

CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

This chapter presents the background to the study and defines the problem statement. It further looks at the purpose of the study, objectives and research questions that needed to be answered in the study. The chapter further reflects on the significance, conceptual framework and literature review. Lastly, the chapter outlines the methodology which was employed when conducting the study and provides a summary of the chapter.

1.2 BACKGROUND

1.2.1 The colonial period

In most countries in Africa and the world over, land has been categorised as a scarce resource. This is so because the supply of the land resource is fixed, just like many other resources. There has been an increase in the demand for land over the years. As a result, public sector leaders around the world face challenges of ensuring that land administration and control is done in such a way that they meet the expectations of citizens (Republic of Zambia, 2013).

According to the Republic of Zambia (1993, p3),

“Before the coming of the white settler community, the holding of land by the indigenous people was largely through families, jointly or by a chief or chieftainess on behalf of the community in accordance with the community’s respective customary laws. Individuals in the tribe had the right to use the land but not to sell it. However, they were allowed to transfer rights in land, for consideration, or as gifts subject to the local conditions and customs, while interest in land could also be inherited in accordance with the respective customary laws.”

During the colonial period, control over all land in Zambia (with the exception of Barotseland) was done by the British South Africa Company (BSA) and after 1920 authority was transferred to the Governor of Northern Rhodesia. In 1928, two categories of land were

created: Crown Land and Reserves. Crown land was meant for Europeans and Africans were evacuated by force from this land. Reserves were left for the indigenous people and were allocated mostly in Northern, Eastern, Copperbelt, Central and Southern provinces. It is around this period that marked the origins of current African weak local land governance structures. During this period, local legal rights were often not recognized by the colonial governments (Colson 1971; and Cotula 2013)

In 1947, the Pimm Commission reversed the policy which reserved a large proportion of the country for Europeans. Around 57% of the country, formerly 'unassigned' land, forest and game land and unutilised Crown Land was returned to Africans and was named 'Trust Land'. Thus by 1950, the Crown Land reserved for Europeans began shrinking. Six years later, there was the introduction of the concept of progression whereby a farmer who performed satisfactorily could upgrade tenure from leasehold to freehold. The 1956 ordinance was later repealed by the Colonial Government and replaced by the *Agricultural Land Act*, 1960, which remains in force and provides for the allocation of agricultural leases on State Land. A considerable number of laws have been promulgated which are applicable to land; the most important are: *The Constitution of Zambia*; *The Lands and Deeds Registry Act* 1914 as amended; *The Land Survey Act* 1960; and *The Agricultural Lands Act* 1960 (Bruce and Dorner 1982).

1.2.2 The post-independence period, the first and second Republic

Zambia got its independence and inherited four categories of land in 1964. These land categories are: State Land (formerly Crown Land), Freehold Land, Reserves and Trust Land. *The Barotseland Agreement Article 8(2) of the Independence Constitution* of 1964 set the terms of which the *litunga* (king of the Lozi tribe) had powers over land in Barotseland, which was governed by Lozi customary law. In 1970, the *Act of Land and Miscellaneous Provisions was passed* which vested all land in Western Province and other parts of the nation in the President of Zambia as a reserve. At this point, all transactions or deals in land, without the prior consent of the President, were barred (Mvunga, 1982).

Past land policies by the colonial administration were oriented towards benefiting the white settler population at the expense of the indigenous people. After gaining independence, there was a need to change this culture and as a result, a *Local Administration Act was enacted in*

1980 under which the Department of Lands stipulated that the consent of the chief must be obtained before an application of leasehold on Customary Land could be approved. Under the same act, chiefs were considered as statutory members of rural councils (Ng'andwe, 1993).

1.2.3 Land Policy in the third Republic

When the Movement for Multiparty Democracy (MMD) came into power in 1991, the Zambian economy had a lot of problems which prompted the new regime to introduce reforms which brought about the liberalization of the economy. One reform which can be taken into consideration is the *National Conference on Land Policy and Legal Reform* in 1993 (Ng'andwe, 1993). The aim here was to “build confidence of investors in land and attach economic value to undeveloped land, encourage private real estate agency business, promote the regular issuance of title deeds to productive land owners in both rural and urban areas” (MMD, 1991, p7).

Furthermore, the policy recommended that there should be State Land and Customary Land and the role of chiefs in policy formulation and allocation of land in customary areas was recognised. On State Land it was recommended that market forces should determine the price of land, while the land market in customary areas should be left to evolve according to local conditions (Ng'andwe, 1993).

However, the initial Lands Bill was withdrawn after the national debate and was replaced by the Lands Act no 27 of 1995 because the opposition perceived that customary tenure and the position of chiefs would be threatened. The Land(s) Act of 1995 was aimed at attaching value to land and enhancing security of tenure, thereby creating land markets and initiating major economic activities. The Lands Act continues to vest in the President who is required to give consent to a person who wishes to sell, transfer or assign any land. These powers are delegated to the Commissioner of Lands. In addition, the Act continues to recognise customary tenure and gives any person who holds land under customary tenure the opportunity to convert the holding to a lease (State Land) (Oxfam, 1998).

Although several initiatives to protect local land rights through land reform policies and projects have taken place in the past, land governance structures both at local and national level still remain weak due to various reasons. Lack of effective and transparent land administration has prevailed over the years and because of this problem the government

published a number of drafts in order to try to deal with the situation. These drafts have helped to inform national development plans and their components have been put into implementation even before the policies were enacted. Some of which include: The Draft Land Policy in 2002, the Draft Land Policy in 2015, and the current Land Policy which was drafted in 2017. The objectives of the current land policy draft which will be investigated in this research are:

- To protect and conserve commons lands, which are essential for livelihood support, economic growth and for the overall well-being of a community.
- To Prepare and update a national planning framework to guide national development planning proposals
- To regulate with a view to eliminating the growth of unplanned areas through timely provision of shelter or serviced building plots.
- To enhance collaboration with Chiefs and Government to continually avail adequate land for resettlement purposes in all districts of the country.
- To improve smallholder access to secure ownership of agriculture land.
- To ensure the preservation of land for future use (Republic of Zambia, 2017).

1.3 STATEMENT OF THE PROBLEM

Despite the many land reforms and land acts having been enacted, the administration and management of land services in Zambia are still issues of great concern, for instance, political cadres have been known to subdivide, “survey,” and “allocate” land in the periphery of cities due to the shortage of land in cities and towns (Chitonge and Mfunne 2015). The Republic of Zambia (2017) notes that a number of issues concerning the administration and management of land services have been raised by the public. Some include: institutional overlap that creates land tenure ambiguities; land use planning and service delivery dynamics in peri-urban areas; conversion of customary land to leasehold tenure and associated issues of consultation.

Further, reports by local councils show that there are a number of cases which raise questions about who should administer and manage land between the state officials and traditional

officials, the council reports state that most laws and regulatory frameworks are not harmonised and often contradict leading to significant overlap, disputes and conflicts in the implementation process (Kalapula and Nchito, 2017). The escalating intensity and frequency of land disputes have been a clear indication of the land issues being faced in Zambia. Therefore, it is in response to this situation that raises questions relating to the extent to which the land policy has ensured the promotion of well-being of communities in Lusaka province, we would like to find out where the problem is. Is the problem embedded within the process? or is it with the players, or maybe in the policy which is a blueprint of how all this should be done.

1.4. RESEARCH OBJECTIVES

1.4.1. General objective:

- To Evaluate the extent to which the Land Policy has ensured the promotion of well-being of communities in Lusaka province.

1.4.2. Specific objectives

- To examine the overall well-being of a community through the provision of equal access to land.
- To determine the extent to which a national planning framework guides land displacement and resettlement.
- To establish the extent to which land has been preserved for future use.

1.4.3 Research Questions

- To what extent has the overall well-being of a community through the provision of equal access to land?
- To what extent does the national planning framework guide land, displacement and resettlement?
- What has been done to ensure preservation of land for future use?

1.5. SIGNIFICANCE OF THE RESEARCH

The significance of this research is that it will provide information on the extent to which the land policy objectives have been realized in Zambia. This research has picked the land policy because it is believed to be a blueprint which facilitates the provision of land services to the public. So it is important to evaluate such a policy in order to ascertain its outcomes.

Proponents of policy evaluation attach a lot of importance to it. This is because evaluation looks at why the policy was adopted in the first place and determines whether it is successfully implemented or not. If it is a success, the policy will continue to be monitored and evaluated as the marketplace and legal environments change. But a policy that has failed must be considered whether or its foundation was based on incorrect objectives. In other words, it is a prospective analysis of the current draft land policy.

Several stakeholders will benefit from the information that will be provided by this research. To start with, the research will be beneficial to the policy makers who will, in future, be able to come up with policies that can improve the administration of land tenure in Zambia. Secondly, it will benefit policy implementers who will gain knowledge on how to better put the policy into action. Lastly, it will be of benefit to the public, both the land owners and those who wish to purchase land, as they will gain knowledge of how they can contribute or play their part in improving the land administration which will, in turn, lead to better services. All in all, this study is important because it will provide information that can contribute to the achievement of effectiveness in the administration of land both by the central government and traditional authorities.

1.6. OPERATIONAL DEFINITIONS

Many concepts and terminologies which constitute part of the thesis subject matter have been identified and operationally explained as follows:

Crown Land: which is now known as state land refers to the land held under statutory tenure only subject to local legislation such as the Lands and Deeds Registry Act, Lands Act, Orders in Council and the like.

Custodians of culture: those individuals, such as Traditional Leaders, who have been trusted to hold and transmit important knowledge about traditions and culture which are passed on from generation to generation.

Effectiveness: The extent to which the policy objectives are achieved.

Land Policy: may be defined as a set of basic principles, guidelines and rationale upon which land legislation, together with the strategies and infrastructure for their implementation, can be developed.

Land reform: can be defined as measures designed to effect a more equitable distribution of agricultural land especially by governmental action. Further, it also refers to the actions resulting from these measures.

Land tenure: refers to the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land. It involves rules invented by societies to regulate behaviour. Rules of tenure define how property rights to land are to be allocated within societies. They define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints.

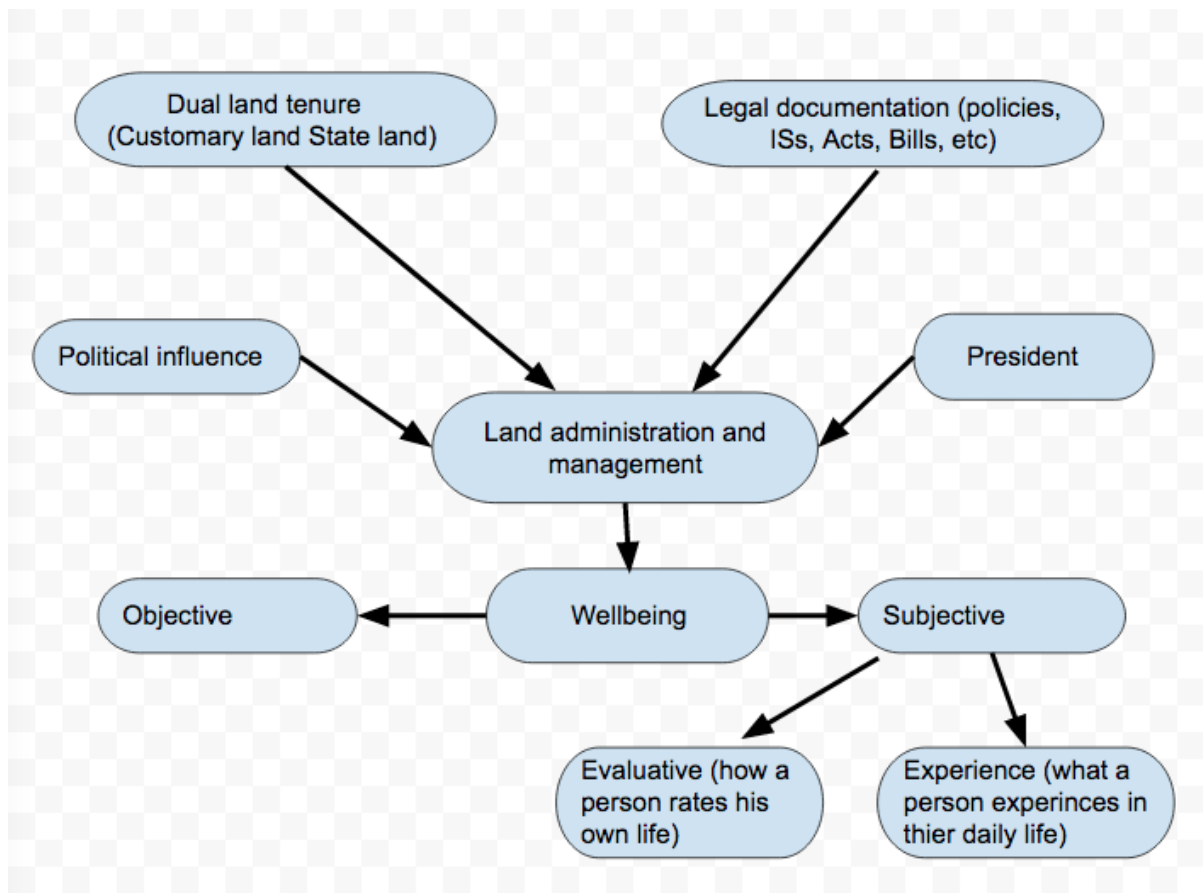
Prospective Analysis: the production of information before policy actions are initiated and implemented. Focuses on the future outcomes of a proposed policy. The recommendations involve value premises which occur before actions have been taken. This is sometimes called (Ex-ante evaluation).

Reserves and Trust Lands: refers to a category of land which is now known as customary land. This land is administered based on customary law or indigenous law. Government does not control the occupation or use of that land. If a person wants to acquire a piece of land for a house, the first point of call is the village head. The village heads are in actual fact the real custodians of the culture of which the land belongs to. Once the village head agrees and a place is allocated to him, he can start building even before the chief has been informed.

