES/No1474X/1) and 'Trajectories of Inclusion' from 2020 to 2023 (ESRC Ref No. ES/T008067/1).

⁴ Hatcliffe Extension, Epworth Ward 7 and Hopley (Phase 1) and cover Hatcliffe Extension, Hopley, Budiriro Extension, and Churu Farm (Harare) and Old Mucheke and Victoria Ranch (Masvingo).

CONCEPTUAL FRAMEWORK

Urban land is managed to achieve three interconnected objectives of social equity, economic development, and environmental stewardship. Defining the objectives, the strategies for pursuing them, and targeting specific actions, involve a complex interplay of social, political, and economic actors, land authorities, and users of the land. Land authorities are at different levels from national government to private individuals and vary by land ownership and category. The nature and performance of an economy influence the demand for land overall, socio-economic groups that demand land and the uses they intend to put the land to. Information, power, and capacity asymmetries and strategic misalignment of objectives tend to exist between those seeking land and the land authorities. All these (information, power, capacity, and objectives) are changeable and impact choices available to land authorities.

The article discusses the changes that have taken place in Zimbabwe based on the insights of the work it draws on. It illuminates the stresses that have visited the 'traditional' urban land management systems. Some of the stress-induced changes have become considerably entrenched. It is also not always the case that the policy and technical sides of urban land management at different levels of government conceive the issues the same way. Some of the stresses have been deliberately created to log-jam systems generating corruption and dysfunctionality (Chatiza, 2010; McGregor, 2013) within contexts of decentralization, securitisation, and politicisation of local authorities (McGregor, 2002, 2013) significantly constrained inclusive service delivery (Chatiza, 2012a).

Marongwe *et al.* (2011) noted that formal land delivery capacity was surpassed by demand. This resulted in a debate on the policy and practice options regarding physical planning, infrastructure, building materials, and financing options (Chatiza, 2012b) and a general search for alternative approaches (Chirisa *et al.*, 2015). For instance, parallel development and alteration of standards through Circular No. 70 of 2004 (Government of Zimbabwe, 2005) emerged as a response. However, this trajectory veered into considerable institutional disarraying when so much peri-urban land became available post-2000, that was allocated by the national government eschewing local authorities. Additional disarraying

arose from the emergence of urban land (alongside the US Dollar) as a store of value, a source of funding for recurrent budgets for local authorities, and a key political patronage resource (City of Harare, 2010; McGregor and Chatiza, 2019, 2020; Chavunduka, 2018). These urban development processes in Zimbabwe occurred at a time the country lacked domestic fiscal space to invest in large-scale infrastructure at national and local government levels (Chigwenya, 2019; ZIMCODD and AFRODAD, 2021; Kapesa *et al.*, 2021).

Residents seeking urban land have used alternative channels, other than local authorities. This was primarily because peri-urban land that became available in 2000 could not be immediately transferred to ‘traditional’ land and housing developers as it had not been fully acquired by the state. Additionally, land availability in the urban market became low, risky, and unpredictable. The introduction of the parallel development policy substantially affected urban land management (Chatiza and Gotora, 2021). Aspects of urban land management depicted in Figure 2 became difficult to follow, let alone regulate.

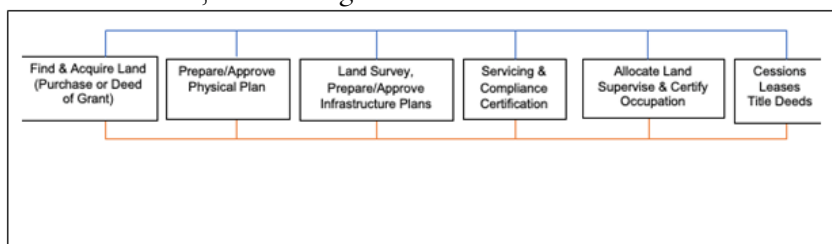


Figure 2: *Core Urban Land Management Functions* (Chatiza, 2022:2)

METHODOLOGY

The suite of methods from which the article draws insights were both qualitative and quantitative. The settlements policy involved ten (10) provincial stakeholder consultations and assessments of 23 settlements⁵ in rural and urban Zimbabwe. These data-gathering activities were conducted between March and November 2018. Synthesis of findings from the study informed the National Human Settlements Policy adopted

