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Land Patronage and Static Urban Boundaries in Zimbabwe

Implications for Land Tenure Security

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ABSTRACT

The political dysfunction that had come to characterize an imploding Zimbabwean economy is beyond dispute. This paper explores how a government that had become weakened in the face of a formidable opposition in urban areas turned to use land as a reward for supporters and as a means of luring new members to join the ruling party. It argues that land patronage has been used as a means for legitimating fledgling state rule while undermining the tenure security of the poor. Any policy to support the poor in post-crisis Zimbabwe will need to prioritize the idea of land as a social and economic asset rather than a political instrument of the state.

Keywords: Zimbabwe, land patronage, static boundaries, peri - urban, political legitimacy, tenure insecurity

1. INTRODUCTION

As Zimbabweans look to the future following the dramatic end to Robert Mugabe's rule in late-2017, one of the most difficult legacies will be to address the profound problems arising from the use of peri-urban land as a patronage asset. In the context of political and economic crisis, the ruling Zimbabwe African National Union-Patriotic Front (ZANU PF) used the fast-track land reform program (FTLRP) that began in 2000 to deploy access to peri-urban farm land as an asset to regain the loyalty of members of the opposition Movement for Democratic Change (MDC) that was strong in the country's urban areas. Given the severe and increasing dysfunction of government during Mugabe's last days in office, the strategy of ZANU-PF to undermine the opposition urban administrations resulted in chaos in peri-urban areas, as well as great insecurity of tenure of the inhabitants. We show here that this strategic use of peri-urban land as a political instrument by the beleaguered government has had severe consequences for peri-urban land management and tenure security.

I begin with an overview of the political and economic crisis that contributed to the weakening of the Zimbabwe state. Secondly, I explore the problem of static urban boundaries and how this rigidity of boundaries has resulted in the spillover of urban development into rural areas. Thirdly, I show how peri-urban land acquired through the

FTLRP has been used as a patronage asset by the weakened government. Lastly, I examine the implications of this emerging land-patronage system on the tenure security of reform beneficiaries. In exploring these issues, I identify some of the deficiencies in current urban-land policy that must be rectified if Zimbabwe is to develop an effective peri-urban land policy.

2. HOUSING IN A POLITICAL CRISIS

Zimbabwe's economic crisis of the late 1980s was then exacerbated by failures of the IMF-imposed structural adjustment programme of the 1990s. By the year 2000, the crisis had multiplied, and turned for the worse. The imposed programme, and the government's inept responses, led to a series of events and government decisions—including the formation of a formidable opposition party—the Movement for Democratic Change (MDC) in 1999. This was followed by the rejection of the government's proposed constitution the following year. The rejection of the constitution marked the first major political defeat of the ruling (ZANU-PF) party. Government decisions, including large financial payouts made to war veterans for their role in the liberation war of the 1960s and 1970s, and involvement in the strife in the Democratic Republic of the Congo in 1998, were instrumental in sowing discord. Consequent upon these decisions, and for the first time, the Zimbabwe Government

defaulted on its repayment of International Monetary Fund loans in 1998.

The post 2000 era brought political and economic upheaval that was triggered by the FTLRP (Chavunduka and Bromley 2010, 2013). Amidst compromise of the rule of law, and politicization of the judiciary, government ministries and processes were further weakened with the exodus of skilled and experienced personnel from the country. The severe collapse of the economy during 2000-2008 was partly a result of inappropriate policies and poor macro-economic management (Chipika and Malaba, 2017). Eventually, Zimbabwe's currency collapsed under the weight of unprecedented hyperinflation that reached 3.2 quintillion percent in December 2008. Some economic stability was restored during the time of the inclusive government (2009 – 2013), but such gains were soon eroded during the last years of Mugabe's rule (2013-2017). Resumption of the economic downward spiral in 2013 was reminiscent of the economic convulsions of the 2000 – 2008 recession. After 2013, the weakened state began to blend the imperatives of the ruling ZANU-PF party with general government policy and this conflation of roles led to even greater erosion of the state's organizational capacity to deliver coherent governance.

