# Access to Urban Land and the Claim to the City in Africa: Constructing Urban Citizenship in Lusaka's Unplanned Settlements

## HORMAN CHITONGE

**Abstract**: The rapidly growing urban population in most African cities has highlighted the issue of access to urban land, particularly for housing. Access to urban land is ultimately embedded in the political question of who has a legitimate claim to the city. This article focuses on access to urban land and how this validates and invalidates people's claim to the city or town—urban citizenship. It uses the concept of a "claim" rather than a "right" to provide a broader angle from which to discuss urban citizenship and the issues around access to urban land. Drawing from a case study of two unplanned settlements in Lusaka, the article demonstrates that as the demand for urban land grows, low-income households' claim to the city is rendered precarious when business enterprises buy residential plots and convert them into commercial property. Data were collected through face-to-face interviews conducted in two unplanned settlements in Lusaka. The study contributes to the broader debates on urban citizenship and the New Urban Agenda articulated by Habitat III. It focuses primarily on how low-income urban residents construct, negotiate, and assert their claim to the city through their struggles for access to urban land. In the case of Lusaka City, this situation is compounded by a complete withdrawal of the state from providing access to land for low-income urban households.

**Key Words**: urban land, displacement, Lusaka, urban citizenship, urban poor, claim to the city

## Introduction

Access to urban land in Africa is becoming a critical issue as urbanization gains momentum in many cities and towns. Past policy and research around access to land has noticeably focused on rural land dynamics, with urban areas largely subsumed into the issue of housing.¹ Several research studies which have discussed urban land issues in Africa have tended to focus on peri-urban land.² It is often assumed that access to land in urban areas is not an issue; the main issue is that of housing.³ But the failure of the formal and informal housing markets to meet growing demand has led to the shift in emphasis to land access. Low-income and poor urban citizens seek to assert or consolidate their claim to the city by exercising their agency to build houses. As urbanization in many global South cities gains momentum, the issue of access to land in urban areas is slowly being decoupled from that of housing. This not only highlights inequality in the way urban land is shared, but also challenges the way property rights, particularly, urban land ownership, are constructed. As a result of this, the urban land question is now being framed not

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just in terms of social justice; it is increasingly linked to urban citizenship which is tied to the idea of democracy and inclusivity.<sup>4</sup> When the issue of access to housing in urban areas is decoupled from access to land, poor urban citizens' claim to the city becomes nuanced through the visibly unequal rights and claim to the city for different urban residents.<sup>5</sup>

This study illustrates that when access to urban land in Lusaka is conflated with access to housing, critical notions of urban citizenship and social justice disappear from the debate. For urban residents with well-paying jobs or flourishing businesses, accessing land and housing may not be a big issue—the informal and formal land markets deliver land and housing for them. But for urban residents with low, precarious or no income, accessing urban land and eventually housing is a fundamental issue on which their claim to the city rests. In the context of the rapid urbanization occurring in Africa, it has increasingly become difficult for low-income households to access land for housing, a situation that renders their urban citizenship tenuous. Organizations such as the Zambian Homeless People's Federation (ZHPF) assist the urban poor in affirming their citizenship by mobilizing around access to land. There are similar organizations across many African cities today.

Drawing from an analysis of recent trends in unplanned settlements (popularly known as compounds) in Lusaka, this article contributes to the broader debates around urban citizenship and the claim to the city which different groups of urban residents make.<sup>6</sup> In so doing, it brings out the subtle forms of estrangement which low income urban residents face in their struggle to assert their claim to the city. In this particular case study, an indirect form of weakening the poor's claim to the city is exemplified in the growing trend of "voluntary" or silent displacement from compounds.

The next section provides a brief discussion of study sites and methods. This is followed by an overview of the debates on access to urban land and citizenship. Section three provides a brief discussion of the urban land and housing policy in Zambia as the background to the case study. Section four presents a case study of Chainda and Kalingalinga compounds in Lusaka. Section five situates the key issues around access to urban land in the broader theoretical debates around urban citizenship and the claim to the city.

## **Study Sites and Methods**

This paper draws from an ongoing study of urban land dynamics in Lusaka, focusing on two unplanned settlements: Chainda and Kalingalinga compounds. Figure 1 below shows the location of the two compounds.

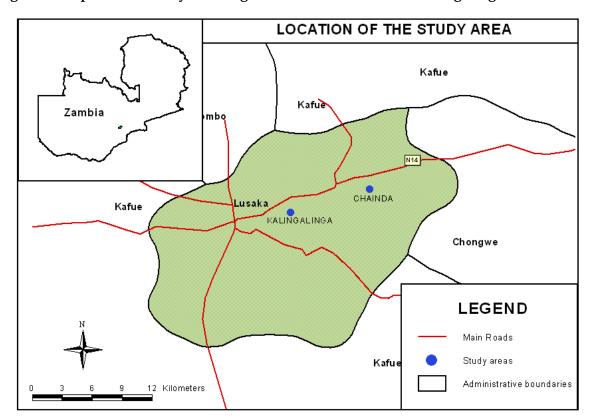


Figure 1: Map of Lusaka city showing location of Chainda and Kalingalinga

Source: Author

The two sites were chosen because many residential plots in both compounds (especially in Kalingalinga, along main roads) have been bought and converted into commercial property. Our main interest in undertaking this study was to find out what happens to occupants of plots/houses which are converted into commercial properties. While the two compounds have many similar socioeconomic characteristics, they have different origins. Chainda which covers a total area of 66.72 hectares emerged in 1966 as a resettlement scheme for people relocated from the land where the Kenneth Kaunda International Airport is currently situated. According to the 2010 Census, Chainda had a total population of 38,393.7