A **traditional leader**: is defined as a person who, by virtue of his ancestry, occupies the throne or stool of an area and who has been appointed to it in accordance with the customs and tradition of the area and has traditional authority over the people of that area or any other persons appointed by instrument and order of the government to exercise traditional authority over an area or a tribe.

Well-being: is the experience of health, happiness, and prosperity. It includes having good mental health, high life satisfaction, a sense of meaning or purpose, and ability to manage stress

1.7. CONCEPTUAL FRAMEWORK



Conceptual Framework approach in this paper shows the connection or the relationships of these concepts with each other. It should be noted that land management and administration certainly does not occur in isolation, but is done hand in hand with other levels of development and a range of social, political and economic constructs. The diagram shows that land management and administration is dependent on legal documentation such as the Land policy, statutory instrument, land acts and bills. Because these are basic principles, guidelines and rationale upon which implementation is based on.

In another view, the way land is managed and administered is detected by the president who is the custodian of all land in the nation of Zambia. The diagram also shows the connection between the dual land tenure system and the way land is managed and administered. Here the concern is on the rules of tenure defining how property rights to land are to be allocated within societies whether legally or customarily defined.

Lastly, the diagram shows the connection between political influence and land management and administration. The point to note is that the people making legislation or legal documentation are politicians and they mostly make laws that are in their own interest.

1.8 LITERATURE REVIEW

This section is aimed at reviewing literature on land administration. Land issues are not unique to Africa alone but these issues exist all around the world be in the developed and developing world.

Van Loenen (1999) published a paper entitled *land tenure in Zambia*. The paper aimed at reviewing the dual land tenure system in Zambia (i.e. the customary tenure and formal title registration). In doing so, the author describes the history of Zambian land tenure systems. The results from this study brought out that the chiefs rule with the consent of their people and that they regulate and allocate land in the customary system. This system is stable as compared to the formal title system. It does not encounter the problems the formal title system is confronted with such as the dominance of western influence. The paper further brought out other factors which influence the categories of land. Among them are: economic and political interests. In the same paper, the author showed the distribution of customary and state lands in Zambia and this can be seen in figure 1.

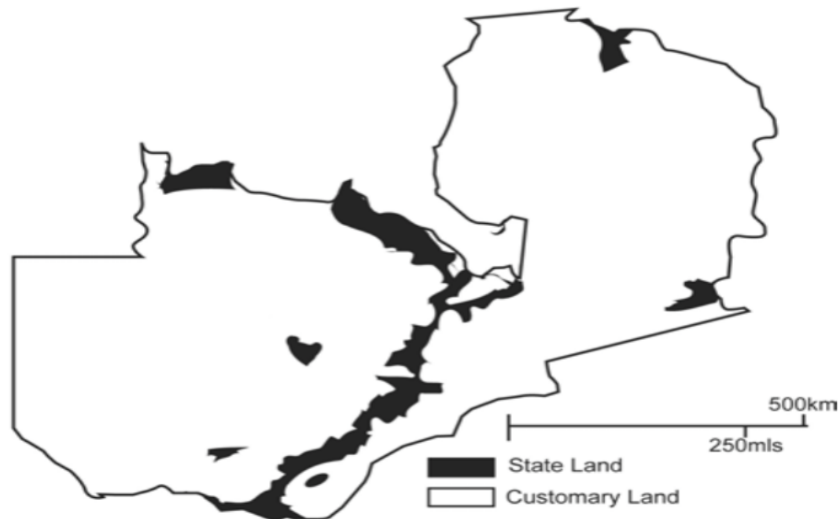


Figure 1. Distribution of customary and state lands in Zambia (adapted from van Loenen 1999)

The conclusion of this study was that there is too much domination of European influence in the formal system. The western culture is imposed when making laws in Zambia. However, the customary system is not largely affected by the western culture. This paper is important because it provides vital information on the tenure systems in Zambia as well as the historical view of the land tenure systems. However, the limitations of this paper are that it brought out more of the problems being faced by the formal title registration system. This made it seem though the customary system has no issues at all. The other limitation is that a lot of time has passed from the time it was carried out (Loenen, 1999).

Kajoba (1994) conducted a study entitled Changing Perceptions on Agricultural Land Tenure under Commercialization among small-scale farmers: The Case of Chinena Village in Chibombo District (Kabwe Rural), Central Zambia. The research was undertaken in order to find out whether there are any changes in how the small scale farmers in Chinena village perceive their relationship to the traditional land which they cultivated on.

Results from this research agreed with the general assumption that with increasing commercial agricultural production, farmers' attitudes to their land begin to change as they place more value on their land. According to the study results, the changes in perception tend to result from the fact that the farmers use their land more intensively and therefore recognise land to be an important resource unlike the case under less intensive land use systems. The

study also brought out some sufficient evidence to suggest that agricultural commercialization is taking place in the study area, and that already land scarcity is being experienced. Furthermore, land use practices have begun to suggest tendencies towards individualization of tenure.

This study is important because it shows the trend of how indigenous forms of land tenure in Zambia and elsewhere are dynamic and are able to evolve over time, and especially due to commercialization of agricultural production. The limitation to this study is that it focused on traditional land issues and particular attention was on the land for cultivation, meaning land use for other purposes was not considered.

In the quest to analyse the implications of the 1995 Lands Act in Zambia, Malambo (2013) in his paper *Land administration in Zambia since 1991: History, opportunities and challenges*, examined the prior Land Acts in Zambia from pre independence years, through up to the time of economic liberalization under the administration of the Movement for Multiparty Democracy (MMD) led by Dr. Frederick J.T. Chiluba. Results from this study were that many individuals (over 80%) have obtained leasehold titles for their pieces of land since 1995 than was the case before. The information in this paper showed that many pieces of customary land around Chibombo district have been converted to title since the enactment of the 1995 Lands Act. Furthermore, there are more people from urban areas (over 80%) that have converted customary land to leasehold tenure than smallholder farmers. The majority of urban individuals obtaining title to customary land in Chibombo district were mainly from Lusaka (over 90%).

The conclusion in the study was that the 1995 act had brought about a lot of opportunities and had facilitated the liberalisation of part of customary land as a result some customary pieces of land were given titles. This study is important to this study since it gives an insight of how the 1995 Lands Act added opportunities and facilitated the issuance of title deeds to various stakeholders, as well as the challenges that emerged from its implementation. However, the weaknesses of this study were that it was focused on the rural areas and emerging towns. The

study did not consider the big towns and cities. The other weakness was that it did not take into consideration the changes made to the land policy in the 2002 draft land policy.

Another paper was done by Chitonge and Mfunne (2015) titled *The urban land question in Africa: The case of urban land conflicts in the City of Lusaka, 100 years after its founding*. In this paper their aim was to find out more about the urban land question in Lusaka, so they mainly focused on urban land conflicts. The methodology used in this paper was purely qualitative. Their findings in this study reported that there was growing invasion of vacant or idle land in Lusaka and that the issue was quite serious. The most striking part was that the issue involved not only the poor people who were in desperate need to look for land to squat on in Lusaka, but it also involved the people referred to as “well-resourced groups.” Chitonge and Mfunne (2015) explain that, these well-resourced groups sometimes hire the poor people to invade the land on which they later develop residential and commercial properties.

The paper concluded with the argument that the prevalence of these conflicts can be attributed to many things. Some of the reasons pointed out were gaps in the administration, planning and delivery of land and the accompanying services. From the conclusions of the paper it can be seen that it is relevant for the study at hand because it raises concern on checking if the policy to deal with land is working or not. The more reason why it is important to conduct a study on the effectiveness of the current land policy in Zambia.

Kalapula and Nchito (2017), did a research called “Dual land tenure and the expansion of small towns: the case of Lundazi town, eastern province.” Their research provided a series of maps to describe the dynamics of district center expansion in rural areas. They analysed by comparing trends in history and examination of contemporaneous pressures on land. Kalapula and Nchito results availed the rapid urbanization experienced across Zambia resulting in physical expansion of towns and cities, which has been characterized by informal growth of the areas on the outskirts of the urban space. They brought out a number of studies related to the expansion of urban boundaries and resulting impacts on land tenure.

Information from this research show that the natural areas for town expansion lie within customary areas, but that urban elites and developers from Lundazi have largely acquired and begun to develop the area that would have otherwise been acquired by the council. This situation has brought about the growth of suburban communities in urban areas. These

communities have been developed without the active engagement of the council or of Zambia's land use and planning laws, resulting in haphazard development with a mixture of commercial, residential, and agricultural land.

The study concluded that the process of informal development of rural/urban fringe areas and intermixing of land uses has resulted in challenges that make it difficult for the council to engage in forward planning exercises. It found that the lack of a coordinated land administration process between state and customary land makes it challenging to develop peri-urban areas. In other words, there was a demand for planning regulations associated with the Urban and Regional Planning Act. Because this study was done with particular focus on small towns in Eastern province of Zambia, it's limited or narrow in focus and there is a need to know the situation of big cities outside the province.

Chileshe, Jain and Chiselenga (2017), conducted a study titled *Customary Land Tenure Disputes and Rural Livelihoods in Zambia: Case of Ufwenuka Chieftdom in Southern Province*. The paper aimed at exploring customary land disputes and their implications on livelihoods among the Tonga tribe in the Southern Province of Zambia. The methodology was a mixed method approach which involved respondents from three small village communities located in Ufwenuka Chieftdom of Monze District. These were village elders, village headmen and heads of households.

The results from this research showed that customary land disputes are relatively low in the targeted village communities and even when they occurred they are mostly about competing interests for arable land and natural resources. The study finally concluded that traditional institutions are cardinal when it comes to determining access, use and control of land and natural resources in rural livelihoods and land dispute settlement. Consequently, strengthening traditional land administration institutions operating in the customary lands of Zambia is critical for local livelihoods.

This study is important because it gives us a good view of the implications of the disputes occurring in customary land some of which included the following: growing landholding insecurity; reduced access to natural resources; disruption of agriculture land use; and social tension within households, clans and the community; and loss of trust in traditional leaders.

In Ghana, a study was conducted by Kitson et al (2019) titled *Community Participation in the Preparation and Implementation of Land Use Plans in Ghana: A Critical Assessment from the Tamale Metropolis*. This study's main aim was to investigate the involvement of residents in Tamale in the preparation of land use plans in the metropolis. The researchers wanted to find out how residents inside the metropolis are engaged in the preparation of land use plans. They also wanted to know the level of residents' awareness in the decentralised land use planning system as well as examine the benefits that the community stands to gain through their involvement.

The methodology employed in this study was a mixed method where both qualitative and quantitative approaches were used. The findings of this study were that residents are involved in the preparation of land use plans. Surprisingly, the study also found out that there was little awareness of the decentralised planning system, which consequently affected their participation in the preparation of land use plans. This meant that the residents were not informed of what was being proposed and they were not consulted on what they think should be done. The study also brought out some factors which influence successful community participation and these are: leadership qualities, resources and centralisation of decisions are great.

Further, benefits of engaging communities in plan preparation were outlined and they included the following: sustainability of the plan, ownership of the community during implementation. The study concluded by advocating for strong sensitisation of residents on the decentralised planning system which is the new regulatory machinery for spatial planning activities in the Metropolis and Ghana as a whole. This study is important because it shows the importance of preparing land use plans with involvement of all stakeholders and dealing with the challenges at an early stage for the plan to be a success as well as satisfy the intended beneficiaries.

Oxfam (1998), produced a document called *Land Tenure Insecurity On The Zambian Copperbelt*. The document aimed at showing the outcome of an investigation commissioned by Oxfam GB into the impact of the privatisation of the mines on land tenure arrangements on the Copperbelt. The study was conducted among Copperbelt communities in Chingola, Mufulira and Kitwe.

The results of the research revealed that there were difficulties with the Demarcation and Titling Process. The investigation showed that there was widespread confusion and lack of clarity about the current legislation regulating land transactions and land tenure not only among settlers who were attempting to acquire legal title to their plots, but also on the part of officials. It also showed the absence of a Coordinated and Planned Approach by the councils. These results then led to a considerable anxiety and insecurity over land tenure. The expressed anxieties led to the support and encouragement of many of those interviewed and later on an agreement was made to undertake a fact-finding mission into land tenure insecurity.

The conclusion was that the Government and councils need to reassess why people are reluctant to move to designated resettlement areas, whether these are on State land or council land. The private sector clearly has a role to play. The limitations of the document is that it narrowed its focus on the problems of privatization and assumed that the land problems could be dealt with by the private sector. The other problem is that a considerable amount of time has passed since it was conducted and for this reason we would like to find out the current problems.

In a book titled *Land Policies in India Promises, Practices and Challenges*, Pellissery, Davy and Jacobs (2017) show an up-to-date review of land acquisition issues in India. The document shows an interdisciplinary approach to the subject of land that combines planning and property rights. In this book the authors try to find the link between property rights and socio-economic progress as well as development. The methodology used provides a theoretical analysis, an economic/social analysis of planning, case studies of the implementation of planning and regulation instruments, practices related to law and planning, analysis of case laws in a particular segment.

The results show that the land question has been central to South Asian development on two counts: First, although the majority of the population relies on agriculture and allied activities their livelihood, landholding is highly skewed; second, urban planning is facing

unprecedented challenges due to burgeoning property values as well as gush of migrants to cities seeking livelihood (Pellissery, Davy and Jacobs, 2017).

The conclusion was that there is a strong link between property rights and socio-economic progress as well as development and that planning law determines property value and use, and argues that regulatory issues of public policy determine the property valuation and property pricing. This is an important study because it shows a view of Land policy in a developing country outside Africa or in the context of another continent.