As President Mugabe advanced in age (he was 93 at time of his resignation), there were

deepening divisions within his Cabinet as the power-struggle over succession dominated all activity. Fierce factional fighting within the ruling party intensified during Mugabe's last days in office and this rendered the government completely dysfunctional. The political dysfunction further compromised coherent land-use planning, among other government functions. With the loss of political cohesion, and under the deteriorating crisis, land-use planning and policy was soon captured by the ruling elite. For instance, the demolition of slum dwellings and the promotion of housing cooperatives became dysfunctional. A drastically reduced public sector housing delivery can be blamed on the imposed structural adjustment programme, and by the year 2000 the government was only able to provide land for the construction of low-income housing sponsored by ruling party cooperatives. But these cooperative arrangements were undermined by the absence of financial means for installation of roads, water, sewer, and other infrastructure prior to construction. Finally, in 2006, cooperatives were allowed to build houses before they constructed roads and other necessary infrastructure. With the passage of time, the government realized that most housing cooperatives had not built roads and other infrastructure, nor were signs that they intended to do so. In some cases, unscrupulous developers took advantage of this "parallel" housing policy and installed severely

inadequate infrastructure and necessary services. The lack of transparency and accountability in the use of funds meant that many housing cooperatives were defrauded. In light of these concerns, the government stopped providing land in 2016.

The failures of the structural adjustment programme of the 1990s, very much implicated in the deindustrialization and labor retrenchments that began around 2000, and compounded by the inability of the government to provide low-income housing led to the expansion of slum dwellings in urban areas. In response, and guided by its modernist planning policies, the government—through Operation Restore Order (Operation Murambatsvina)—demolished more than 700,000 such homes and businesses in urban areas. Shortly after these large-scale demolitions, and under pressure from UN-HABITAT and civil society, the government reversed course and began to engage these stakeholders in a program of slum upgrading. The policy change was reflected in the 2012 National Housing Policy promoting slum upgrading under a partnership between the government and the poor (Government of Zimbabwe, 2012). Under this new policy, the government is obligated to provide alternative shelter when it carries out squatter evictions.

3. URBAN LAND USE

Urban land use in Zimbabwe is guided through the use of master, local and layout plans. The

master plans also provide a framework for the use of peri-urban land. For example, the Harare Combination Master Plan of 1994 envisaged the use of peri-urban areas for residential/agricultural smallholdings. The FTLRP disregarded the provisions of master, local and layout plans and in both urban and peri-urban areas. As a result, many people settled in areas of their choice—even where infrastructure and services had not yet been developed. As above, against a constant background of political and economic crisis, the central government allocated peri-urban land—without necessary services—to housing cooperatives and other recipients. This quickly resulted in the mushrooming of unplanned settlements around cities. As we have seen, these unplanned developments were plagued by the government's parallel development policy of 2006 that had allowed property developers to raise funds for provision of services by selling off plots before infrastructure had been put in place. But those realized funds were rarely used for their intended purpose.

Compounding the general problem, since the 2000 general elections, most urban areas came under the control of the MDC, while ZANU-PF retained its dominant support in rural constituencies. Peri-urban farmland acquired by ZANU-PF became government land but the government would not provide the land to MDC-dominated urban councils (Muchadenyika, 2015). Rather, the

government controlled peri-urban areas relying on parallel structures such as militia, housing cooperatives, war veterans, and land barons.

Historically, the growth of urban areas in Zimbabwe was managed through the involuntary incorporation of neighboring farms—most of which were white-owned. The incorporation process involved lengthy administrative steps: (1) purchase and conversion of rural land to urban government land; (2) conversion of urban government land by a grant to urban council land; and (3) government proclamation of land incorporation. It was only after the incorporated land had been proclaimed municipal land that it would become available for management by the urban council. Since 2000, the government has been reluctant to extend existing urban boundaries. For instance, urban councils in the Harare metropolitan area were refused incorporation of rural land by the Ministry of Lands and Rural Resettlement (McGregor, 2013). Retention of existing urban boundaries was further enabled by the 2013 Constitution that only allows a change in ward boundaries at the time of boundary delimitation for census purposes—once every 10 years. This flaw undermines accepted methods of managing urban spatial through selective incorporation of rural land. By maintaining existing boundaries, the ruling party has taken control of acquired peri-urban land, while urban development has continued

to spill over into rural areas under pressure from the urban poor. In urban areas, ZANU-PF's control over peri-urban land was motivated by its desire to undermine the MDC's dominance of urban governance structures. The policy strengthened ZANU-PF's structure of power and patronage. One expert has observed that: "The fractious politics of the country means that changing boundaries—or leaving them unchanged—is more a political issue than a response to urgent urban management issues" (Mbiba 2017, 12). In many urban settlements, contending political parties have based their decisions about boundary changes on electoral advantages that may accrue.