⁵ These were 2 Mission Hospitals, 1 educational centre, 3 border towns, 1 mining settlement, 4 agricultural/farm settlements, 7 district service centres, and 5 urban neighborhoods

in 2020. Based on population density and the mainly non-agricultural role played by all settlements from which insights for the article are drawn, it is fair to consider them all urban. All had populations above 2 500, the threshold for urban settlements in Zimbabwe (ICED, 2017). Even for farm settlements, the residents were not all employed by the new farmers but subsisted on petty trading, artisanal mining, and other off-farm economic activities. Two study projects with the University of Sussex⁶ that covered seven settlements (two of which were covered in both phases) involved focus group discussion (FGD) sessions, governance interviews, panel household surveys, and oral history interviews. In terms of the Harare City study, the focus is on land and connectivity using key informant interviews, and focus group discussion sessions with the city, provincial and national government officials working on land administration issues.

All three pieces of work have also seen a review of literature and processing of preliminary findings for use in engaging academic, policy, and practitioner stakeholders. For the policy assignment, a national validation complemented by alternative voices of UN-HABITAT and IOM added value to document finalization. Despite the varied settlement mix in terms of size, governance responsibilities, and age there are some common factors characterizing them. First, physical planning and infrastructure development are seriously stressed resulting in the settlements struggling to cope with the emergent political economy. Second, planning policy, law, and practice appear to be lagging the rising and ever-so-complex demand for relevant basic services, infrastructure, and land uses. Third, local agencies (from the community to whole local governments) overseeing settlements lack adequate technical and political capacity. Fourth, the settlements face socio-economic, environmental, and overall governance fragilities. These are seen in rising poverty, unemployment, informalisation, and de-industrialisation.

In all settlements, the interplay of land access and availability, the myriad land authorities, and the economy (local to national) impact residents'

⁶ „Migrants on the Margins“ from 2016 to 2018 (Grant No. ES/No1474X/1) and „Trajectories of Inclusion“ from 2020 to 2023 (ESRC Ref No. ES/T008067/1).

quality of life. This arises from the reality of decades of stress leading to underperformance. Land and housing delivery, emplacement, maintenance of infrastructure, and appropriate services have involved a combination of classic and ‘new’ models. For instance, the cooperative model was stretched while the introduction of ‘indigenous land developers’ eschewed local authorities in land and housing delivery. This model was weakly regulated resulting in unaccountable land developers. The resultant mix of competing land authorities has given rise to incompletely planned, and inadequately governed settlements.

LITERATURE REVIEW

Appropriate urban land management is central to land-based financing of infrastructure (Berrisford *et al.*, 2018; ZIMCODD and AFRODAD, 2021). In Zimbabwe’s context, the substantial dislodging of urban local authorities from effective land management (Chatiza, 2010, McGregor, 2002, 2013; McGregor and Chatiza, 2019, 2020) resulted in the loss of local fiscal autonomy often associated with decentralization of urban land management. In Zimbabwe’s context, devolved land management inspired the Urban State Land Management Manual of 2002 (Government of Zimbabwe, 2002) whose roll-out was however deposed by the way urban and peri-urban state land was managed after 2002. Constrained urban land management by local governments is something that is also stressed in other jurisdictions by urban geopolitics (Shannon, 2019), land grabbing, competing stakeholders where one overshadows another (Anane and Cobbinah, 2021; McGregor and Chatiza, 2019, 2020; Chavunduka, 2018). It is perhaps Mbiba (2017) who cracks the urban transitions by saying the following on Harare:

‘...post-1990s foundational restructuring of the economy centered on *jambanja* has transformed Harare from a settler-colonial city to a highly informalised ‘*zhing-zhong*’ African city’.

Applied to other urban areas, this may suggest Zimbabwe has decolonised its urban development. It is the state-level and state-sanctioned culture of disorderliness (*jambanja*) at times pursued violently as was the case with *Operation Murambatsvina* (UN, 2005; Vambe, 2008, Sachikonye, 2011) that best explains how urban land management has been significantly

changed. Chigudu (2020) captures this version of politicised disorderliness as the political life of an epidemic showing how cholera was an outcome of dislodged service delivery models. Attempts at pro-poor urban land management steered through housing social movements like cooperatives also got corrupted politically (TIZ and ZACC, 2021; Mutondoro, 2018; Chiweshe, 2017; Chiweshe *et al.*, 2013) affecting the right to the city (Chigwenya, 2019). In keeping with the observation by Mbiba (2017) the article argues that individual land transactions considered or judicially proven to have been corrupt are only symptomatic of the corrupted urban land management system in Zimbabwe.