Kalingalinga on the other hand, started informally during the early 1960s when a small group of low-income urban dwellers decided to erect their own shelters on two adjacent farms abandoned by the owners.<sup>8</sup> While the settlement started illegally, it grew rapidly after independence as people who could not find shelter in what were called Statutory Housing Areas (SHA) built their own shelters on the two farms. A resident interviewed in the 1970s explains the situation at that time:

I am a self-employed carpenter and could not get a municipal house as there are none empty and even so the rents are too high for my pocket, having five children. So, I built our house with burnt brick and thatch all by myself at Kalingalinga where we are not supposed to stay but are allowed because there is nowhere else for us.<sup>9</sup>

According to the 2010 Census, Kalingalinga had an estimated population of 39,139 and covers 68.2 hectares.<sup>10</sup>

As figure 1 shows, the two compounds are not on the periphery of the city—they are both centrally located close to major social, economic, and political infrastructure, including major roads. This is one of the features which has made the land more attractive to business people who are looking for investment opportunities. At the same time, the two compounds are attractive to low income and poor urban residents who cannot afford to buy land to build their own houses or rent houses on the formal market.

Although Chainda and Kalingalinga have different historical origins, they are both legal settlements today. Kalingalinga was declared a Statutory Improvement Area (SIA) in 1986, and Chainda in 1999. However, most occupants do not have any legal documents to secure the land on which they live. Although residents of these compounds see themselves as bona fide citizens of Lusaka, their claim to the city is tenuous given that most of them (60 percent) are tenants and when the owner sells or redevelops the property, they have to move somewhere else.<sup>11</sup>

While initially only those without formal employment settled in these compounds, due to a critical shortage of housing, many middle-income earners, as well as professionals including nurses, teachers, police officers, army personnel, drivers, civil servants, administrators, and self-employed business owners live in these compounds. Nevertheless, the compounds are still home to low-income earners such as maids, petty traders, beer brewers, security guards, farm laborers, self-employed, carpenters, builders, tailors, bricklayers, as well as bartenders, most of them on rental arrangements.

One of the major differences between the two compounds is that most of the residential plots in Kalingalinga get converted into commercial plots, especially along the main roads, while in Chainda most of the plots are being redeveloped into better houses. As a result of this, Kalingalinga residential plots are disappearing at a much faster rate. In this dynamic, Chainda is receiving some of the residents who are displaced when residential plots are converted to commercial use in Kalingalinga. When plots in both compounds are redeveloped, it is the poorest who are displaced, rendering their claim to the city precarious.

Interviews with local residents, leaders of different political parties, as well as City of Lusaka officials, including officials from the planning and housing department of were conducted in 2015 and 2016. The initial fieldwork randomly interviewed eighteen Kalingalinga residents and twelve in Chainda. In addition to face-to-face interviews, several field visits to the two compounds were conducted. A mapping exercise to document the rate and geography of residential properties being converted into commercial property has been ongoing in the two compounds since 2014. Evidence from the mapping exercise shows that redevelopment of plots into commercial property is occurring along the main roads, while in interior of the compounds poorly constructed structures are being redeveloped into better houses. Interviews with residents are complemented by interviews with Lusaka City Council (LCC) officials in the Town Planning Department and the unit responsible for unplanned settlements in the city. Additional information was obtained from official documents, reports, and studies on compounds in Lusaka.

# The Claim to the City

Debates around how people justify their residence in the cities have been framed around Henri Lefebvre's idea of the right to the city. While Lefebvre used the idea to capture "the struggles

between fractions, groups and classes" in urban spaces as they assert their entitlement to the city, the idea has attracted critics as well as defenders, as analysts seek to articulate the meaning of this right. <sup>13</sup> Broadly, the right to the city has been used as a tool for rallying support behind the move to realize justice in cities and communities. David Harvey for instance, frames the right to the city in terms of the struggle to "make and remake" the city, arguing that urbanization has always been a "class phenomenon" which makes cities sites of contestation as different groups of residents seek to reshape urban spaces. <sup>14</sup> Similarly, Pierce and others have argued that the idea of the right to the city is a tool for mobilizing people to construct, challenge, negotiate, affirm multiple (and often) competing and conflicting claims through political processes. <sup>15</sup>

The view that urban residence is a right is strongly stated in the "New Urban Agenda" which speaks about "equal use and enjoyment of cities" as a human right to the city. <sup>16</sup> UN Habitat III speaks about the need "to promote inclusivity and ensure that all inhabitants, of present and future generations, without discrimination of any kind, are able to inhabit and produce just, safe, healthy, accessible, affordable, resilient and sustainable cities and human settlements...."<sup>17</sup> In this sense, the concept of rights, as Amartya Sen argues, is an influential social device which people often rely on to defend their interests when these are challenged or threatened. <sup>18</sup>

Although the concept of right has been widely adopted in discussions which seek to highlight social and political struggles; in this article, we do not use the word 'right' and instead use 'claim' to broaden the scope of analysis. The reason for using claim instead of right is that rights tend to be tied to formalized or legal claims—claim-rights in the Hohfeldian scheme of jural relations which are correlated with a duty. <sup>19</sup> In a context where low income urban residents are seeking to lay claim to the city, not through legal rights but through politically constructed and negotiated claims, the notion of a right limits what people can lay claim to. <sup>20</sup> The term claim is much freer than the concept of right in terms of its application and acceptability. The term claim is therefore used here to capture what has been referred to as "radical openness" which includes formal claim-rights as well as politically constructed assertions people make based on the different strategies they employ. <sup>21</sup> This is appropriate in the case of access to urban land for low-income households who often employ non-legal, nonformal processes and strategies when affirming and defending their claim to the city.