In China, a study was carried out by Ding (2003). The title of the document was *Land policy reform in China: assessment and prospects*. The aim of this paper was to examine the impacts of China's land policy reform on urban development and land use review in a historical context. The findings of this paper were two fold. The research discovered that the series of land policy reforms yielded positive impacts on urban land use, as well as negative impacts on the socioeconomic environment. Among the positive things that the reforms have brought about include: the contribution to emerging land markets, increase in government revenue for the financing of massive infrastructure projects and provision of public goods, and the improvement in rationalization of land use. On the other hand, some of the negative impacts include: loss of social equity, socioeconomic conflicts, and development of government corruption.

The conclusion of this paper is that land policy reforms are necessary for a country's development, but they are not the ultimate solution to improve land-use efficiency, rationalization of land allocation, enhanced land management, and coordinate urban and rural development. This paper is important because it gives a view of land policy reforms from other countries outside Africa. The paper also shows the impact of the land policy in different regions. The limitation of this paper is that it evaluates the land policy based on its impact and not effectiveness. The other limitation concerns the geographical location of China. The problems faced by Asia are different from the problems faced by Africa. In another context, China has a large population compared to Zambia (Ding, 2003).

In Europe, Van Holst, Eberlin and Lopez (2014) wrote an article which described the emerging issues related to land markets and land tenure in Europe and it refers to the role of the LANDNET network in stimulating good governance in land tenure issues. The article

brought out the possible roles of the government in land markets. Some of the roles were: stimulating, guiding and complementing the land market. The article also shows the most common instruments used in the land market and tenure in Europe and the challenges of using these instruments in relation to responsible governance. Lastly, the article brought out the role of the LANDNET, describing it as a “process of stimulating proper and timely responses to (changing) needs of society regarding land use and land tenure in rural and peri-urban areas. Other developmental activities are research studies, collection of knowledge and experiences, exchange and capacity building, innovation of institutional frameworks and implementation approaches is stimulated” (Van Holst, Eberlin and Lopez, 2014; 188).

The article concluded by proposing that LANDNET should be used in dealing with issues regarding land use and land tenure in both rural and peri-urban areas of Europe. The significance of this article is: it brings in the view that the land issue is not just unique to developing countries, but it also exists in the developed world. The weakness of this article is that it is broad in focus, it explains about the whole lot of Europe. It took the view that all countries in that region have the same problems.

In conclusion, the reviewed literature shows that governments are faced with a number of challenges in the administration of land. The challenges include economic and political interests, formulation of policies which fail to meet local people’s needs, the lack of capacity to implement the land policies, among others. In an attempt to address these challenges, the Africans proposed fundamental steps to formulate and implement policies. The Europeans proposed LANDNET, as a way to sort the land and land tenure issues. Nonetheless, after all this effort shown from the reviewed literature, it is evident that studies have been conducted in Zambia in the area of land policy implementation but none of them attempted to prospectively assess the achievement of current land policy’s objectives. Therefore, this research intends to fill this gap.

Despite the literature providing valuable information on Solid Waste Management in both emerging and advanced economies, it is not comprehensive. Much of it focuses on the role played by stakeholders at the stage of implementing Solid Waste Management. The roles of these stakeholders especially members of the public at the planning stage of Solid waste Management are not adequately covered. It is this gap that this paper attempts to fill.

1.9. RESEARCH METHODOLOGY

This section presents the methodology which was adopted when carrying out this research. The section will look at the type of research, the scope of research, research design, the sources of data, the sample size, the sampling methods, the methods of data collection, the reliability of the data, validity of the data, methods of data analysis and research ethics which were applied when carrying out the research.

i. Type of Research

When the research was being conducted, it looked at three vantage points. The first was based on the purpose of the research. In this regard, the research was evaluative in nature. An evaluative research is conducted in order to measure the performance of a policy or program. An evaluative research was selected because it could help to establish whether or not the land policy objectives are being met.

The second point was based on the number of cases to be investigated. The research was a case study of Lusaka province. A case study is an empirical inquiry that investigates a contemporary phenomenon within its real-life context. According to Yin (1984) and Shuttleworth (2008), a case study allows a lot of detail to be collected that would not normally be obtained by other research designs. Further, a case study is less costly in terms of time and finances. In this case, Lusaka province has been chosen in order to narrow down a very broad field of land. In addition, the province has rural, peri-urban and urban areas. It also has headquarters of the ministry of lands.

The third point was based on the timeframe within which the research was conducted. This research was a one-time research. A one-time research is one which involves the examination of a phenomenon at one point in time. This means that the observation is not made over an extended period. This type of research was chosen because it was less costly and takes less time as compared to a longitudinal research. This research was conducted between 1st June 2019 and 30th August 2019.

ii. Scope of the Research

This research was confined to Lusaka province. Lusaka province was chosen because it is characterised by various societal formations ranging from urban, peri-urban and rural areas. The other reason why the Lusaka province was picked is because it houses the headquarters of all government Ministries and all diplomatic missions accredited to Zambia. Lastly, but not the least, Lusaka was chosen because it is the busiest and fastest growing city in Zambia, in terms of infrastructure which puts a strain on land availability, as most people are migrating from other towns and want to buy land in Lusaka city and surrounding towns. Even though Lusaka province was chosen, not the whole province was used in this research. The research only considered Lusaka city, Chilanga, Chongwe and Kafue.

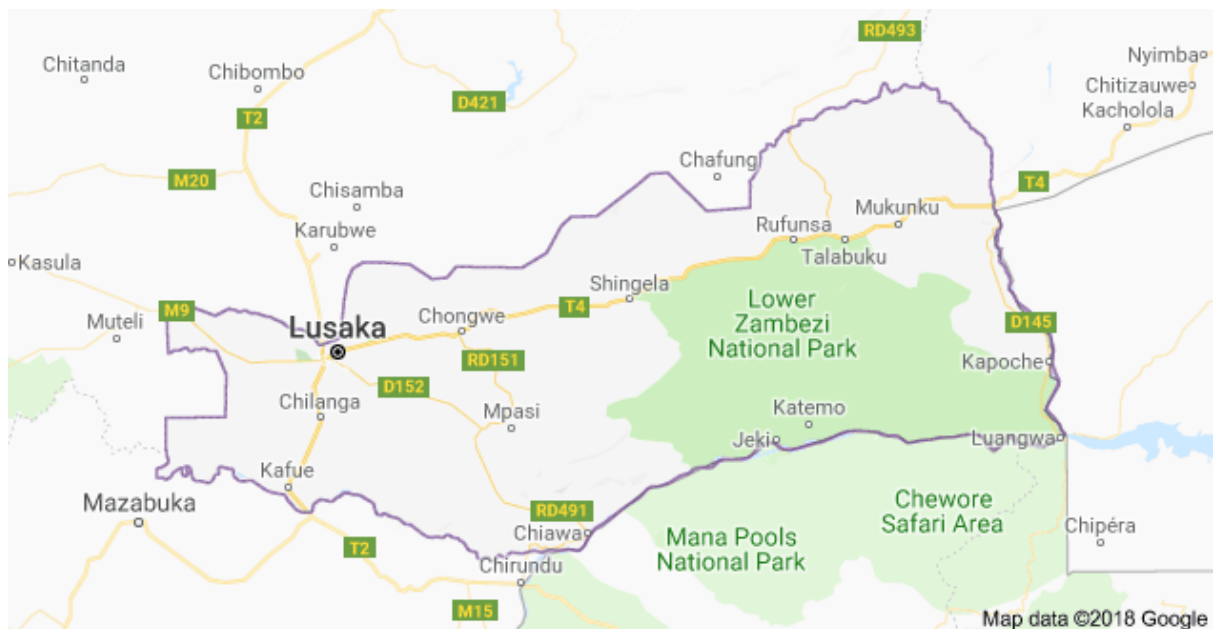


Figure 2. Showing map of targeted study area (Lusaka Province)

iii. Research Design

Research design refers to the arrangement of conditions for collecting and analysing data in a manner that aims to combine relevance to the research purpose with economy in procedure. It is the conceptual structure within which research is conducted (Kothari, 2004). This study, therefore, employed a mixed method design. This is a type of design where both quantitative and qualitative data are given equal weights. According to Ponce and Maldonado, (2014) mixed method design occurs when the researcher collects and analyses both quantitative and

qualitative data during the same phase of the research process and then merges the two sets of results into an overall interpretation. Therefore, the researcher basically collected both forms of data roughly at the same time and then integrated information in the interpretation of the overall results.

In addition, mixed methods design was used because it provided breadth and depth of information, while offsetting the weaknesses attributed to using one method by itself. Mixed methods research helped to generate unique insights into some phenomena that are not available from either type of data alone (Patton, 1990). In this regard, quantitative methods were used to measure the properties and objectives aspects of the topic under investigation while qualitative methods were employed to understand and describe the subjective aspects of the problem or experiences of the participants.

iv. Sources of Data

The sources of data in this research were both Primary and Secondary. Primary data is data which is not documented and has not been collected by any researcher. In other words, it is collected for the first time by the researcher (Surbhi, 2016). Primary data in this research was both quantitative and qualitative. Qualitative data was collected from the key informants who are officials from the ministry of lands, traditional leaders and local authorities who are engaged by the government to deal with land issues. On the other hand, quantitative data was collected from the landowners in both customary and state tenure.

Secondary data on the other hand is data that has already been collected and reported by others (Surbhi, 2016). This type of data was collected through desk research from documents that relate to the research topic. This type of data was accessed from libraries, individuals, organisations like the Zambia Land Alliance (ZLA), the internet and learning institutions like Universities. Some of secondary data sources, among others, included: published and unpublished documents such as books, research reports, journal articles, periodicals, newspapers, dissertations, theses and national documents. These sources of data were used because they helped to explain the phenomena under investigation using already published documents which are in line with the subject matter.

v. Sample Size

According to Kothari (2004: 10) “Sample size can be taken to mean the number of items to be selected from the universe.” The total samples used in this research were 177 respondents and key informants. It was broken down as follows: 15 were key informants and the remaining 160 were landowners. Among the key informants, 5 were officials from the ministry of lands, 5 were traditional leaders, 5 comprised local authorities who are engaged by the government to deal with land issues and 2 were officials from the house of chiefs.

vi. Sampling Methods

Sampling refers to a process of selecting a subset of the population of interest in order to make observations and statistical inferences about that population. In order to get the required sample size, purposive sampling was used. This method of sampling helped to select key informants from the ministry of lands, local authorities and traditional leaders. Purposive sampling is sampling that is based on the researcher’s judgement about characteristics of a representative sample (Bhattacharjee, 2012). Purposive sampling was adopted in this research, because it is the best way to enable the selection of respondents who will be able to give in-depth information about the research topic.

Multi-stage sampling was used to select landowners. Multi-stage sampling involves sampling in stages. This means that the researcher takes several steps in gathering the sample. In multistage sampling, the researcher first selects groups or clusters such as geographical clusters, then selects a few of these using simple random or systematic sampling, then from the selected clusters, selects smaller clusters and so on until it gets to the selection of the actual elements (Bhattacharjee, 2012). In this research, multistage sampling was combined with convenient sampling methods. This was because the researcher needed to find the respondent at points in time which were convenient for the researcher.

vii. Methods of Data Collection

Qualitative data was collected using semi structured interviews that were conducted with key informants, while quantitative data was collected using questionnaires that were administered to the respondents (landowners). A semi-structured interview is a data collection tool in which the researcher asks informants a series of predetermined but open-ended questions

(Given, 2008). Semi-structured interviews were preferred in this research because they were the best tools to use in order to get detailed information while having control over the topics of the interview than in unstructured interviews. Questionnaires are a method used to collect standardised data from large numbers of people. They were used to collect data in a statistical form. Questionnaires were chosen for this research because they enable collection of quantifiable data from a large number of people within a short time.

Secondary data was collected through desk research from published and unpublished documents. This was done by reading and analysing documents on land policy assessment. This method was adopted for this research because it helped to provide insights about what had been written on the implementation of the land policy.

viii. Reliability of Data

Reliability refers to the extent to which a measuring procedure gives equivalent results over several repeated trials (Bless and Achola, 1988; Msabila and Nalaila, 2013). Internal consistency was used to measure the reliability of data in this research. Internal consistency is a measure of reliability which involves having questions that are logically related and responses to them are also logically related. In other words, it is used to evaluate the degree to which different test items that probe the same construct produce similar results (Phelan and Wren, 2006). To ensure consistency, this research asked logically related questions and the answers were checked to ensure there are no contradictions.

ix. Validity of Data

Msabila and Nalaila (2013) define validity as the extent to which empirical measures of a concept accurately represent the concept. This research employed a content validity method to ensure validity of the data. Content validity involves the use of a research instrument which represents the full content of the subject under investigation. The research instruments were structured in a way that they covered all aspects of the phenomena under investigation. The research took into consideration the components of all aspects of land agreements and issues, including those concerning both the traditional land and the state land. Components of land agreements and issues included buying and selling of state land to the Zambian people,

buying and selling of traditional land to the Zambian people and foreigners, as well as selling of land by the Zambian people to foreigners.

x. Methods of Data Analysis

Data analysis refers to ways of processing data so that what has been learnt can be disseminated to others. It generally involves the search for meaning of the data (Hatch, 2002). This research adopted both qualitative and quantitative data analysis techniques. In terms of quantitative data, the researcher used the Statistical Package for Social Sciences (SPSS). This program helped to generate figures, tables and graphs for the various variables that were under analysis. Qualitative data was analysed using the content analysis method. This method relies on the content of written or spoken words or visual representation of individuals. The application of this method in this research was done in such a way that the issues which were brought out by the informants and respondents were examined in relation to the subject of investigation.

xi. Limitations of the study

1. During the study, the researcher encountered some challenges at the stage of data collection. Most of the respondents were quite busy. Therefore, it was problematic for the researcher to meet them, even if appointments were made. This however, prolonged the data collection exercise and delayed the writing of the final report.
2. In some remote areas, respondents were unwilling to participate because they thought the study was politically oriented. Infact, in these areas the researcher was threatened he tried to interview willing participants.
3. Willingness to participate for some respondents was dependent on giving them handouts and money in some cases.
4. Setting up a meeting with the targeted chiefs was a difficult task, this also delayed the completion of the research because the researcher had to wait until the house of chiefs had a meeting in order to interview the targeted individuals.

xii. Research Ethics

Research ethics are moral principles that should be adhered to in conducting a research (Field and Morse, 1992). In this study ethical issues were strictly observed. Before proceeding with data collection, permission was sought from relevant authorities at the ministry of lands, from the local authorities and from the traditional rulers. The brief aim of the study was thoroughly explained to all respondents and after that, they were allowed to ask questions about the research where they needed clarity. Participation in this study was voluntary on the part of the respondents. Additionally, participants were assured of their rights to decline to answer questions which they felt uncomfortable with in the process of data collection. Confidentiality was also employed and participant's identities were kept anonymous.