Making land a political resource (Muchadenyika, 2015), overly surveilling urban spaces (McGregor, 2014), politicising and centralising service delivery (Muchadenyika and Williams, 2018), corrupting land-related functions as well as professionals like physical planners (Muchadenyika and Williams, 2017), and displacements (Hammar, 2017) completed the demise of the 'traditional' urban land management system depicted in Figure 2. Yet, it is also possible to note the disruption of the system democratised land access even if party politicised. This is because the urban residents who declared partisan alignment with Zimbabwe's main political parties or self-allocated before faking partisan identity to protect their 'loot' exploited the weakness of the system to access a resource they were seeking and needed anyway.

In this context, it is possible to again borrow from and possibly 'abuse' Mbiba's (2018) assertion that an overfocus on physical planning when addressing urban land issues results in a misunderstanding of the formalisation of access (see also Kamete, 2010, 2017, 2020). To do so is to ignore the other outcomes land access enables like delivering political support, raising resources, corrupting competing actors, and undermining reform trajectories not necessarily developing thriving settlements. The question for the article is about whether the urban land management system has changed or has just not been implemented. Pronouncements by national government that title deeds will be issued to those who self-allocated suggest an 'after-the-fact' execution of the 'traditional' system. Land professionals in and outside the state express the fear that such regularisation promotes informality, a sentiment suggesting a clinging to

the 'traditional' system. In other words governing politicians and bureaucrats contradictorily yearn for orderliness despite having promoted disorderliness in recent times.

As discussed below, some land sector professionals suggest that under existing law the proposed titling forces government to do what should have been done in the first place. Using Figure 2, this means going back to the first step/function with implications that some residents' land rights may be challenged. Yet Caprotti *et al.*, (2022) suggest a needs-based approach that belies narratives of inadequacy and incompleteness or imperfection defined by others. It is this contestation over existing and new ways of doing urban land management that can be discerned from the leapfrogging of the former enabled by hefty partisan political interests that the article seeks to illuminate.

POLITICAL PARTY IDENTITIES AS URBAN LAND GOVERNANCE 'CURRENCY': FINDINGS

POLITICS AS 'CURRENCY'

'You don't leave your field to baboons' but 'You also don't completely deny them access to your field' (Ward Councilor, Epworth 02.05.2022).

The quoted insight was shared at a meeting facilitated as part of the IUI Project. On this occasion settlement, contacts from three Harare project sites were facilitated to meet the political leadership of Ward 7 in Epworth. The observation was in response to a question regarding managing political interference in technical processes of regularising an off-grid settlement. This question is a familiar concern that flows from a depoliticisation of development (Fergusson, 1994), that often opens the door for professionals to imagine it is their scientific or technical solutions that are implied. From experience, notions of politics, political will and interference are euphemisms for counter-articulating interests. The response amplified the inevitability of identifying and balancing interests of those who are politicians or conveniently labelled so. In the settlements studied as part of the three spaces relied on for the article, the convenience of party political identities was consistent with *jambanja* and *make-do*.

In a sense, it was a commonplace currency deployed to justify actions including determining access to land or other resources. So for instance, on July 3 2021 communities in Churu Farm asked that our team attend a meeting with ZANU-PF district leaders, to be introduced and be cleared to continue with the research. On arrival, the team was mobilised to transport local members to the district as the 'leaders' had become too busy to attend the meeting they had supposedly called. After waiting for hours, the meeting began with a request for the community to present their issues. The five speakers, leaders of the cooperatives at Churu Farm, prefixed their allegations against named members by stating their interest in ensuring ZANU-PF retained support and that new and old members kept supporting the party. Those accused of tempering with the party's security of votes were identified as misappropriating resources.