4. LAND AS PATRONAGE

Weingrod (1968) regards patronage as various ways in which party politicians distribute land in exchange for political support. Indeed, peri-urban farms that were acquired by the government through the FTLRP have enabled ZANU-PF to run an extensive urban patronage system (Alexander, 2003; McGregor, 2013). Feltoe (2004) and Mbiba (2017) observe that ZANU-PF elites used peri-urban land to reward their supporters and to induce others to join the ruling party. The mechanisms of this patronage system took a variety of forms, including the allocation of peri-urban farms to housing cooperatives with a view to creating urban constituencies that would be loyal to

ZANU-PF, thereby undercutting the urban dominance of the opposition MDC. Cooperatives provided the platform for political organization in the urban environs with people's access to land traded for political allegiance. Thus, partisan allocation of land has been used as an instrument for manipulating political loyalties. Chabal and Daloz (1999: 158) have this to say about political patronage: "Any political action is couched in an environment of reciprocity which dictates its symbolic and instrumental value." Zimbabwe's peri-urban experience since 2000 has been one where government and the ruling party have used land as a material reward for supporters, and as a means of legitimating fledgling rule (Alexander, 2003; Chabal and Daloz, 1999).

McGregor (2003), notes that ZANU-PF militia made political loyalty a condition of access to land and housing cooperatives. In various settlements, war veterans were allocating land to themselves and their followers as a reward for their service to the ruling party. At Retreat farm—on the periphery of Harare—war veterans who were allocating land expected beneficiaries to be cardholders of the ruling party (Marongwe, 2003). Beneficiaries in Caledonia (an informal settlement in the east of Harare) believed that ZANU-PF empowered them through allocation of parcels of land. Moreover, in their study of peri-urban areas of Harare, Chirisa et al (2014) found that housing

cooperatives were making efforts for political recognition by the state.

5. TENURE SECURITY IN PERI – URBAN AREAS

One of the main problems faced by beneficiaries of land reform has been the insecurity of tenure. Reform beneficiaries in peri-urban areas have been entering lease agreements with the state—specifically the Ministry of Local Government, Public Works and National Housing. However, in light of the government's constant patronage system, land awards are never considered secure. In some cases the processing of lease agreements encountered enormous delays, primarily from personnel shortages in Ministry of Local Government, Public Works and National Housing. In other cases, residential plots had not been surveyed because of failures of a different Ministry.

Securing of tenure through patronage was confirmed by residents of Epworth (an informal settlement in the east of Harare) who believed that their tenure derived from ZANU-PF (Marongwe et al, 2012). After 2000, the possession of a ZANU-PF party card in Epworth was seen as providing security of land tenure. These delays in lease agreements fueled the perverse tendency for local politicians to act as guarantors of continued tenure security in peri-urban settlements (Chirisa et al, 2014). It seems that patronage is

a long-running process of gifting and then political diligence.

Since the occupation of peri-urban farms was blatantly political, local planning authorities tended to avoid such areas and their absence created a legitimacy vacuum that soon got filled by informal structures and processes empowering land barons, war veterans, housing cooperatives, and the militia. The intense competition for land involving multiple authorities had led reduced tenure security. This insecurity then led to the emergence of unsightly temporary structures in Harare's peri-urban settlements of Caledonia, Whitecliff, and Hatcliffe Extension (Chirisa, et al., 2014). Another study in Harare's peri-urban areas found that a major worry of squatters was tenure insecurity that made them reluctant to invest in the improvement of their dwellings (Development Governance Institute, 2017).

6. ASSESSING THE PROBLEM

Data sources include the Harare Combination Master Plan, People First: Zimbabwe's Land Reform Programme and National Housing Policy. In addition, interviews were conducted with two planners each in government, the private sector, academia, urban and rural district councils and the Urban Development Corporation (Udcorp). Also interviewed were the former Director of Housing People in Zimbabwe, a senior official at Dialogue on Shelter, a member of the Zimbabwe Homeless

People's Federation, branch managers at two building societies, and a housing officer for Epworth Local Board (Harare's largest informal settlement).

Planners were asked, among other things, about peri-urban land use issues following the FTLRP that began in 2000, with particular emphasis on why urban boundaries have remained static in face of urban sprawl. The evidence suggests that land use policies contained in master and local plans have been overtaken by developments on the ground. When land occupations and the FTLRP took place in peri-urban areas, there was general disregard of operative plans and the rule of law. In Harare's Caledonia area, only 3 out of 20 phases of the settlement had approved layout plans. Whitecliff area had an approved layout plan for guiding its development. These and other approved layout plans were disregarded by land occupiers resulting in disorderly development. Procedurally, the local authority for the area has to ensure that the minimum level of road, water and sewerage infrastructure has been installed and a certificate of compliance issued to the developer before construction of buildings can begin. But during the FTLRP people went ahead to build houses on land that had not been surveyed and where infrastructure was yet to be installed. In most cases, planning procedures leading to the connection of individual homes to off-site infrastructure

were not followed and control of development was no longer effective.