1.10 Structure of the dissertation

The first chapter gives the introduction to the study. It also presents the background to the study, statement of the problem, the purpose of the research study, research objectives, research questions, significance of the study, limitations of the study, conceptual framework and literature review. The chapter will also present the research methodology and explain the research design, study population, sample size, sampling technique, data collection instruments, data analysis, data presentation, validity and reliability of data collected and ethical considerations. Chapter Two presents findings from the study. Chapter Three discusses the findings of the study. The discussion is based on the objectives of the study. Finally, Chapter Four gives the conclusion of the study and makes recommendations based on the findings of this study.

Summary

This chapter has given the theoretical aspects that influenced the study. It has also brought out the reviewed literature in relation to street vending management drawn from different studies from the global perspective, Africa and further narrowed it to Zambia. Finally, the chapter presents the pragmatic orientation of the research.

CHAPTER TWO

PRESENTATION OF FINDINGS

2.1 Introduction

This chapter presents the findings on the land policy in Zambia and its effectiveness in promoting the well-being of communities in Lusaka province. The findings in this paper are presented using the Statistical Package for Social Sciences (SPSS) and thematic approach in line with the three research objectives set out in Chapter One of this study. These research objectives are:

- To examine the overall well-being of a community through the provision of equal access to land.
- To determine the extent to which a national planning framework guides land displacement and resettlement.
- To establish the extent to which land has been preserved for future use.

This chapter is exclusively devoted to the presentation and analysis of data collected through interviews and questionnaires. Subtitles were used to discuss the findings from both the interviews and questionnaires. Furthermore, the findings from this document analysis were referred to in the analysis of the interviews and questionnaires to avoid repetition. One point to keep in mind is that not all the issues reflected in the interview guide were included in the presentation but only those that strongly relate to the extent to which the Zambian land policy objectives are likely to be realized were analysed.

2.2 Demographic Data

The sample that was used in this study showed certain demographic tendencies such as sex, marital status, denomination, nature of the occupation, age and education of the respondents which are worth exploring.

2.2.1 Gender of Respondents

To show the gender respondents in this study, the researcher used a pie chart. The figure 3 below shows the gender of respondents compiled based on the researcher's compilation from the targeted areas.

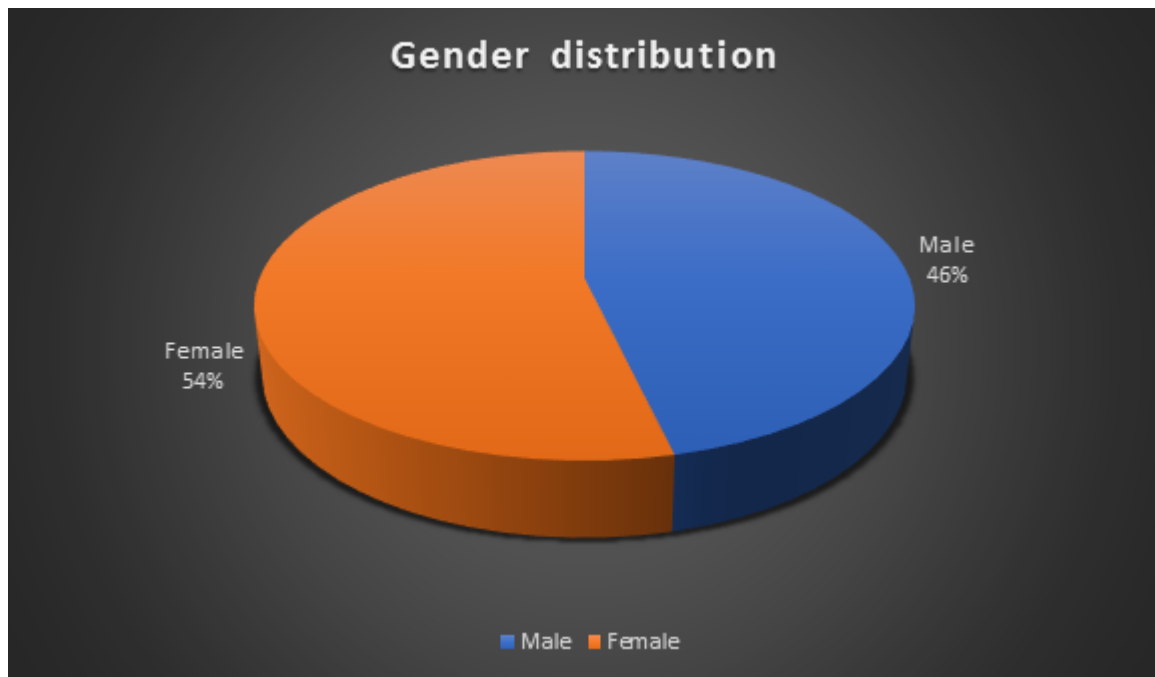


Figure 3. Gender of respondents in this Study.

As shown in Figure 3, fifty four percent (54%) of the respondents were female, while forty-six percent (46%) were male. There was a strong indication of gender balance. Striking gender balance was outside the researcher's influence as organisations that formed part of the sample were largely staffed as such. The gender factor, however, did not undermine the representativeness of the sample. Instead, it reinforced the call for gender balance. This study concurs with sentiments in the Gender Agenda Protocol of 2000 that women have suffered marginalisation in many spheres of life and land access is one of them, hence, the need for equal representation.

2.2.2 Education Level of the Respondents

The respondents level of Education was also considered. Figure 4 shows the educational levels of the respondents. It was important to determine educational levels of respondents because education imparts knowledge and helps to develop intellectual capacities that would prompt people to have an interest in national policies, as well as have an interest in making investments in things like land or developing land.

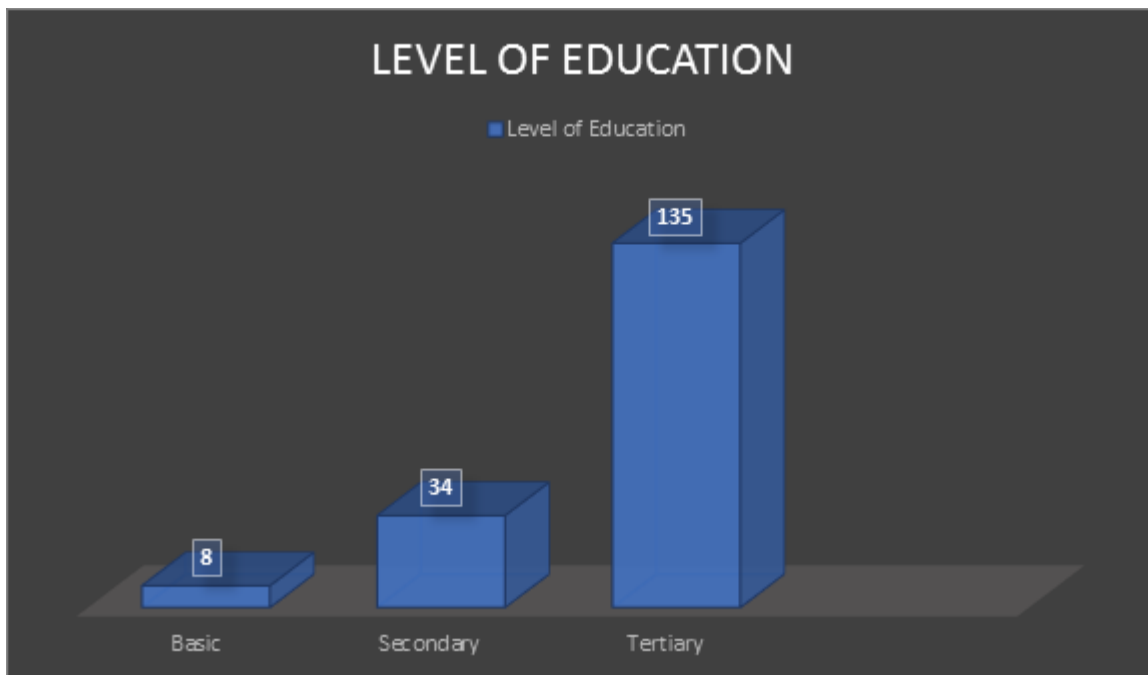


Figure 4. Educational level of respondents.

The education levels amongst the respondents are relatively high, as shown in Figure 4 above. It indicates that 8 (4.5%) of the respondents had a basic education while about 34 (19.2%) held secondary education and 135 (76.3%) respondents had tertiary education. The sample in this research is literate, it compares poorly to the national figures which, according to the Education Statistical Bulletin of 2012, it depicts high national illiteracy levels and a dominant Grade 12 level of education. In the case of this research, the dominant level of education was tertiary. Nevertheless, a useful inference about the sample is that the respondents were very helpful in giving information regarding the subject at hand, thereby providing reliable, objective and informed responses that greatly informed the study.

2.2.3 Nature of Occupation of the Respondents

The other factor that was looked at was the nature of occupation of the respondents. From the findings in this study, 123 (33.3%) were in formal employment whereas 54 (66.7%) were in informal employment. Because the majority were in informal employment, they spent most of their time looking for jobs to sustain their lives and thus, had little time for developmental projects in the community.

2.2.4 Age Range of Respondents

The age range of respondents was also taken into consideration. Table 1 below shows frequency on the age range of the respondents and varied percentages (the total actual percent) on respondents who took part in this study.

Age range	Percent
16 - 25 years	2.3%
26 – 35 years	14.7%
31 - 45 years	23.7%
46 – 55 years	28.3%
56 and above	31%

Table 1: Age range of respondents

As shown in table 1, the target age groups were individuals who are 16 years and above because one of the legal requirements of owning land in Zambia is a National Registration Card (NRC) which can only be obtained at the age of 16 years. From the respondents, 2.3% were in the range of 16 – 25 years, 14.7% were in the range of 26 – 35 years, 23.7% between the ages of 31 and 45 years, 28.3% were in the range of 46 – 55 years, and 31% were either 56 years or older. The statistics show that the majority were adults.

2.2.5 Respondents' Land Tenure

Tenure	Frequency	Percent
State	88	55%
Customary	72	45%

Table 2

Source (Field data, 2019)

When asked under what tenure the respondents belonged to, the responses given as shown in the figure above were that 55% of the respondents possessed land under state tenure while the remaining 45% had theirs under customary.

The researcher also asked the respondents how they obtained their land and some of the responses from the 55% who own land under state tenure included buying from the council, buying from agents, buying from friends/colleagues, and buying customary land from traditional leaders then converting to state tenure. From the other 45%, some of them inherited the land others were given as a gift, and the rest just bought from traditional leaders.

2.3 The overall well-being of a community.

The researcher first established the respondents' view on services provided by both the MLNR and the traditional authorities. The figure 5 below shows the respondents view on the services provided by both the ministry of land and the traditional authorities. From the responses, the majority of land owners were not impressed by the services. 66% of the respondents said that the procedure of obtaining land was not easy while the remaining 34% said the procedure of obtaining this land was easy. Further, the respondents were asked if they were happy with the services provided by both the ministry of land and the traditional authorities, likewise the responses showed that the majority 83% were not happy and only 17% were happy with the services provided by both the ministry of land and the traditional authorities.

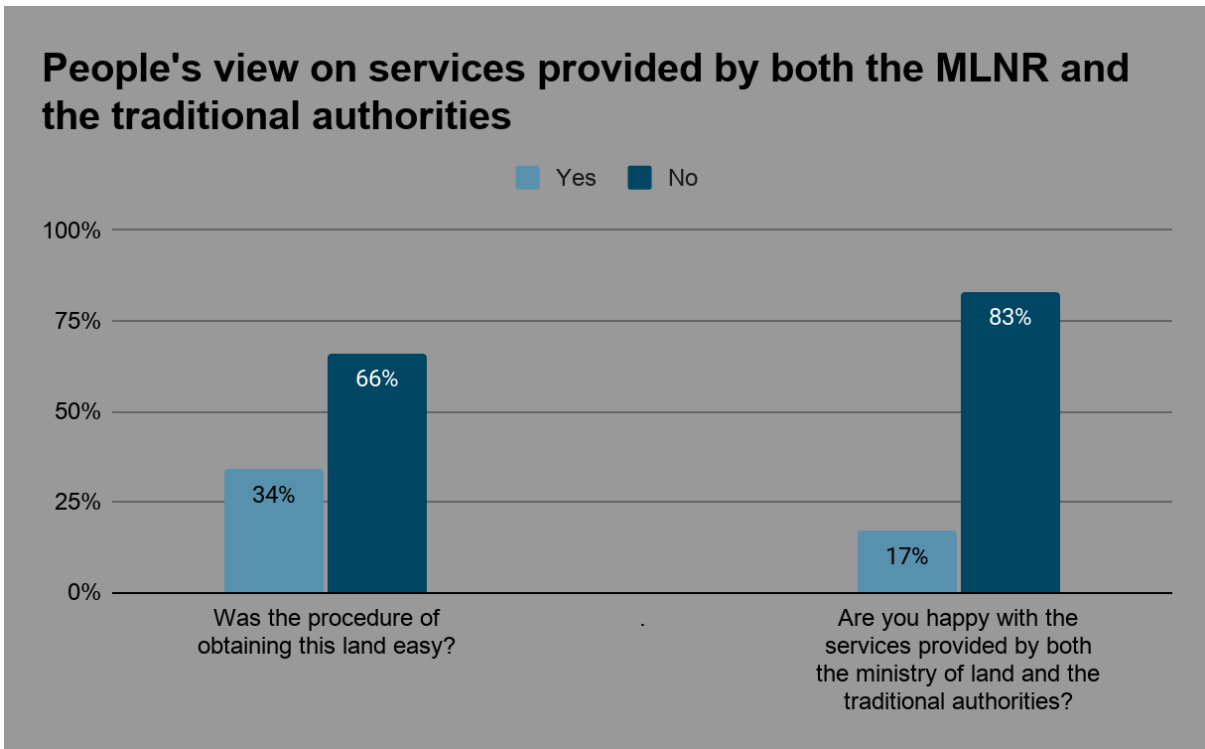


Figure 5. Respondents view on the services provided by both the ministry of land and the traditional authorities. Source (Field data, 2019).