# Access to Land and a Sense of Belonging in Africa

The broader context to the debates around urban citizenship in Africa is the idea of belonging to a community or making a claim to be a member of a community—even if a sense of community in urban areas is often diluted. Although the process of affirming someone's sense of belonging in urban areas is left largely to the markets (both formal and informal) the principle is the same: having a place (i.e., land) to reside is an affirmation of one's belonging to a community. Those without a place to stay have a weaker sense of belonging in an African context.<sup>22</sup>

However, residents of Kalingalinga and Chainda whose plots are being bought and converted into commercial property are not giving up their claim to the city; they are constructing it through various means, including mobilizing poor residents to find alternative places by invading any vacant land they can find. They are also mobilizing to force the state to allocate land where they can build.<sup>23</sup> For example, the ZHPF, working together with the Poor

People's Process on Poverty and Housing in Zambia (PPPHZ) are mobilizing to draw public attention to issues of lack of access to land for the poor in urban areas. The ZHPF frame their struggles to secure land for building access in terms of their right to be in the city—urban citizenship.

In urban areas where access to land is now totally mediated through markets, a weaker sense of citizenship ensues for people and families with no means to acquire land and housing. This dilutes their sense of belonging and claim to the city. So the issue of access to land becomes an important dimension of urban citizenship. Marshall elaborated and broadened the concept of citizenship by framing it in terms of claims that can be made on several grounds including: legal, political, class, cultural, ethnic, and historical assets.<sup>24</sup> As demand for urban land grows, residents of informal settlements are using every available resource to defend their claim to be in the city by becoming "political entrepreneurs" and constructing their claims using political assets.<sup>25</sup>

There is an emerging body of literature on the question of urban citizenship and the right to the city.<sup>26</sup> What this literature highlights is that property ownership consolidates one's sense of 'belonging,' one's sense of 'entitlement' (claim) to the city.<sup>27</sup> While the bulk of the literature talks about property in general, Christian Lund makes an explicit link between land ownership and a strong sense of membership to a community (citizenship) and belonging, which having access to land confers.<sup>28</sup> He particularly emphasizes the idea that being able to access (but not necessarily own) the resources of the community (land in particular) is what practically defines membership to a community and generates a stronger sense of belonging.

In rural Africa, it is a widespread norm for community leaders to ensure that every member of the community is allocated land for homestead and cultivation. In urban areas, this golden principle has been overlooked, perhaps because there is an assumption that those who cannot find a place to stay or rent do not belong there—that they are not part of what Lefebvre calls the "urban fabric."<sup>29</sup> Njoh notes that because access to land and housing in urban areas is mediated through markets, this has resulted in the right to the city being reserved "exclusively for those with the ability to pay."<sup>30</sup> In British colonial Africa, as illustrated below, the right to the city for Africans was firmly tied to a job or service to a European community. Africans who had no job or were not offering a service to Europeans had no right to the city; their perceived rightful place was in rural areas. As Watson rightly points out, this idea which has its origin in colonial times has been reinforced through the dominant urban planning frameworks which largely plan cities for those who can afford formal housing.<sup>31</sup> As a result of this, most poor urban residents' claim to the city is delegitimized. Yet the reality is that many households who cannot afford formal land and housing have always been part of, and are produced by, the urban fabric. In fact, in most African cities and towns, they constitute the majority.

## Cities as 'Regulated' but Contested Spaces

One of the reasons why urban citizenship is contested is that urban life is often seen as privileged locus of leisure, modernity, abundance, industrial power, progress, and political control, etc.<sup>32</sup> Cities all over the world are attractive spaces to many people for various reasons. Because of their attractiveness, there has always been some form of control regarding who has a legitimate claim to the city, and this leads to struggles as people challenge and resist the discriminatory approach which result from the subtle ways in which access is regulated.<sup>33</sup> As noted above, in many African cities during colonial rule, controlling access tied legal urban

residence to formal employment.<sup>34</sup> The practice of restricting access to the city was implemented most famously in South Africa. Those who were excluded from the city, however, always contested this exclusionary approach, sometimes openly by disregarding planning or development rules and etiquette, often setting up their own settlements.<sup>35</sup>

# Urban Land Policy in Zambia

The current urban land policies and practices in Zambia are a carry-over from colonial urban development philosophy. As Homes observes, the "legacy of colonialism is still etched on the landscape and practices of Sub-Saharan African Towns and cities." In a study of urban reforms in Zanzibar, Myers came to a similar conclusion that the reforms introduced after independence have reinforced colonial urban land relations, which continue to dictate the production and reproduction of urban spaces. Thus, the "urban problematic" in Africa can be largely attributed to the failure to re-imagine and reconstruct post-colonial African urban spaces.