When asked why urban boundaries have been static since radical land reform, respondents cited a Constitutional provision that only allows ward boundary changes after every 10 years. It would seem that during consultations leading to the Constitution both the ruling ZANU-PF and opposition MDC seemed content with the arrangement that enabled each to secure its constituency against intrusion by the other. In addition, a senior planner believed that rural district councils were no longer willing to relinquish rural land for incorporation into urban areas for fear of losing a good source of revenue. Rural District Councils neighboring Harare, for example Goromonzi and Zvimba, have been collecting property taxes from peri-urban settlements but not providing the taxpayers with infrastructure and services. This has left Harare City Council with no choice but to take care of unfunded mandates since the residents necessarily rely on the City Council for services.

While the central government has shown unwillingness to extend urban boundaries, there is a sense that urban local authorities have not been keen on incorporating poor peri-urban settlements into their jurisdiction. These poor settlements are viewed as a liability by city authorities because their upgrading would be expensive and the residents do not have capacity to pay taxes.

The reluctance of urban councils was demonstrated in 2002 when the Ministry of Local Government, Public Works and National Housing issued lease agreements to peri-urban settlers in Hatcliffe Extension. However, the Harare City Council refused to approve building plans presented by the lessees. The reason for refusal was that the level of infrastructural development did not meet Council's minimum requirements. The slow process of incorporation of rural land has led to mounting pressure for formal housing in urban areas and chaotic development in the urban periphery.

Evidence from other interviews confirmed the use of land by the state as a political resource. As noted by the Epworth Local Board immediately before the 2013 elections, politicians brought people to the area and new settlements began to sprout on state land. Similarly, soon after Operation Murambatsvina politicians moved former squatters into the Harare South council owned land in a bid to create a political constituency there. The evidence confirms partisan redistribution of land resources in return for ZANU-PF loyalty (Muchadenyika, 2015; McGregor, 2013; Alexander and McGregor, 2013). In a study of land allocation to housing cooperatives, Chirisa et al (2015) found that ruling-party aligned housing cooperatives had been allocated more sites for residential development than those without political connectedness. Housing cooperatives which

had their identity in the ruling party were used as a vehicle of control over beneficiaries. The evidence reinforces the role of politics of patronage and clientism in the allocation of land to housing cooperatives.

Respondents concurred about the lack of a clear planning authority for peri-urban areas. As a matter of fact, peri-urban areas became a point of conflict among multiple authorities including urban and rural local authorities. Contestation between state and political party structures were accentuated after the 2013 elections and became a source of land tenure insecurity with adverse impact on households' confidence and ability to improve their livelihood.

7. CONCLUSION

The Zimbabwe experience offers important lessons for southern African countries. In times of political and economic crisis, a government can turn to land as a resource for legitimating its fledgling rule. A breakdown in the rule of law, weak legal frameworks, and poor enforcement enable the use of land as a patronage resource by rulers. Rulers can use a land patronage system as a means of filling in for deflation of state capacity that follows political independence (Beissinger and Young, 2002). The evidence is clear that allocation of land by the state creates opportunities for politicians to use land as a patronage resource. Evidence from other southern African cities

notably Lusaka, Gaborone, and Lilongwe has shown increasing competition for peri-urban land, conflict and land grabbing involving political activists, bureaucrats and technocrats in ways that reflect the central role of urban land as new form of patronage and political resource (UN – HABITAT, 2014).

Where land ownership is vested in the state, it can become a pawn in the hands of government for rewarding loyal supporters. As is seen here, lessees of state land have limited land rights and this hinders improvement of housing conditions in peri-urban areas (Magwaro – Ndiweni and Madiro 2016). The evidence presented in this study shows that for as long as politicians continue to manipulate the poor for votes, land tenure security will remain tenuous in the urban periphery. Any policy in support of the urban poor in developing countries will need to prioritize the idea of land as a social and economic asset rather than a political instrument of the state.

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9. KEY TERMS AND DEFINITIONS

Political patronage: is the dispensation of favours or rewards such as land or other valued benefits by a patron (who controls their dispensation) to a client.

Peri – urban: An area immediately adjoining an urban area, between the suburbs and the countryside.

Tenure security: Exists when an individual perceives that he or she has rights to a piece of land on a continuous basis, free from imposition or interference from outside sources, as well as ability to reap the benefits of labour and capital invested in that land, either in use or upon transfer to another holder.