The researcher further went on to find out why the respondents were unhappy with the services. Some respondents stated that;

“This is not happening in any way, we have foreigners buying land instead of local citizens and yet they say they are preserving land.”

“This is biased towards people with financial muscle, it’s like they are preserving the land for the rich only. This is why most people don’t have land, it’s like the red tape procedures involved are to exclude the poor.”

“there are a lot of land scams which both the traditional leader and the ministry of land are unable to prevent.”

The local government officials had a similar view. They indicated that

“There is no clause in the current policy that emphasises on the heritage and traditional land – government (local authority) partnership.”

“The policy does not give a guide on foreigners that have the financial muscle and are willing to buy land. It is a free for all kind of arrangement.”

“It is not easy to acquire land from traditional leaders if you are an average citizen”

The ministry of lands officials unsurprisingly were the only ones who state that the policy has brought about wellbeing. During the interview, one of the key informants said:

Decisions over such lands will have to be made following consultation with concerned parties.

Some few respondents also had views relating to those of the ministry of lands officials. Some of them include:

“We buy land and they are giving out titles for the land sold which makes it easy to account for the remaining parts.”

“the land is only given to those who apply for it and that is how the ministry ensures protection and conservation of land.”

When asked how the government ensuring land is accessible to all citizens, the responses were as follows:

This is being done by offering land at affordable prices. The other response was that the land is usually advertised for everyone who can afford to apply and for.

Another response was that Zambian citizens have their chiefs from which they get land because they are entitled to it.

From the targeted districts, it was noted that Chongwe and Kafue are peripheral from Lusaka and that these towns had the biggest portions of land under customary tenure. For this reason, the researcher thought it necessary to interview more traditional leaders from the two districts. In Chongwe district Snr. Chieftainess Nkhomeshya gave a good view of how the current objective is actually being met in customary areas. In the view of her royal highness, a lot of land has been bought and converted so the sale of land has been reduced in her chiefdom. This prompted the researcher to search for a contemporal map showing distribution of state and customary land and the most recent one found was from 2017 as shown in figure 5.

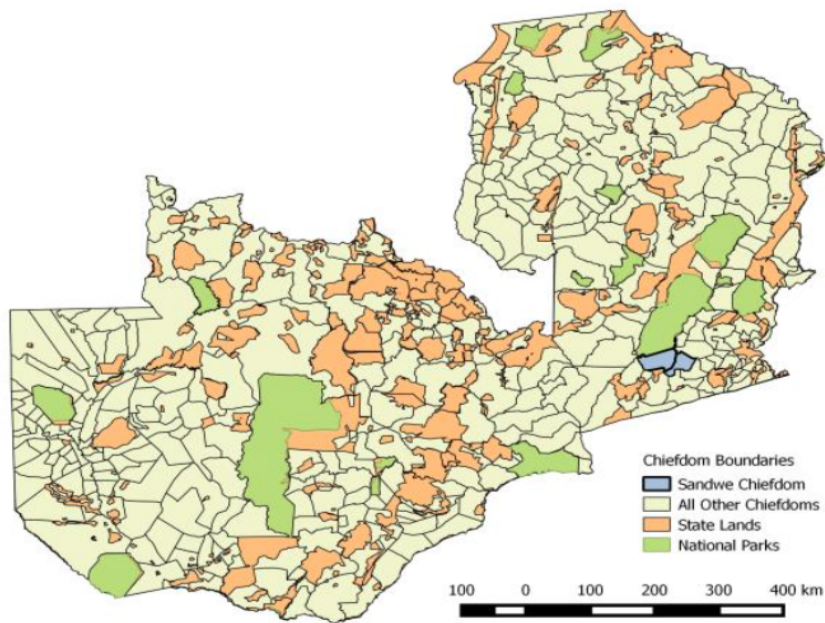


Figure 5. Distribution of customary and state lands in Zambia (Sommerville et al, 2017).

She further explained that, in the past large corporations and companies used to come with investment projects which had promisingly good impacts on the chiefdom and the people in it “I should say some have lived up to expectation” China National Building Materials Group (CNBM) one exmple.



Figure 6. Construction in Chieftainess Chiyaba’s area. (Source field data)

In Kafue district, Chieftainess Chiyaba gave her view stating that land in both state and customary areas can be used for commercial purposes. According to her,

land in customary areas has already been commercialised and the extent goes as far as real estate companies sporting investment opportunities to get large land chunks and build estate for resale and rent purposes.

In as much as the chieftainess encourages investors, she said they are not mindful of the community and the environment too. She said, investors come with promising talks, but when given a chance, they do not perform as they expected. Because the big companies are doing this, individuals with financial muscle have seen joined the buying of large amounts of land. Figure 6 shows a building of a structure which the owner refused to disclose the intended structure name saying “you will see it when it is completed,” but what one of the workers on site said was that: “the structure is being built on a space of over 100 hectares of land. Imagine that, over 100 hectares of land owned by a single individual.”

2.3.1 Conceptualization of wellbeing in the policy

Document analysis showed that the concept of wellbeing has not been well conceptualized in the policy. Its meaning is so narrow in the policy, however, owning land is not just about shelter anymore, it has evolved to becoming an asset and a source of income, as well as dignity. That being said, when someone has land, they can use it in so many ways that can enable them to raise their standard of living and hence improve their wellbeing. For example, one can decide to build a house and rent it out or live in. Another person may decide to do it in a commercial way. All these and many other ways land use do enable well-being to be achieved but, if access is limited to a select few in society then overall wellbeing is not being achieved.

2.3.2 Poor land delivery system

Conflicts over land in urban areas are also caused by the poor land delivery system, documents show that 60% of the land is delivered through informal markets. Often the inefficient land delivery system which involves long waiting periods at every stage of the process from surveying to the issuing of a title, forces people to adopt other means of accessing land, including invasions, informal markets and corruption, as highlighted in the

Mtendere East case. This results in conflicts, as the rights in land may not be clearly demarcated through these alternative means. In a context where the value of land is appreciating rapidly due to the increasing demand (as is the case for Lusaka) an inefficient land delivery system can lead to conflicts due to the failure to allocate and administer land rights and interests properly.

In a different view, many communities in Zambia have been resettled due to many reasons. In the name of development, the government has made decisions to displace and resettle people from places with very little attention given to the impacts on the resettled peoples' livelihoods and their future well-being. Usually this happens in the interest of the people in particular positions in the Government. An example of this is a situation where Horizon School was compulsorily acquired by the state in public interest. According to the Lands and Natural Resources Minister Jean Kapata:

The land on which horizon schools sit has been compulsorily acquired by the state in Public Interest as the Land acquisition Act empowers the president to compulsorily acquire any land whenever he is of the opinion that it is desirable to do so in the interest of the republic.

Documents show that, in order to exercise this power, the President only has to demonstrate that it is in "public interest" and to do so and the owners will eventually be compensated by the Government as the law states. The hope by citizens is to have a detailed statement from the Government to explain the reason why the action was taken. This is because the written government gazette notice number 6814 of 15th November, 2019 does not give an explanation on how this move is benefiting the citizens better than the school.

2.4 To determine the extent to which a national planning framework guides the access to land, displacement and resettlement.

The researcher also tried to establish the extent to which a national planning framework guides the access to land, displacement and resettlement. Before the answer to this objective could be determined, the researcher first asked the importance of the national planning framework. The findings showed that most of the respondents thought the national planning framework is a very important thing to have, in fact, one local government official referred to

it as a tool for the management of land. According to the responses from local residents, the national planning framework may exist in theory but in reality it does not exist and neither does it guide the development of planning proposals.

The researcher further tried to establish the answers to the objective under investigation from the ministry of lands point of view and the respondents were negative about this objective, although a select few felt that it is actually being met. Some of collected responses were as follows;

“the national planning framework does exist, and we can refer to the 7th National Development plan as an example of one such framework. In the 7NDP the issue of land is covered under part five which talks about the improvement of service delivery. A section of this part of the 7NDP talks about strengthening land administration and management.”

“The ministry of lands official further went on to explain that they also have the National Land Titling Programme (NLTP) which aims at guaranteeing security of tenure, reducing displacements, promoting internal security and increasing the revenue base and investment in the Country. The ministry officials ended by stating that the council officers do not work in line with what is contained in the national development plan and hence the inefficiency in land management”

Responses from council officials showed something different. Their responses showed that they had no idea about the existence of the national planning framework. For example, one officer said:

“I don’t think we have a National Planning Framework, if we did it could put us Local authorities at a better position when it comes to dealing with these land issues. All we rely on are land acts and the existing land policy.”

2.4.1 The overlaps of duties

This theme emerged when the researcher asked about the use of the national framework. According to the view of local authorities:

What happens is that officers from higher levels of government interfere into the roles of the officers from the lower level of government. The local authorities may want to carry out their responsibilities, but the higher authorities get involved may overrule the decisions of the former. This is, and so many other overlaps are what we are facing currently.

An example of this is seen in figures 7 and 8 which shows houses which were built on land belonging to Munali school and action was taken by the Lusaka province minister instead of the council officials or MLNR officials.



Figure 7. Image shows one of the demolished houses by the Lusaka province minister.



Figure 8. Image shows a filling station and a building at Munali which were spared by the Lusaka province minister.

Responses which came from local authority from periphery towns like Kafue, Chongwe and Chilanga indicated that:

Overlaps can be seen by the extension of boundaries. for example, the extension of Chalala into Kafue district and the extension of Meanwood into Chongwe district.

Traditional leaders had this to say:

The extension of township boundaries have actually led to the sale of customary land to the extent that one township exceeds into a neighbouring town.

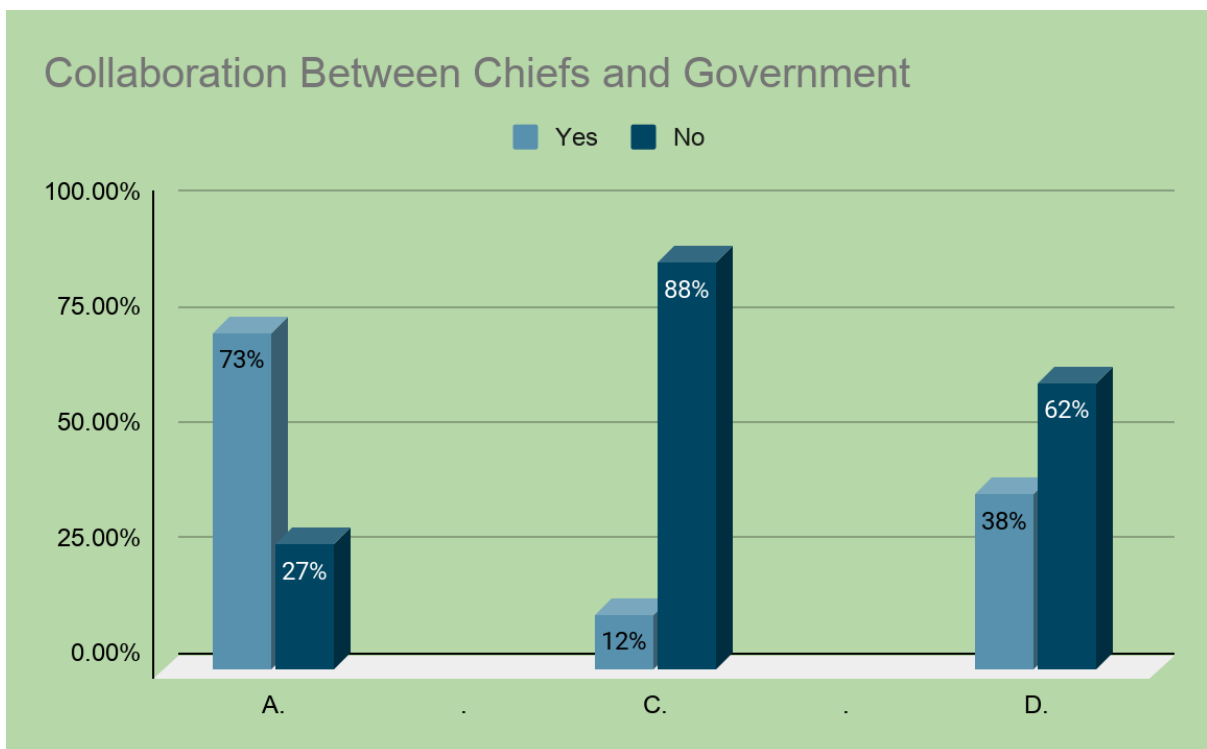
Reviews from documents also show that there are some overlaps in land administration among public officials of different levels in government. In theory, there is a clear division of responsibilities between the different levels of government officials (local and central government) in charge of land-related administration, but in practice there are major overlaps which are experienced among these officials. Central-local government overlap situation is illustrated further in the next paragraph.