In Zambia, for instance, although successive post-colonial governments have tinkered with the legal and institutional framework that governs urban land, the current urban land policy is largely a carry-over from colonial social engineering. One clear example is the practice of tying urban residence to employment or business. The origin of this policy can be traced to Lord Lugard, who stated that:

Only *Aliens* not ordinarily subject to the jurisdiction of a Native court, who reside for purposes of trade and access to a railway siding, or Natives who are employees of Europeans, or artisans, and those who minister to the requirements of the community, should as a general rule be allowed to live in the actual precinct of the township.<sup>39</sup>

To justify this policy, it was argued,

...it is only proper that the townships, which were primarily established for occupation by non-natives, should be reserved for those who should properly reside there, and the residence therein of natives should be confined as far as possible to those whose employment on legitimate business requires them so to reside.<sup>40</sup>

While the post-colonial African governments have lifted restrictions on movement and settlement of people, there are subtle ways in which access to the city is restricted and indirectly tied to one's ability to afford land and housing. These restrictions indirectly undermine the claim to the city for those who have no means to access land and housing through formal or informal markets.

#### Urban Land Tenure in Zambia

There are four categories of urban land in Zambia: residential, commercial, industrial, and open land. In this study, we focus on residential land which can be accessed through government (municipal allocation), private purchase (informal and formal), and occupying vacant land (squatting, unplanned settlements). As a result of this land tenure structure, there are four different types of claims to urban land. The first relates to land located in areas which were formerly under freehold title before the Land (Conversion of Titles) Act of 1975.<sup>41</sup> Over the years, most of this land has gradually been subdivided into separate residential and commercial

plots, and each plot is sold individually, under a 99-year leasehold title (if the purchaser is Zambian).

The second is land in areas where the council (or municipality, in this case the Lusaka City Council) has been given the mandate (head-lease) to develop houses or plots for sale and subletting to individuals or companies. In these areas, the owners of the plots are issued with the Council Certificate of title, renewable after 99 years. However, there are two main differences between a title deed and the council certificate of title. Land under the latter is not directly regulated by the commissioner of lands—it is subleased under the head-lease held by the council.<sup>42</sup> Further, land under a council certificate of title is regulated by the Housing (Statutory and Improvement Areas) Act of 1974, and are known as Statutory Housing Areas (SHA). Examples of townships under SHA include Chelston, Matero, Lilanda, Kabwata, Kamwala, Chilenje, Libala, etc. In terms of tenure rights and claims to the city, both types have effectively the same claims and degree of citizenship. It can be argued that residents with these tenure rights make stronger claims to the city with a stronger sense of belonging.

The third type includes land that was occupied informally—i.e. unplanned settlements or 'compounds.' Settlements which fall under this category are officially known as Statutory Improvement Areas (SIA), also regulated by the Housing Act of 1974. Examples include all the regularized compounds such as Chawama, Kanyama, Chibolya, Mtendere, George Compound, and Marapodi as well as Chainda and Kalingalinga where this study was conducted. There is a significant difference in terms of tenure arrangements between people residing in SHAs and those residing on SIAs. Residents or owners of the land in SIA areas are issued not with a title but an occupancy license (OL), renewable after 30 years.

The fourth type of urban land includes settlements which do not fall in any of the three categories above. These are usually settlements which are not yet regularized and are officially classified as illegal settlements. In Lusaka, these include newly established compounds such as Mtendere East and the old compounds such as Chazanga, Misisi, Linda, Nyerere/Cook, Mazyopa, Freedom, etc. This category of settlements is not just restricted to illegally occupied land as it also includes people living on illegally sub-divided or ungazetted land.<sup>43</sup> As noted earlier, while in the past it was common for low income households to occupy vacant land and build their own houses, this option has largely disappeared because most vacant parcels of land within the city have already been occupied.<sup>44</sup>

Of the four urban land tenure claims outlined above, the fourth is said to have the weakest rights, though most of the residents in the compounds do not think so. While residents in compounds occasionally face threats of their houses being demolished, they believe that their claim to the land they occupy is safe because politicians need their votes and would not dare demolish their houses. As noted below, what started as illegal compounds have now been accepted as part of the city, and therefore the regularization of the illegal compounds is widely believed to be a matter of time.

Legal analysts have observed that the OL system guarantees weaker claims because it only grants a permit to make the occupation of the land lawful:

....a license merely confers a right making lawful that which without would be unlawful and it is thus distinguished from a lease which creates a legal estate in land. [Thus] the license confers no tenancy upon the occupant, and the possession of the premise still remains in the local authority.<sup>45</sup>

One reason for issuing OLs instead of certificate of titles in unplanned settlements is that local authorities do not want to create stronger rights (claims to the city), which would make it difficult for them to take possession of the land when the need arises. <sup>46</sup> It has also been suggested that the government intentionally gives weaker rights to residents of informal or unplanned settlements to maintain control. <sup>47</sup> However, OLs can promote the flexibility needed to address the situation of unplanned settlements. <sup>48</sup> Matibini, for instance, argues that it would be an impossible task to implement a full title regime in unplanned settlements since this would require each plot to be surveyed and diagrammed, something which is difficult to do given the unplanned nature of these compounds. <sup>49</sup>

In all this, the key point is that majority of low-income urban residents occupy the fourth category of land. This is the reason why the claim to the city for these residents is somewhat precarious, especially in cases where the occupied land is contested in court. If we apply the legal notions of claim-rights, residents of these settlements would have no valid claims to the city by virtue of residing, without formal agreement, on land that belongs to someone else. Residents of these settlements, however, are aware that their claims can be constructed, contested, negotiated, and reconstructed though various means including political strategizing and 'vote trading.' <sup>50</sup>