A separate group asked to meet the research team more than 12 months later alleging that the researchers were invalidating physical plans they had custody of. They had been informed that the researchers had helped with the submission of an alternative physical plan (of the three in circulation/use). The research team conveniently asked that the meeting be held at the University of Zimbabwe, a place that gave researchers some power. At the meeting held on September 1st, 2022, the residents informed the research team of their concerns stating their positions within ZANU-PF, the party, and the settlement. In this case control of the technical processes of the land, and administration were seen as instruments of political power. Competing groups were selectively allowing each other to make moves as long as their legitimacy was not irretrievably harmed. In another settlement (Epworth Ward 7), three different ZANU-PF representatives were voted into Council in the 2008, 2013, and 2018 elections. The political party retained support. However, selecting different representatives suggested internal competition, that in FGD sessions revolved around leadership of the regularisation project. For Hopley (Ward 1, Harare), an opposition-affiliated member won in the 2018 elections in circumstances that suggested a shift in the support base with cross-party alliances playing a part.

In managing the regularisation of off-grid settlements, varying political interests are at play. Political actors that hold positions in parties can be

undermined by residents or rivals as long as those challenging can mobilise sufficient political clout. Fights at settlement level are often a reason for closure of space to outsiders, technical and non-technical people. In the context of most urban local authorities being labelled opposition-run the deployment of a ZANU-PF party identity (actual or faked) is about interest advancement or defence (McGregor, 2014; McGregor and Chatiza, 2019; Kamete, 2017).

Political maneuvering has a lot to do with individual residents' agency in terms of mobilising party-focused clout to advance their interests as it is about actual votes during elections. Before and after voting day, this political contestation is not necessarily focused on votes but local influence and control. The advent of connections between past/serving municipal staff on one hand, and those involved in parcelling out urban land in emergent settlements, on the other, show that the local political 'currency' is aided by city-level contacts to validate land access and protect ill-defined land rights (ACRC research project launch meeting, May 26 2022). The relationship between settlement-based and city-level land grabbers and distributors is a financial one. These actors cloak themselves as political party leaders acting in the interest of the party controlling the area in question, sustaining their actions with support from public servants and allied professionals.

An interview with the Harare City Chair for Environment and Planning Committee captured the politics of settling on land as follows:

'Political leaders calling people to settle. When people are there on their own, they start to use their resources...the political leaders have established cooperatives...so they have established a leadership that controls the activity in those settlements, a leadership that ensures everyone pays money towards the so-called development of the area...you can see that the stands are different sizes as they were never surveyed and pegged' (April 6th 2017, Harare).

The precarity of land rights starts with the informalised land access, make-do organisation of residents steered by rapidly changeable leadership, and is sustained by informal or corrupt partnerships between politicised settlement leaders and public servants. In Churu Farm, for instance, some of the cooperative leaders are non-resident yet they maintain control over their pieces of land and those they allocated. The residents in particular are

presented as ‘my people’, a resource that cooperative leaders ‘trade’ for influence within their political parties. This has created a parallel urban land management system for which national government is largely responsible in terms of establishing. The affected areas are difficult to integrate into relevant urban local authority systems not just in Harare (e.g. for Caledonia), but in Bulawayo (Cowdray Park), Masvingo (Victoria Ranch), Mutare (Gimboki), Bindura (Garikai), and other urban areas. The complexities of regularising these settlements also takes a political party twist as:

‘...you find that people thought the ruling party [ZANU-PF] is the one allocating land to its cronies, then if we are not members of the party in control of the Council, we will never get land. It’s corruption. They are saying we are being locked out, the Councilor allocates land to his [political] kith and kin...so then the invasions started...the Councilor can be sympathetic to the coops from his party. The coops were being politicised. It’s supposed to be a political vehicle, but now it’s become political, the party using it as a campaigning strategy. The Councilor...he will push for that party [coop] to be assisted, saying to officials, can you assist this coop, we know them, they are very genuine...but that’s not put in writing...certain coops will get land like that’ (Interview with Acting Director of Housing and Community Services, Harare, 11th April 2017).