The Ministry of Lands and Natural Resources (MLNR) has delegated authority to other institutions like the District, Municipal and City Councils to discharge land administration

functions on behalf of the Commissioner of Lands. The councils fall under the Ministry of Local Government and Housing and not the MLNR. Because of this, it is difficult for the MLNR to supervise councils. As a result, if local authorities commit a breach, they cannot be sanctioned directly by the MLNR. The sanctions can only be taken by the Minister for Local Government on behalf of the MLNR under the circumstances. In practice however, the MLNR has been taking sanctions against local authorities when found at fault by suspending them from administering land or making recommendations to the Commissioner of Lands in their respective localities. This measure by the Minister of the MLNREP is, however, not legally provided for under any statute, statutory instrument or regulation.

2.5 Collaboration Between Chiefs and Government.

The researcher then tried to investigate if adequate land for resettlement purposes in all districts of the country is being availed through enhanced collaboration with Chiefs and Government. The researcher wanted to find out two main things from this objective: the first was whether adequate land for resettlement purposes is being availed in all districts of the country or not. The second was to check the collaboration between Chiefs and Government was connected to the availment of resettlement of land.



key:

- A. Is there enough collaboration between Chiefs and Government in availing adequate land to people?

- B. If yes, has the collaboration helped people in your area to access land?
- C. Does this collaboration help to facilitate the resettlement of people whose land was changed from customary to state land?

Figure 9.

The land owners were asked whether or not they think there is enough collaboration between Chiefs and Government in availing adequate land to people, from the responses 73% of respondents agreed and 27% thought that there was no collaboration. The 73% who agreed were further asked if the collaboration helped people in their areas to access land and from the responses 88% said no while the remaining 22% said yes. Further, the respondents were asked if the collaboration helped to facilitate the resettlement of people whose land was changed from customary to state land. responses show that 62% agreed while 38% disagreed.

When asked if the government officials (both the MLNR and the council officials) are working in collaboration with the Chiefs, the response from both the government officials and the chiefs was that “yes” which meant that they all admitted working in collaboration with each other. From the MLNR’s officials the responses were that:

There is collaboration in many ways, one of the ways concerned issues of displacement and resettlement. Since displacement and resettlement occur on both statutory and customary land, the MLNR and the chief both have to ensure that there is adequate land for resettlement in case there is a need for it. The informant went on to say that the ministry is not really in charge of handling resettlement issues.

The responses from the Chiefs indicated that:

We are collaborating when it comes to dealing with issues of acquiring and converting land from customary land, as well as settled and unsettled site planning and a bit of issues to do with sensitization of communities on land issues. The only problem is that resettlements issues usually come urgently and there isn't enough time to deal with such issues.

In another way the traditional leaders explained that: *our collaboration with the government officials is based on us offering land for developmental projects. For example, when the government needed land for a cement plant, it was given to the by Chieftaines Nkomeshya*

and the resettlement of the local people in Chifwema area of Chongwe district where the plant is located was done in collaboration with the local leadership (figure 10 show the image of the cement plant). In addition, the extension of township boundaries is also another way we have worked in collaboration.



Figure 10. Allocation of land for the cement plant on the left and on the right image of the plant after completion.

2.5.1 Government Bodies Incharge of Resettlements

Information taken from documents showed that there are a number of government bodies that take part in the resettlement process. This is so because no single body has been tasked with providing an overview of the process, there are gaps in oversight of displacement and resettlements that arise from the lack of cohesion among government bodies. The collaboration between government and chiefs could be in existence but, it is not there to enhance adequate land for resettlement purposes in all districts of the country. The collaboration is there for other purposes. Incidents of resettlement are often guided by three state institutions: the Office of the Vice President (OVP), the Department of Resettlement (DoR) and the Disaster Management and Mitigation Unit (DMMU). In addition, Zambia has no finalised National Resettlement Policy in place to guide resettlement and compensation processes.

Document reviews further show that undeveloped private land can either be invaded or illegally allocated to other people or violently acquired by political cadres. Findings show

that title holders would usually try to peacefully engage the squatters with the view of removing them from the land. However, in most cases this does not work because squatters resort to violence. Thus, title holders usually go to court and the court would order for an eviction of squatters. These evictions adversely affect the families of squatters, as their houses are demolished. The squatters become homeless and their household goods get damaged, as they are thrown carelessly on the ground. In some instances, bulldozers demolish houses with household goods inside. In some of the eviction cases the government assists through the Disaster Management and Mitigation Unit (DMMU) under the Office of the Vice President, by providing temporary tents and some food. However, due to the fact that the land delivery system is inefficient, these people would still not have access to land and eventually would look for other undeveloped land and invade it.

2.6 To establish the extent to which land has been preserved for future use.

To find answers for this objective the researcher asked questions which related to the preservation of land for future use to the MLNR officials, council officials and the Chiefs. The responses show that there is no proper approach and plan to do this. According to the Chiefs:

preservation is only possible under customary land because there is so much of it and state land extinct.

Another answer was that land was prioritized to famers but now the farm land has been changed in terms of land use and it is on paper and official.

Council officials also had similar views as they said that:

Most of the land which is put on title nowadays is converted from customary to state land which means that there is nothing to preserve when it has been sold already unless we agree with Chiefs to allocate land strategically.

2.6.1 Violent Land Acquisition by Political Cadres

Having taken a review of the documents available from the institution, it was discovered that it is very difficult to preserve land for future use when there are political cadres who acquire and demarcate land belonging to genuine title-holders with open impunity even when they know that procedure has to be followed to acquire this land. In almost all cases, the political

cadres come armed with sticks, axes, used tyres, picks, machetes, slashers, shovels and stones with which they attack owners of the land. Although the violent land acquisition by political cadres is rife, there is no effective mechanism to remove political cadres from state land governance.

2.6.2 Invasion of Idle or Undeveloped Private or Public Land

The invasion of Idle or Undeveloped Private or Public Land Acquisition in Zambia has always been a thorny issue with some few privileged individuals owning huge chunks of land while the less fortunate in the society remain disadvantaged. Many people who are eager to own land tend not to be in a position to manage accessing land under the current malfunctioning land governance framework i.e. state land delivery system is too inefficient. It has been the same people who continue to have access to land. Ordinary Zambians with low incomes have no access to land because it is being allocated to the rich and powerful who could afford it. With all this happening, land cannot be secured for the future because it is being invaded by particular individuals.

Existence of vacant and idle land is also cited as one of the factors responsible for the increasing conflicts over land in Lusaka. The existence of land that is not utilised (even if it belongs to someone) when many people are struggling to find land for shelter encourages land invasions and the emergence of informal settlements which often lead to land conflicts. In the case of Mtendere East, the invasions occurred because the land was not being used for a long time and it appeared as though it was abandoned. The prevalence of idle pieces of land suggests that the city has not been regularly auditing land within its boundaries.

2.6.2 Boundary disputes

Though not very common in urban areas, disputes over boundaries are becoming a common form of conflict. This involves the contest between the state and other institutions or right holders over a piece of land. In the particular case of Lusaka City, there have been claims of the city encroaching on the land bordering the traditional authorities. While some officials from the Lusaka City Council (LCC), as well as opposition parties interviewed argued that the land problem in Lusaka is partly because the surrounding traditional leaders are refusing to release land for urban development, there are some who argue that the main issue is the lack of capacity to plan and implement the development and management of land in Lusaka.

2.6.3 Political interference of party cadres

One of the most frequently cited causes of urban land conflicts in Lusaka is the issue of party carders and councillors allocating land. All the politicians we interviewed cited what they referred to as cadre-ism as one of the main sources of land conflicts, since the party cadres allocate land outside of approved town planning land use. Not only that, when one political party is voted out of power, the new ruling party comes with its own cadres who begin to reallocate the plots and this often leads to conflicts. As many respondents noted, cadres often allocate land that is already allocated to someone or reserved for a specific use under the city's development plans. Interviews with the Lusaka City town planning official confirmed that party cadres are a major problem when it comes to implementing the city's urban planning and development policy.

Summary of chapter

This chapter presented the findings of the study on the evaluation of the land policy in achieving its objectives. The findings of this study have been presented in line with the four objectives set out in Chapter One. The researcher used the thematic approach to present qualitative results. However, the findings mainly bordered on the players involved in the management and administration of land; the processes involved in the management and administration of land; the successes and failures of this process; and the reasons why challenges in management and administration of land have persisted. The following chapter will discuss findings of the study.

CHAPTER 3

DISCUSSION OF FINDINGS

3.1 Introduction

This chapter elucidates the findings from the previous chapter. The chapter will begin by discussing the findings by objective which will be compared with the literature review and document analysis. Later a summary will be laid out.

3.2 To examine the overall well-being of a community through the provision of equal access to land.

3.2.1 The overall well-being of a community.

The researcher first established the respondents' view on how the policy is ensuring overall well-being through the provision of equal access to land. From the results presented in the previous chapter we can see that the respondents felt that well-being is not being met in any way, and the most common reason given was that there were so many foreigners buying land instead of local citizens and yet the government claims in their policy document that they are ensuring that land is preserved for the future. In the literature, this claim is supported by Loenen (1999) who explains that the chiefs rule with the consent of their people and that they regulate and allocate land in the customary system which is a more stable system, as compared to the formal title system. The reason given by the author is that the customary system does not encounter the problems which the formal title system is confronted with such as the dominance of western influence. However, the findings in this study show that customary land in Zambia has also fallen prey to foreign or western influence unlike what Loenen explained earlier.

Results from documents informed that the concept of wellbeing has not been well conceptualized in the policy and for this reason it has not been planned on how this could be attained and measured in the policy. Its meaning is so narrow in the policy, however, owning land is not just about shelter anymore, it has evolved to becoming an asset and a source of income as well as dignity. That being said, when someone has land, they can use it in so many ways that can enable them to raise their standard of living and hence improve their wellbeing. For example, one can decide to build a house and rent it out or live in. Another person may decide to use it in a commercial way. All these and many other ways of land use

do enable the well-being to be achieved but, if access is limited to a select few in society, then overall wellbeing is not being achieved.

The results of this research also show that the way land is administered, be it (state or customary land), is in such a way that it has a bias towards people with financial muscle. In the findings some respondents said that it could be that land preservation is in existence, but the main question to ask is :who are we preserving land for? Are the reservations for each and every Zambian or are they for the rich only? Like some respondents said the possible reason as to why most people do not have land are red tape procedures involved in the acquisition process. In view of the respondents, it is like the red tape procedures involved are only existing in order to exclude the poor from land acquisition. To add on, the literature by Chitonge and Mfunne (2015) can trace some similar patterns of behavior as the authors refer to the group of people as “well-resourced groups.” Although the argument in the literature is not between the rich and the poor, it can be seen that the rich people are on the target to get land in whatever way possible even if it means invading it like the poor people do in the urban district of Lusaka.

Still talking about the invasion of land, the results also tell us that there are a lot of land scams which both the traditional leader and the ministry of land are unable to prevent. Invading of both public or private land is one key issue of which the currently drafted land policy document has not shown proper plans on how the issue can be mitigated. Chitonge and Mfunne (2015) made the argument that about the invasion of vacant or idle land in Lusaka and they explained clearly about how serious the issue was, but surprisingly the MLNR decided not to put much emphasis on the issue and instead focused on tenure issues like converting of customary land to state land. Because no proper attention has been given to the land invasion problem, it is likely to be a more serious issue in the near future.

Council officials went on to explain that the policy does not give a guide on foreigners that have the financial muscle and are willing to buy land. The officials referred to the current land system as “a free for all kind of arrangement.” Loenen (1999) had mentioned that there is too much domination of European influence in the formal system. In this case the author meant state land. Loenan (1999) further went on to point out the imposed western culture

when making laws in Zambia and that this is what makes the difference from customary system because it is not largely affected by the western culture. However, the findings from this research show something different in the patterns of land acquisition. There have been traces of foreigners buying big chunks of land under customary tenure, then converting it to state land so that they get titles and later subdividing the plots and selling them for large amounts of money, like the case in figure 6. If we look at this situation from a wellbeing point of view, it means the wellbeing for the majority citizens is being met only for a select few super rich ones. In the policy the government says they are ensuring wellbeing by preserving land for future use whereas in practice big chunks of land are being sold out to very few individuals.

Earlier, we saw a difference between figure 1 and figure 5 and the difference was an increase in the amount of land converted from customary to state tenure over time. Even though this is the case, much of it still remains customary, because chiefs have sovereign rights to manage the land as they wish, and Zambia's customary land regime gives village headmen and women legal authority for allocating land within chiefdoms, and villages as defined at their chiefs' discretion. For this reason they may continue to sell big chunks of land to foreign companies and even individuals. One point which can be referred to is the view which came from Chieftainess Chiyaba stating that it is okay for land in customary areas to be used for commercial purposes and that, it has already been commercialised to the extent that even real estate companies have seen it as an investment opportunity to get large land chunks and build estate for resale and rent purposes. Some of the cited companies include: Madison, Horizon Properties and Meanwood. Because the big companies are doing this, individuals with financial muscle have since joined the buying of large amounts of land. An example of this is the one in Figure 6.

The chieftainess further went on and made a complaint saying that she encourages investors, but they are not mindful of the community as well as the environment. In her view, investors come with promising talks, but as soon as they are given a chance, they do not perform as they promised. The statement comes in contrast with the other traditional leader who actually praised one of the foreign companies which lived to their expectations and going into detail is a topic for another discussion, what is important is that the named company has been rising to

the occasion when need be. Even though a large piece of land was given to it, the company has contributed to the well being of the local people as the Chieftainess put it.