# Origins of Compounds in Lusaka

Unplanned settlements in Zambia, and Lusaka in particular, did not start after independence but rather during colonial times. Despite continued efforts—by both colonial and post-colonial governments—to stamp out what were initially referred to as "native squatter compounds," these settlements continued to grow as a result of the poor asserting their claim to the city. The earliest unplanned settlement in Lusaka was reported in 1924 when the Lusaka Management Board (LMB) complained about a farm owner, one Mrs. Marapodi, for allowing a "very extensive settlement of natives... within a mile of the (township)."<sup>51</sup> The problem of unplanned settlements seemingly started as a result of the decline of the quarry industry during the 1920s, forcing land-owners to rent out idle quarry land to local people: "Many landowners did well from renting out their land in this way and E.A. Copeman of Lilanda gained the name Chikolokoso (literally, one who keeps people). Today, his former farmhouse is centred in what became the largest squatter compound in Lusaka before it was upgraded in the 1970s: George Compound."<sup>52</sup>

The growing demand for land and housing, and the shortage of affordable housing in SHAs, led to the growth of compounds such that they have become integral parts of the expanding City of Lusaka today. For instance, in 1963 on the eve of Zambia's independence, 14 percent of the population in Lusaka was living in unauthorized housing, mostly in the "quarry and contractor's compounds." Ten years after independence almost half of the population (46 percent) was living in unplanned settlements. Available evidence suggests that up to 70 percent of the population in Lusaka resides in unplanned settlements.

At first, the Zambian government treated these settlements as transient and therefore adopted a hostile posture, constantly threatening to demolish structures in the compounds.<sup>56</sup> But soon after independence, "existing unauthorised housing areas expanded onto State land; and new unauthorised housing areas were established. None of the residents in such areas had formal titles to the land, planning or building permission, and as such were officially regarded

as illegal residents."<sup>57</sup> The rapid growth of these settlements made the Zambian government realize that the initial plan to resettle all residents of unplanned settlements onto planned, fully serviced plots was not feasible. By the end of the 1970s, it was evident that unplanned settlements were not only there to stay but had become a practical way of addressing what some described as a housing crisis in Lusaka.<sup>58</sup> With this realization, the government began to implement two different programs: the 'site and service' (self-help schemes) and the upgrading of unplanned settlements.<sup>59</sup> Although the site and service schemes officially started in 1965, the program was up-scaled during the 1970s when more self-help settlements were established. At that time, the emphasis was on the "development, rather than eradication, of existing squatter settlements."<sup>60</sup>

# Growing Pressure on Urban Land

In Lusaka and other urban areas in Zambia, like in many other African cities, the supply of urban land on the formal market is not matching demand. The pressure resulting from this shortfall in land supply is being redirected to compounds. In the case of Lusaka, there are several factors which account for the growing pressure on urban land. The first is the rapid growth of the urban population from around 2005, after declining during the 1990s and early 2000s (Table 1). Nationally, this growth has been concentrated in big cities, especially Lusaka. The urban population in Zambia was estimated at 41 percent in 2015, with the annual growth rate of over 4 percent since 2008 which is well above the national population growth rate of 2.6 percent.

Table1: Demographic Trends in Zambia (1990-2015)

	1990	1995	2000	2005	2010	2011	2012	2013	2014	2015	Mean
Urban pop (%)	39.41	37.10	34.80	36.61	38.73	39.15	39.59	40.03	40.47	40.92	38.7
Urban pop growth (%)	2.64	1.32	1.34	3.82	4.09	4.11	4.14	4.17	4.18	4.18	3.4
Rural pop growth (%)	2.85	3.32	3.34	2.02	2.29	2.31	2.33	2.33	2.32	2.31	2.5
Total Pop growth (%)	2.77	2.58	2.64	2.68	2.99	3.02	3.04	3.06	3.07	3.07	2.9
Urban pop '000	3 208.9	3 433.4	3 683.9	4 409.4	5 389.5	5 615.9	5 853.6	6 102.6	6 362.7	6 634.2	
Total Pop '000	8 143.1	9 253.5	10 585.2	12 043.6	13 917.4	14 343.5	14 786.5	15 246.1	15 721.3	16 211.8	

**Source:** World Development Indicators (World Bank Databank)

Lusaka itself accounts for close to 40 percent of Zambia's urban population, with a much higher growth rate, averaging 7.2 percent (Table 2). While the population of Lusaka doubled between 2000 and 2015, the official boundaries of the city have remained the same since 1980, when they were last adjusted.<sup>61</sup>

Table 2: City of Lusaka Population Dynamics, 1963-2015

	Population	Annual	Share in	Share of Total	Persons/Km <sup>2</sup>	
		growth (%)	National	Urban Pop		
			Population (%)	(%)		
1963	195 000		3.5	17.2	5 416.7	
1969	354 000	13.6	6.5	22.0	2 546.8	
1974	421 000	3.8	9.0	25.3	3 028.8	
1980	535 830	4.5	9.4	21.9	1 488.4	
1990	7 61 064	4.2	10.4	26.5	2 114.1	
2000	1 084 703	3.6	11.0	31.7	3 013.1	
2010	1 747 152	4.9	13.3	33.8	4 853.2	
2015	2 380 265	7.2	15.4	38.8	5 623.1	
Change (%)	1 295 562	119.4	39.9	22.6	2 610	
(2000-2015)						