Urban land corruption thus developed from constrained access and those seeking to overcome supply challenges, mobilised politics as a currency. Understanding the resultant challenges as exclusively about political party control is good as explanatory theory. This however makes for difficult choices in terms of resolving settlement dysfunctionality where local authorities are saying:

‘...we can’t take them [settlements] in because they have not met our requirements for development that is to put in services that enable us to build them water and give them proper bins to collect refuse because the roads are not there. So the government is saying these are City of Harare [or other local authority] because we have done the plan, we have handed them over (Interview Deputy Director, City Planning, Harare, 4th April 2017).

The mobilisation of politics, leading to vote harvests for political parties did not remove the lack of resources to emplace relevant infrastructure in the settlements that now have the twin challenge of vague land rights and incomplete development. This is not necessarily party politics. It is a

politics that is inevitably about *jambanja* or disorderliness mobilised after the fact by political parties that are unable to undo its damage. This ‘failure’ is seen in the stress associated with on-gridding unserved settlements.

‘ON-GRIDDING’ IN EMERGENT URBAN SETTLEMENTS

The ‘classic’ land delivery model (Figure 2) can be considered a ‘grid’. Following it with the regulatory support of land authorities (national and local) leads to certification of planned development and issuance of appropriate rights. By inserting additional sub-functions while allowing flexible sequencing of the functions and inviting alternative actors, the Government of Zimbabwe ended up supporting ‘off-grid settlement development’. This has resulted in ‘self-gridding’ for several settlements following different pathways and with equally variable local authority involvement. That ‘off-grid’ status is also seen in the reality of disconnection from or the actual absence of formal water, sewer, road, and energy grids. Additionally, it is about governance ‘off-grid’ status where a settlement is not recognized, not just in terms of specific infrastructure grids, but land access and thus tenure (Chatiza and Gotora, 2021). It is the governance off-grid dimension that the article engages with. This is to reflect how specific infrastructure grids are, at best, delayed and in some cases undoable.

Different state agencies, based on formal policies and legislation, perform the core land delivery functions. Over the last 25 years, state capacity has been regressing, resulting in different actors being ‘grafted in’ to provide some of the core functions individually and in various forms of state and non-state partnerships. These have included joint ventures where the state provided land, deferred payments for urban state land for beneficiaries to provide services, and actual barter trade where land was exchanged for cars (City of Harare, 2010). Additionally, new sub-functions have been added. These include environmental impact assessments (EIAs) for all housing projects as part of ensuring that ecologically sensitive areas are protected. Additionally, strategic gaps became apparent, particularly in terms of the absence of National and Regional Spatial/Physical Plans. Reforms focused on infrastructure and superstructure standards, construction materials, and land development processes were not followed

through completely. For instance, allocating and selling urban land before approving physical plans, infrastructure, and emplacement of common services including social facilities like schools has resulted in some of the post-2000 settlements being classified as dysfunctional and on undesignated land.

In the absence of investment in major infrastructure (road, sewer, water, electricity, and solid waste management) the emergent settlements do not only lack local services, they are also going to wait for an indeterminate period to be connected to core city-wide services not only in the Harare Region but in Masvingo, Bulawayo, Gweru, and Kadoma (Chatiza, 2019). Besides infrastructure, land tenure documents are generally a long way off in most emergent settlements even though government announced in December 2021 that title deeds would be issued in 2022 (*The Herald*, 2021⁷). While national government, in political-speak blames opposition party-controlled urban local authorities for the irregularities leading to the dysfunctional settlements, it is important to note that most of these settlements are on urban state land. In some instances, the farms settled have since been transferred to the relevant local authority. However, contestation over regularization models and the inability of local governments to exert their authority affect land development and related processes.

On titling, one key informant (June 7th, 2022, Harare) observed that this would require verifying all strategic steps in the land delivery process from authentication of land access by the developer of a settlement. An FGD session with national government officials (July 4th, 2022, Harare) highlighted cases where similar functions were executed differently in different settlements. Another national government key informant (July 4th, 2022) acknowledged that land transfers to local authorities were incomplete and that databases on farmland transfers were not digitized. City of Harare officials (FGD session June 21st 2022) highlighted lacking a 'land bank' with a retired government official also observing that the Urban State Land Management Manual of 2002 now provided

⁷ <https://www.herald.co.zw/president-gifts-title-deeds-to-urban-dwellers/> statement made at the ZANU PF Politburo Meeting of December 21st 2021 and reported on 22 December 2021 (downloaded 30.8.2022)