In another way, we can look at the situation from the point of view of a select few landowners who gave the response that it is not easy to acquire land from traditional leaders if you are an average citizen because chiefs are now more interested in the money than saving the interests of their own people. In this view we can trace the failure of attainment of wellbeing because even the commons' lands which are supposed to be protected and conserved have been either sold or been somehow invaded by selfish people. If we refer to the definition commons, it can be seen that commons are supposed to be accessible by anyone of a particular group and in this case we are talking about the land in the form of commons because it is supposed to be accessible to any Zambian national, regardless of the economic status. It could be that the main reason why the poor people in Lusaka urban district invade vacant land is because they just feel they cannot manage to bid for the high prices which are tied to purchasing them.

The results from the ministry of lands officials unsurprisingly were the only ones who stated that the policy has brought and will probably bring about wellbeing. Based on the responses from the research, one of the key informants explained that decisions over such lands will have to be made following consultation with concerned parties. If a close look is taken, one would realize that the Chiefs had rejected the policy because they felt the government did not consult them during the creation of certain closes of the current Land Policy draft and for that reason did not support it. With this, it can be seen that the ministry seems to be after something which they know well that chiefs cannot approve of. Zambia's chiefs have legally recognized authority of about 70-94% of the country's 752,000 km², while government leaseholds on state land are restricted to 6% of the country, surrounding urban centers and lines of rail, which according to document review, may have increased to about 10-20% of the country through conversion to leasehold since 1995 to date. Given the increase in the amount of customary land which has been converted to state land and put on title, it could be safe to say that state land is extinct and the government proposal to document customary land may be a move to have more land at its disposal.

Some few respondents also had views relating to those of the ministry of lands officials. Their responses were that since titles are given out for the land sold, it makes it easy to account for the remaining parts and this may help to determine which land to be conserved and preserved. Further explanation from the respondent went on to say that the land is only given to those who apply for it and that is how the ministry ensures protection and conservation of land. In contrast, this point can be criticized on the premise that there are people who actually have titles but did not buy land from the local authority. This is seen from document analysis wherein cases of renowned people in society produce documentation which were not obtained from the council but the same piece of land is owned by another person who actually made claims that they obtained the land from the chief because it is under customary land and not state land.

MLNR officials further went on to explain how the government is ensuring that land is accessible to all citizens. They said this is being done by offering land at affordable prices. They added that the land is usually advertised for everyone who can afford to apply. The responses from the ministry of land can be counter-reacted with information from document analysis which showed that state land for sale is probably extinct based on the trend of high purchase of customary land which is later changed to state land. Documents showed that state land has increased from the initial 6% of the country's total land to somewhere between 10-20% of the country through conversion to leasehold in the last 25 years.

3.3 To determine the extent to which a national planning framework guides the access to land, displacement and resettlement.

It is cardinal to have in place a strategic roadmap that gives guidelines on how to achieve something. In this respect, the study sought to investigate the extent to which a national planning framework guides national development planning proposals. To achieve this the researcher started by finding out the importance of the national planning framework before the answer to this objective could be determined. From the research results it was established that most of the respondents thought the national planning framework was a very important thing to have in place. In the view of some local government officials, a national planning framework was understood to be a tool for the management of land. The local residents had

similar views to those of local government officials. The only difference was that they felt the national planning framework is not realistic. According to the responses, the framework may exist on paper but in reality it does not exist and because of this it can be said that it does not guide the development of planning proposals.

The research findings from the ministry of lands' point of view showed positive feedback about this objective, although a select few felt that the objective was not actually being met. The findings indicated the existence of the national planning framework, and an example of such a framework were the National Development plans with the most recently cited 7th National Development plan (7NDP). The MLNR official explained that issues to deal with land are covered under part five of the 7NDP which talks about the improvement of service delivery. In the view of MLNR, the same 7NDP contains issues of strengthening land administration and management, under which the main issues covered are: Land administration and management reforms, Land audit, Land management information system, Country-wide land titling implementation.

The MLNR official went further to explain that they also have the National Land Titling Programme (NLTP) which aims at guaranteeing security of tenure, reducing displacements, promoting internal security and increasing the revenue base and investment in the Country. Based on the responses, it can be seen that national planning frameworks are really in existence to guide national development planning proposals. In addition, the MLNR officials argued that plans are usually well made but the main problem comes when implementing them. They cited council officers not working in line with what is contained in the national development plan and that this could be the reason behind the inefficiency in land management. If we refer to literature by ECA (2010) it can help us understand that the design of implementation programmes comes with the rationalization of institutional responsibilities for implementation. However, there seems not to be clear stipulation of institutional responsibilities in the case of the National Development Plans.

From the council officials' point of view, their responses showed that they had no idea about the existence of the national planning framework whatsoever. An example of this is when one

officer said: “I don’t think we have a National Planning Framework, if we did, it could put us, the Local authorities, at a better position when it comes to dealing with these land issues. All we rely on are land acts and the existing land policy.” At this point, one would wonder whether the council officials have just played a blind eye when the 7NDP implementation plan is readily available and accessible, besides that one other officer claimed they have started the national titling exercise. This exercise is contained in the 7NDP implementation plan, already we can see the problem with the implementers of the plan who do not know the content of what they are implementing.

3.3.1 The overlaps of duties

In the quest to find out more about this objective, one theme which emerged was the overlap of duties. Apart from the council officials not really understanding the plan they have to implement, it was also discovered that in some instances they fail to implement what has been laid down in plans because of interference from higher ranked officers, especially from the central government. Council officers narrated that officers from higher levels of government interfere into the roles of the officers from the lower level of government. They further went on to explain how the local authorities may want to carry out their responsibilities and because of the higher authority involvement the decisions made are overruled.

This theme was supported by some reviews from documents which showed that there are some overlaps in land administration among public officials of different levels in government. The documents show that there are clear divisions of responsibilities between the different levels of government officials (that is: local government level and central government level), but this is just seen on paper. What actually happens in practice is that the local officials (council officials) in charge of land-related administration experience major overlaps of their duties from central government officials. An example can be drawn from figure 7 which shows one of the houses which were demolished by a team led by Lusaka province minister, an act which was supposed to be undertaken by the MLNR in conjunction with the Local council officials. In this case it can be said that there were overlaps which were done by the said minister over the local council. Another red flag which can be raised

concerns the fact that not all buildings were demolished as shown in figure 8 where a filling station and the building behind it were spared, one would wonder why.

Through the findings of this study, it was discovered that the MLNR has delegated authority to the District, Municipal and City Councils to discharge land administration functions on behalf of the Commissioner of Lands. The councils fall under the Ministry of Local Government and Housing and not the MLNR. Because of this, it is difficult for the MLNR to supervise councils. As a result, if local authorities commit a breach, they cannot be sanctioned directly by the MLNR. The sanctions can only be taken by the Minister for Local Government on behalf of the MLNR under the circumstances. In practice, however, the MLNR has been taking sanctions against local authorities when found at fault by suspending them from administering land or making recommendations to the Commissioner of Lands in their respective localities. This measure by the Minister of the MLNR is, however, not legally provided for under any statute, statutory instrument or regulation.

For this objective, it can be said that the information collected shows that it is being attained to a larger extent. However, there are some issues that need to be addressed like: implementation issues and sensitization/consultation of the key players during the making of the plans all the way until implementation.

3.4 Collaboration Between Chiefs and Government.

The research results show two things from this research, the first was to find out if adequate land for resettlement purposes is being availed in all districts of the country or not. The results showed that whenever land for resettlement was needed, it was readily available regardless of whether it was traditional or state land. This was provided for in a complimentary policy called the resettlement policy, under which it has helped the country in dealing with increased number of involuntary displacements and resettlements which are as a result of factors like: Natural and Human induced disasters, Land disputes, Development projects, Encroachment of populations on land meant for other activities, more but a few to mention.

The second part of results for this objective was to check if the collaboration between Chiefs and Government was connected to the availability of resettlement of land. From the results, it was seen that the government officials (both the MLNR and the council officials) are working in collaboration with the Chiefs, the responses which were given by both the government officials and the chiefs showed that they all admitted working in collaboration with each other. For instance, in the view of the MLNR's officials collaboration is in many many ways and one of the ways pointed out was to do with issues of displacement and resettlement. In this case the MLNR further went on and alluded that the government and the chief both have to ensure that there is adequate land for resettlement and because displacement and resettlement occur on both statutory and customary land, it is important for chiefs and government to work in collaboration. However, the results also showed that the MLNR is not really in charge of handling resettlement issues, the Office of the Vice President (OVP) handles such issues.

From the Chief's responses, similar findings were collected. The findings show that the chiefs are collaborating with the government in ways more than what the MLNR and council officials had brought out. From the finding it can be seen that the collaboration is there when it comes to dealing with issues of acquiring and converting land from customary tenure, as well as settled and unsettled site planning and a bit of issues to do with sensitization of communities on land issues. Resettlement was listed last by chiefs as a way in which they were collaborating with the government. They also claimed that resettlement issues usually came urgently and that they were given enough time to deal with such problems.

A good narration of the Chiefs collaboration with the MLNR was one which concerned the sharing of data processes and technologies. The MLNR assisted five chiefs in undertaking a bottom-up process for mapping chieftom boundaries and household land allocations. According to the results, over 500 villages across Chipata and Petauke Districts mapped over 15,000 parcels of household lands and identified owners and persons of interest associated with each parcel in a period between 2014 and 2017. The government of Zambia even went further to place customary parcels on the same map with its state cadastre, and this data was made available on a publicly accessible platform.

Council officials also brought out their view stating that collaboration with the traditional leaders is happening to a large extent because many are the times that the traditional leaders have come to aid when the government needs land for developmental projects. For instance, the extension of township boundaries like in Chalala and the Silverest areas of Lusaka. These townships have been extended to the extent that they have even crossed into the neighbouring towns of Kafue and Chongwe respectively. However, there have been some instances where such moves have been blocked by chiefs who refuse to give up customary land to the state but this is not so often.

3.4.1 Government Bodies Incharge of Resettlements

Results from documents analysis show that there are a number of government bodies that take part in the resettlement process. Just like the MLNR stated in one of the previous paragraphs, there is no single body that has been given the task of providing the resettlement process and this is more reason why the Chiefs need to work with the Government to ensure this process is done. Nevertheless, there seem to be gaps in oversight of displacement and resettlements that arise from the lack of cohesion among government bodies. According to the document analysis results, the collaboration between government and chiefs could be in existence, but it is not there to enhance adequate land for resettlement purposes in all districts of the country. The collaboration is there for other purposes. For instance, the House of Chiefs rejected the draft National Land Policy document which was in the process of being finalised and submitted to the cabinet for approval. In their argument they said the document was rejected on grounds that the Land policy allegedly tried to temper with the Chieftaincy. If we refer to the ECA (2010) recommendation in the literature review, it can be seen that no stakeholder consultation and identification of salient problems in the land sector was done, hence the rejection by Chiefs. Besides, there is no piece of legislation which explicitly authorizes documentation of customary land rights and could be another reason why many chiefs perceive the promotion of conversion by the government as an effort to undermine their authority.

The results further indicated that resettlement situations are usually guided by the OVP and the DOR. Together, the two have helped the making of the resettlement policy which is a document that guides the implementation of the resettlement programme. In addition, the

Disaster Management and Mitigation Unit (DMMU) also helps in dealing with these resettlement issues. These institutions only have power over land which is under state tenure and as shown in the findings, state land is extinct. Without collaboration with the chiefs, there is no way of having access to customary land for whatever purpose.

From the findings in one of the themes, it can be seen that the government has limited land at its disposal and thus the need to transform traditional land to state land. As already shown, Zambia's customary land was given the bigger chunk of about 70-94% of the country's total land distribution. State land was only 6% of the nation's total, which is a very little amount of land mainly in or surrounding the city, town or district centres. With progression of time a further 10-20% of the country's customary land has been converted to leasehold since 1995 to date. This has prompted the government to propose enhanced collaboration with chiefs so that they can facilitate the change of customary land to state land, because state land is extinct. This land was originally reserved for Zambians to have a share or and to use for agricultural purposes, but this is not the case. Most of the people buying customary land are foreigners in the name of investment. Because of the poor state of the economy, the chiefs are forced to sell large portions of land to foreigners mainly because they give them large sums of money. In this case, reference can be made to the chieftainess gave land to a Chinese company to make a cement factory.

3.5 To establish the extent to which land has been preserved for future use.

The results of this objective show that land is being preserved for future use to a lower extent. The responses received from the MLNR officials, council officials and the Chiefs avail that there is no proper approach and plan to do this. In particular, the Chiefs made it clear that land preservation is only possible under customary land because there is so much of it and state land is extinct. Council officials also supported the claim by stating that most of the land which is put on title nowadays is converted from customary to state land which means that there is nothing to preserve in as far as state land is concerned. They further added that state land, especially in Lusaka Urban district, has been sold already and the only way things can work out is to agree with Chiefs to allocate land strategically.

If we take a close look at the image difference between figure 1 and figure 5, one can see that state land has been on the increase with big margins. This means that a lot of it has been converted from customary tenure to state. Just a recap, take a look at figure 11 which has both maps.



figure 11. Comparison of figure 1(1999) and figure 5 (2017) respectively.

Now if we talk about preservation of land, it is clear from the diagrammatic presentation that it is not happening at all, if it is then it is to a very low extent, and only moves like the taken by her royal highness Chieftaines Nkomeshya can help slow down the rate at which customary land is depleting. In other words, customary land is the only land which Zambia has at its disposal and for this reason, state officials (both local and central government) will encourage people to purchase land from traditional leaders so that they can convert it and acquire titles for security purposes. This was actually alluded to by one of the local council officials during an interview with them.