**Source:** Author based on data from CSO 1969, 1980, 1990, 2000 & 2010, and 2015

The other fact that has contributed to the growing pressure on land in Lusaka is steady economic growth over the last two decades. Lusaka as the capital accounts for the largest share of this growth. Although new residential housing areas have been opened up, these are usually available for residents with the means to purchase land on the formal market. Land being made available for residential development through the private sales is beyond the reach of low-income urban residents. Yet there are no programs to make land available for low-income households or those without steady income. Even for those who have land in the compounds, their claim to the city is precarious due to the rapidly growing practice of converting residential plots into commercial plots.

## Subtle Displacement: The Case of Chainda and Kalingalinga Compounds

As noted above, our interest in doing this study was sparked by the rapid emergence of commercial property in Kalingalinga, mainly. We wanted to find out what was driving this and what happens to occupants when the residential plot is re-developed into commercial property.

Who is Buying and Selling Plots?

Interviews with residents and business people who have bought and re-developed plots in these compounds reveal that there are three distinct groups of people involved. In the inner areas of compounds, it is mostly people from outside who are buying the plots for residential use. Residents indicated that this phenomenon started during the early 1990s when many people faced retrenchment as a result of the privatization of state-owned enterprises. Retrenchees who were living in SHAs found it difficult to continue living there after losing their jobs and steady income. Some of them used their severance packages to purchase plots in these compounds and built houses which they occupy or rent out as a source of income. A former Zambia Airways worker confirmed this: "I used to live in Chelstone and I worked for Zambia Airways, but when I was retrenched in 1995, I waited for my terminal benefits and when I got the money, I bought a plot because it was cheaper to buy and build here than pay rent in Chelstone. I bought this plot in 1995 and built this house."

The second group of buyers are retirees. Interviewees observed that in the past, when people retired, they usually went back to their village of origin. But these days most of them prefer to have property in the city—especially in compounds—and stay there. A study conducted by UN-Habitat in 2012 confirms this, observing that "many retirees are buying dwellings in the informal settlements as they find formal housing too expensive to retain."<sup>63</sup> One of the respondents stated that, "we bought a plot here when my husband retired, and we built and rented the house. But when my husband passed away, I moved into this house, and I now stay here."<sup>64</sup>

The third group of buyers we found are businesspeople or investors—most often Indian, Pakistani, Chinese, Taiwanese, or Somali—who are buying plots, especially along Alick Nkata Road in Kalingalinga. This is the most active group driving the recent phenomenon of redeveloping residential plots into commercial property. These investors purchase plots (sometimes two or more adjacent plots), demolish the poor housing structures and build commercial property, mainly retail or wholesale shops. With particular reference to Kalingalinga, new commercial properties in the form of retail shops and fast-food outlets have mushroomed along main roads.

What Happens to Residents when the Plot is Converted?

Respondents from the two compounds reported some residents, after selling their plots, relocate to different settlements, mainly Mtendere East and other places where they can find land. There are also residents who sell their plots along the main roads and buy a plot/house in the inner parts of the same compound at a cheaper price and use the balance to start a business venture. One of the local residents in Chainda reported that "I used to stay along Alick Nkata Road, but some Pakistanis came and offered me a lot of money. I sold the plot and decided to buy two plots in Chainda: the one where I am staying and another one where I have people renting." There are still other plot owners, especially those with large plots, who subdivide their plots, sell a portion, and remain with a smaller part on which they stay. Last are those plot owners who do not stay in the compounds—they sell their plots and use the proceeds to start a business or buy another piece of land elsewhere.

Although most of the plot owners voluntarily sell their plots, this situation is creating subtle forms of land and housing insecurities among poorer residents in the compounds, especially tenants. Since most of the residents (60 percent) are tenants, when a plot is sold and redeveloped some find a house to rent in the same compound. Others relocate to a different compound while a few are forced to relocate to rural areas. When we look at the different types of residents selling plots, it is clear that indirect displacement of low-income households in these compounds is occurring. This is particularly true for tenants in cases where the house they rent is redeveloped into a commercial property. When the plot is sold, most of them find it difficult to secure alternative forms of accommodation or land where to settle. Thus, while the increasing flow of investments into these compounds is sometimes celebrated as redevelopment or gentrification of the compounds, this is creating problems for many poor households who struggle to find land to build shelters where they can stay. Since the city does not provide land for poor residents who cannot buy land on the market (formal or informal), this weakens their claim and sense of belonging to the city.

## Contesting the Right to the City

When a residential plot is sold and converted into commercial property, a majority of residents find other ways to remain in the city. In this way, displaced residents are not giving up their claim to the city simply because they have no means to access land and housing formally. While the conversion of their residential land into commercial property weakens their claim to the city, they are reconstructing their claim in various ways, including invasion of vacant land and mobilizing to assert their rights.<sup>67</sup> Once they occupy land, they then organize themselves to fend off any attempts by the police to demolish their houses.<sup>68</sup> Urban dwellers also assert their claim by lobbying politicians to provide land where they can build their shelters. For example, the ZHPF has been mobilizing to access land where they help members build their own houses. ZHPF is linked to an international federation of homeless people. We have seen this form of urban insurgence in different parts of the Global South from Mexico to Brazil to South Africa.<sup>69</sup>

Low income and poor residents' affirmation of their claim to the city takes various forms including mobilization to articulate their concerns about how urban land and housing are allocated. In Zambia, ZHPF helps poor urban residents advocate for government allocation of land so they can build houses. They are not asking for housing, but land where they can build their own dwellings. Often, they use their voting power during elections to bargain with politicians and muster support to validate their claim to the city. They also assert their claim to the city by disregarding town planning arrangements which delegitimize their urban citizenship status. Through these different modes of contestation, the urban poor attempt to reconfigure the locus of power, restructure access to resources, and strengthen their claim to the city.

# The Centrality of Access to Urban Land

From the case study presented above, the issue of access to land features centrally as the surest means of validating one's urban citizenship. For someone who does not have access to land, it is difficult to build a house and remain in the city. For those who have regular income and can rent or buy their own land, their urban citizenship is seldom in question. However, when income dries up many low-income residents may be forced out of the city because they have nowhere to stay. It is in this sense that access to land becomes a central pillar of people's claim to the city. People who have access to land often build their own houses and use the house to validate their urban citizenship. For those who have nowhere to stay, the assumption among city officials is that they do not belong to the city and they need to go rural areas where they can have 'free' land to build houses. Ultimately, it is access to land which gives someone a stronger claim to the city—even if they have not built a house.

The case study presented here, illustrates that when the urban land question is conflated with that of housing, it becomes acceptable to marginalize the poor and delegitimize their claim to the city, especially where the process of accessing urban land is entirely meditated through land markets. Following Angel, this article highlights that securing the poor's claim to the city requires deliberate political actions with a clear aim of allocating land. When such measures are absent, the poor's claim to the city is weakened. While such a situation may be sustained for some time, eventually the situation leads to contestation and instability as the urban poor seek to assert and legitimize their claim to the city. The contest becomes even more pronounced when access to urban land is more restricted.

Several studies have shown that as demand for urban land increases, access to land for low income households is becoming constrained, a situation that weakens poor urban dwellers' claim to the city. To Due to various factors including rapid urbanization, sustained economic growth as well as rising prices of land and residential property (even in unplanned settlements), access to land and housing through markets is increasingly beyond the reach of the poor. In the case study discussed above, prices of land and housing have risen sharply, inducing subtle forms of displacement of low-income residents from the compounds. Although this phenomenon may be celebrated by some observers as a sign of urban development, it is evident that this process ultimately undermines low-income households' claim to the city. In the past it was possible for poor residents to access land informally through invasion of vacant private or public land and via allocation by traditional authorities on nearby customary land. However, "for many new households in contemporary African cities, especially the poor, the only way of becoming the owner of a plot on which to build a house is through subdivision or inheritance of a parent's plot. In practice, most households are tenants."

The decreasing land supply in many African cities highlights the need for an equitable urban land policy.<sup>74</sup> As noted earlier, past policy and donor attention was on housing, with access to urban land taken as a given. Berner observes that even within UN Habitat circles, the focus has been largely on housing as if the urban housing challenge can be addressed without addressing access to land.<sup>75</sup> It is important to note, however, that the significance of access to urban land was acknowledged already during the 1970s:

Land, because of its unique nature and the crucial role it plays in human settlements, cannot be treated as an ordinary asset, controlled by individuals and subject to the pressures and insufficiencies of the market. Social justice... and development, the provision of decent dwellings and healthy conditions for the people can only be achieved if land is used in the interest of society as a whole.<sup>76</sup>

In the current context, it becomes important to see access to land as a precondition to addressing the urban housing crisis in Africa. Various studies which have looked at the question of land and housing have often concluded that the exposure of land to market processes has intensified the urban problematic by creating what has been referred to as the 'geographies of displacement'—ironically through the mechanisms that are supposed to strengthen security of tenure.<sup>77</sup>

## Conclusion

Urban land issues are featuring strongly in urban development debates in many developing countries. As urbanization intensifies, the question of access to land in the expanding cities and towns is becoming a pressing issue. While land development policy has in the past focused on rural land, the growing demand for land in urban areas is gradually lifting the urban land question onto the urban development agenda. Similarly, while urban development policy has tied the issue of access to urban land to that of housing, and has conflated the two into one, it is increasingly becoming clear that the issue of access to land in urban areas is tied to the fundamental question of the claim to the city and urban citizenship.

From the case study presented above, it is clear that the compounds provide the poor with the only means of access to the city. The observed trend of converting compound residential plots into commercial property is effectively eroding the poor's claim to the city. In the case of Lusaka, it is evident that the issue of land is taking center stage, as pressure on land pushes

different actors to defend their interests. In this context, it is important to have a well-informed land policy that takes into account the fact that the poor also have a legitimate claim to the city. It is therefore clear that access to land and the city for the poor can only be protected through political means, where the land meant for the poor is ring-fenced from the assault of formal and informal markets.

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# **Notes**

<sup>&</sup>lt;sup>1</sup> See Rakodi 2005; Chitonge & Mfune 2015.

<sup>&</sup>lt;sup>2</sup> Examples include Meyers 2008; Ubink and Quan 2008; Marx 2015; Rakodi and Leduka 2004; Beyer et al. 2016; and Hammar 2017.

- <sup>3</sup> See Chiodeli 2016; Scott and Stopper 2014; World Bank 2002.
- <sup>4</sup> Pierce et al. 2016.
- <sup>5</sup> Brogger. 2019.
- <sup>6</sup> The term informal settlements does not apply to most of the settlements in Zambia because by 2007, most of the former squatter (informal) settlements were declared as housing improvement areas(HIA) and therefore ceased to be informal/illegal, though most of them remain unplanned settlements, with poor infrastructure and services. See Yasini 2007.
- <sup>7</sup> CSO 2013, p. 4.
- 8 Yasini 2007
- <sup>9</sup> cited in Mutale 2004, p. 42.
- <sup>10</sup> Central Statistics Office 2013, p. 4.
- <sup>11</sup> Chainda Enumeration Report 2015.
- <sup>12</sup> See Lefebvre 1996 [1968].
- <sup>13</sup> Attoh 2011.
- <sup>14</sup> Harvey 2008.
- <sup>15</sup> Pieterse et al. 2016.
- <sup>16</sup> United National Conference for Human Settlement (Habitat III) 2017.
- <sup>17</sup> United National Conference for Human Settlement (Habitat III) 2017.
- <sup>18</sup> Sen 2004.
- <sup>19</sup> Hohfield 2005 [1919].
- <sup>20</sup> Marx 2015.
- <sup>21</sup> See Attoh 2011; p. 674.
- <sup>22</sup> Njoh 2017.
- <sup>23</sup> Chitonge and Mfune 2015.
- <sup>24</sup> Marshall 1950.
- <sup>25</sup> Paller 2015.
- <sup>26</sup> See Lefebvre 1996[1968]; Lefebvre 2003; Harvey 2008; Lund 2011; Marcuse 2012; Njoh 2015; Pierce et al. 2016; Attoh, 2016, 2011; Brogger 2019.
- <sup>27</sup> Brogger 2019.
- <sup>28</sup> Lund 2011.
- <sup>29</sup> Lefebvre 2003.
- <sup>30</sup> Nijoh 2015, p. 191.
- <sup>31</sup> Watson 2009.
- <sup>32</sup> Lefebvre 1996 [1968]; Owuso and Afutu-Kotey 2010.
- <sup>33</sup> Harvey 2008; Marx 2015.
- <sup>34</sup> Homes 2015.
- <sup>35</sup> Chiodelli 2016; Holston, 2009; Fekade 2000; Angel 1983.
- <sup>36</sup> Homes 2015, p. 62.
- <sup>37</sup> Hansen 2004; Leaf 2009; Homes 2015.
- 38 Silva 2015; Pieterse 2009
- <sup>39</sup> cited in Homes 2015, p. 69 [emphasis added].
- <sup>40</sup> Homes 2015, p. 58.

- <sup>41</sup> The 1975 Land Act revoked all freehold titles and converted them into 99-year renewable leases.
- <sup>42</sup> Matibini 1989; Sichone 2011, p. 127.
- <sup>43</sup> UN-Habitat 2012.
- <sup>44</sup> Lusaka City Council and Environmental Council of Zambia 2007.
- <sup>45</sup> Matibini 1989, p. 38.
- <sup>46</sup> Mutale 2004; Silva 2015.
- <sup>47</sup> Mutale 2004; Paller 2015.
- <sup>48</sup> Angle 1983.
- <sup>49</sup> Matibini 1989.
- <sup>50</sup> We know for instance that some of residents of unplanned/informal settlements become vocal cadres of the ruling party (mainly) specifically to ensure that they can have access to land. See Resnick 2011.
- <sup>51</sup> Williams 1986.
- 52 Williams 1984.
- <sup>53</sup> Rakodi 1986, p. 189.
- 54 Mutale 2004, p. 58.
- <sup>55</sup> World Bank 2002; Lusaka City Council and Environmental Council of Zambia 2007.
- <sup>56</sup> Seymour 1975; Sichone 2011.
- <sup>57</sup> Rakodi 1986, p. 191
- 58 Bamberger et al. 1982.
- <sup>59</sup> The *site and service* schemes focused mainly on low income settlements and in areas where individuals were encouraged to identify a plot and then apply to the council for services. Most of the *site and service* settlements, were planned by council authorities and have formal residential houses.
- 60 Mutale 2004; see also Matibini 1989.
- 61 Chitonge & Mfune 2015.
- <sup>62</sup> Chainda Interviews, July, 2015.
- 63 Carey 2009.
- <sup>64</sup> Chainda Interviews 2016.
- <sup>65</sup> Chainda Interviews, July 2015.
- <sup>66</sup> A recent survey of Chainda Compound reveals that 61 percent of residents are tenant and only 23 percent 'own' the land and house where they live. See Chainda Enumeration Report, 2015.
- <sup>67</sup> Chitonge and Mfune 2015.
- <sup>68</sup> Chitonge and Mfune 2015.
- 69 Slater, 2006; Holston, 2009; Jacobs, 2017; Pithouse, 2013
- <sup>70</sup> Angel 1983
- 71 Ghertner 2014
- <sup>72</sup> See Naab et al. 2013; Myers 2008; Rakodi and Leduka 2004.
- <sup>73</sup> Rakodi and Leduka 2004, p. 1.
- <sup>74</sup> Holston, 2009; Durand-Lasserve et al. 2002.
- <sup>75</sup> Berner 2001.
- <sup>76</sup> Vancouver Declaration 1976, p. 28
- 77 Ghertner 2014