In addition, it is also a well known fact that Zambia is a unitary sovereign state, but the government does not have total control over all Zambian land. In this kind of system, the central government is supreme, and the administrative divisions (local authorities) exercise only powers that the central government has delegated to them. The central government enjoys almost complete control over their smaller local government entities. That being said, it can be argued that the convention of customary land to state tenure is a secret move by the central government to maintain its supremacy over the territory. The governing state players

can only acquire full control if the land is converted to state tenure and this could mean more income on land rates for the council officials.

3.5.1 Invasion of Idle or Undeveloped Private or Public Land

Reviews from analyzed documents show other details of what has transpired and as a result led to not having available land to preserve for future use. One of the themes was the Invasion of Idle or Undeveloped Private or Public Land. With the information under this theme, it was noted that land which was Idle or Undeveloped, be it Private or Public Land, turned out to be invaded somehow. Acquisition of land in Zambia has always been a thorny issue with some few privileged individuals owning huge chunks of land, while the less fortunate in the society remain disadvantaged.

Even if the land is preserved, many people who are eager to own land tend not to be in a position of accessing it under the current malfunctional land governance framework. Because of this they tend to invade idle land. Chitonge and Mfunne (2015) raised a similar concern, however, their results did not show that the people who invade land feel they need to have a share of the national land because to them it has been the same people who continue to have access to land. The argument in this case is that ordinary Zambians with low incomes have no access to land because it is being allocated to the rich and powerful who could afford it. With all this happening, land cannot be secured for the future because it is being invaded by particular individuals.

3.5.2 Political Interference by Political Cadres

Political interference of party cadres was another theme which came from the results. Information under this theme showed that it is very difficult to preserve land for future use when there are political cadres who acquire and demarcate land which has been left for preservation, worse off the land which actually belongs to genuine title-holders. Political cadre interference has been cited to be one of the most frequent causes of urban land conflicts in Lusaka. The same can be said for the politicians who are in power, like the councillors who have been cited many times for allocating land in unlawful ways.

Most documents reviewed cited what is known as cadre-ism as one of the main sources of land conflicts, the argument was that party cadres allocate land outside of approved town planning land use. In addition to that, there is a common trend when one political party is voted out of power, the new ruling party comes with its own cadres who begin to reallocate the plots and this often leads to conflicts.

As noted by Chitonge and Mfunne (2015), cadres often allocate land that is already allocated to someone else. What was not noted was that these cadres also allocate land which is reserved for specific use under the city's development plans. In addition, interviews with the Lusaka City town planning official confirmed that party cadres are a major problem when it comes to implementing the city's urban planning and development policy. The official went further to say Political Cadres know that there is a procedure they have to follow to acquire land. That is why in almost all cases they use Violent Land Acquisition methods. With the rising number of violent land acquisition by political cadres, there is still no effective mechanism to remove political cadres from state land governance.

3.5.3 Boundary disputes

The findings showed other themes which emerged and were not directly related to the objectives, but the researcher thought they could still be useful giving answers to the topic under investigation. One of the themes had to do with boundary disputes. These kinds of disputes are not so common in rural areas, but they are becoming a common form of conflict in urban areas. One contest which raised concern was between the state and other institutions or right holders over a piece of land. The Lusaka City has been cited as one such institution which was encroaching on the land bordering the traditional authorities. While some officials from the Lusaka City Council, as well as opposition parties argued that the land problem in Lusaka is partly because the surrounding traditional leaders are refusing to release land for urban development, there are some who argue that the main issue is the lack of capacity to plan and implement the development and management of land in Lusaka.

From this we are able to see that the government's aim is to get land and sell it while the traditional leaders are trying to protect it. Just like the claims of Loenen (1999) who thinks the influence of selling land is mainly on state land and not customary. The issues to consider in this case is that Loenen (1999) study was during the privatization period under the

Movement for Multi-party Democracy (MMD) regime, 21 years down the line, similar issues reoccur under a different government, the Patriotic Front (PF).

3.5.4 Poor land delivery system

Another issue taken into consideration is the Poor land delivery system. As the results show, this could be the likely cause for some conflicts over land in urban areas. The results showed that about 60% of the land is delivered through informal markets. The argument from the source of information was that the land acquisition process is red tape and it is so inefficient that it involves long waiting periods at every stage of the process from surveying to the issuing of a title, as a result people are forced to adopt other means of accessing land, including invasions, informal markets and corruption. A good example of this is the Mtendere East case where the invasions occurred because the land was not being used for a long time and it appeared as though it was abandoned land. This results in conflicts as the rights in land may not be clearly demarcated through these alternative means. In a context where the value of land is appreciating rapidly due to the increasing demand (as is the case for Lusaka) an inefficient land delivery system can lead to conflicts due to the failure to allocate and administer land rights and interests properly.

If we look at the sale of land and conversion rate which has occurred in the past 17 years, one could say in the next 20 to 30 years Zambia is likely to run out of customary land too. In the past, customary land allocation was prioritized to local indigenous people who used the land mostly as farming areas. Nowadays, farmers follow the current trends wherein they sell the same farmland which is later changed in terms of land use and it is on paper and official. In terms of meeting this objective, we could see that not much is being done by the government to preserve land. In other words, this objective is not being realized to a large extent.

3.6 Summary of chapter

This chapter discussed the findings of the study and has explored their implications to the achievement of land policy objectives. This chapter demonstrated that the objectives of the study were answered. The following chapter will give the conclusions and remarks to the major findings, recommendations and suggested future research.

CHAPTER 4

CONCLUSION AND RECOMMENDATION

4.1 Introduction

This chapter presents the overall conclusion of the findings. It must be emphasised that the aim of this study was to assess the effectiveness of the Zambian land policy in promoting the well-being of communities in Lusaka province. The chapter ends with recommendations and implications for further research.

4.2 Conclusion

The purpose of the study was to evaluate the effectiveness of the land policy in achieving its objectives. The study focused on exploring land policy objectives to ascertain if they are working to bring out the intended result or not. More specifically, the study examined the overall well-being of a community through the protection and conservation of commons' land. It also determined the extent to which a national planning framework has been prepared and updated to guide national development planning proposals. Further, the study investigated if adequate land for resettlement purposes in all districts of the country was being availed through enhanced collaboration with Chiefs and Government. Finally, the study established the extent to which land has been preserved for future use.

It was clear from the findings that well-being was not met in any way, and the most common reason given was that there were so many foreigners buying land instead of local citizens and yet the government claims in their policy document that they are ensuring that land is preserved for the future. This is so because customary land in Zambia has fallen prey to foreign or western influence and is being sold to foreigners just like the state land. This is different from what used to happen in the past where only state land was sold to foreigners and customary land was preserved for Zambians only. This leads to a conclusion that Zambian citizens' well-being is not being met through the protection and conservation of commons' land because the commons' land no longer exists. The commons' land existed in the customary areas, but access has been limited to a select few in society, excluding the majority and for this reason, too, it can be seen that overall wellbeing is not being achieved.

Based on responses from some local government officials, MLNR officials and land owners, a national planning framework was understood to be a tool for the management of land and a very important thing to have in place. The main issue which was established was that the framework only exists on paper but in reality it does not exist and because of this it can be said not to guide the development of planning proposals. In this regard, it can be seen that the problem is not with the planning framework to guide land administration and management, but it is with the implementing actors who make the process difficult.

The study established that adequate land for resettlement purposes in all districts of the country is being availed through enhanced collaboration with Chiefs and Government. The results showed that whenever land for resettlement was needed, it was readily available regardless of whether it was traditional or state land. The responses which were given by both the government officials and the chiefs showed that they all admitted working in collaboration with each other. The only issue which came out when talking about resettlement issues was the problem of other bodies of government which come into play when dealing with resettlement issues and because there are some bigger players like the OVP involved, the role of the MLNR and the council is reduced. In the view of the chiefs, this collaboration only exists for the government to facilitate the change of customary land to state land and then sell it. They feel the government wants to reduce their power by getting land from them and that is why they had to reject the land policy at some point.

Lastly, the findings of this study revealed that the extent to which land is being preserved for future use is to a very lower extent. Based on the results the MLNR officials, council officials and the Chiefs avail that there is no proper approach and plan to preserve land for the future. The Chiefs, particularly made it clear that land preservation is only possible under customary land because currently customary land is abundant and state land is extinct. Council officials also supported the claim by stating that most of the land which is put on title nowadays is converted from customary to state land which means that there is nothing to preserve in as far as state land is concerned and only the chiefs can help in this case.

4.3 Recommendations

The following were the major recommendations of the study:

- From the result issues like overlapping or ill-defined institutional responsibilities were discovered and because of this, the study recommends institutional reform, including better coordination within the government and with the private sector. This could help deal with infighting among institutions, and the potential for arbitrary behavior that arises if there are no clear boundaries in the role of bureaucracies to undermine confidence in the institutional framework and authority of titles.
- This study recommends that the government must devise a proper implementation plan which comprehensively deals with land issues, unlike fusing it in a broad national development plan. This could propel effective land administration and management in Zambia.
- The study also recommends that a proper land audit should be done to ascertain how much land is available, then determine which percentage of it should be reserved for the future. This should be done with consultation and help of the chiefs, since they are the ones in charge of most of the unsold land which exists in Zambia.
- Because the result showed serious issues of illegal land acquisition, the study suggests that the legal system should put in place stiff sanctions for culprits of illegal land allocation.
- Monitoring and evaluation of administration and management of land should be done by independent bodies. For example, using the private sector in surveying.

4.4 Suggestions for Further Research

The management of land in Zambia has become a source of concern of various interested stakeholders. As a result of globalization and neoliberalism, land acquisition has become competitive. However, the institutions and people incharge of land in Zambia seem not to be up to the task as compared to the other countries. In order to have a clear discernment of the land problems which currently are faced in the country, more research should be carried out. Therefore, the researcher recommends that research be conducted in the following areas:

- The implementation of the resettlement policy program in Zambia.
- Assessment of the effectiveness of land tribunals in Zambia.

- The Political arena and its influence in land management and administration in Zambia.

Summary

This chapter has presented the conclusion of the study based on the three objectives set out in Chapter One. Recommendations have also been given directed to the MLNR as the main stakeholder involved in the administration and management of land. The recommendations have been coined from what the study has established. The chapter has finally presented a suggestion for further research.

REFERENCES

- Blancheta N. J. and Fox A. M. (2013). Science Direct. *Prospective political analysis for policy design: Enhancing the political viability of single-payer health reform in Vermont*. 111 (1) 78-85.
- Bradburn, N. M. (1969). *The Structure of Psychological Well-Being*. Chicago, IL: Walter de Gruyter.
- Bruce, J. W. and Peter Dorner (1982) *Agricultural Land Tenure in Zambia: Perspectives, Problems and Opportunities*. LTC Research Paper, no. 76. Madison: Land Tenure Centre, University of Wisconsin.
- Diener, E., Scollon, C. N., & Lucas, R. E. (2003). The evolving concept of subjective well-being: The multifaceted nature of happiness. In P. T. Costa & I. C. Siegler (Eds.), *The psychology of aging*. New York, NY: Elsevier Science.
[http://dx.doi.org/10.1016/S1566-3124\(03\)15007-9](http://dx.doi.org/10.1016/S1566-3124(03)15007-9)
- Ding, C. (2003). Land policy reform in China: assessment and prospects. *Land use policy*. 20(2); 109-120.
- Daniel Ayalew Ali, Klaus Deininger, Thea Hilhorst, Frank Kakungu, Yuanyuan Yi, (2019). *Making Secure Land Tenure Count for Global Development Goals and National Policy: Evidence from Zambia*. The World Bank: Washington, DC.
- Easterlin, R. A. (2013). Happiness, Growth, and Public Policy. *Economic Inquiry*, 51(1), 1-15. <http://dx.doi.org/10.1111/j.1465-7295.2012.00505.x>
- Graham, C. (2010). The Challenges of Incorporating Empowerment into the HDI: Some Lessons from Happiness Economics and Quality of Life Research. United Nations Development Programme Human Development Reports Research Paper 2010/13.
- Isaac B. Oluwatayo, Omowunmi Timothy and Ayodeji O. Ojo (2019). *Land Acquisition and Use in Nigeria: Implications for Sustainable Food and Livelihood Security*. London: Intechopen.
- Kajoba G.M. (1994). Changing Perceptions on Agricultural Land Tenure under Commercialization among small-scale farmers: The Case of Chinena Village in Chibombo

District (Kabwe Rural), Central Zambia.’ in the Science Reports of the Tohoku University, 7th Series, (Geography). Sendai: Institute of Geography, Faculty of Science, Tohoku University. 44 (1): 43-64.

Kalapula, M., & Nchito, W. (2017). Dual land tenure and the expansion of small towns: the case of Lundazi town, eastern province. *Proceedings of the Research Symposium on Land Management in Zambia*. Washington, DC: USAID Tenure and Global Climate Change Program.

Kitson P, Asamoah B, Saaka T, Kombonaah N, Atiemo E A. (2019). Public Policy and Administration Research. *Community Participation in the Preparation and Implementation of Land Use Plans in Ghana: A Critical Assessment from the Tamale Metropolis*. (9) 2224-5731.

Larsen RJ, Eid M. Ed Diener (2008). *The Science of Subjective Well-Being*. New York: Guildford Press.

Chitonge H, Mfuno O (2019). Habitat International *The urban land question in Africa: The case of urban land conflicts in the City of Lusaka, 100 years after its founding*. (48) 209-218.

Movement for Multi-Party Democracy (MMD), (1991). *Movement for Multi-Party Democracy Manifesto 1991-1996*. Lusaka: MMD Campaign Committee.

Mvunga, Mphanza P. (1982). *Land Law and Policy in Zambia*. Zambian Papers No. 17, Lusaka: Institute for Zambian Studies, University of Zambia.

Ng’andwe, A, (1993). *Report of the National Conference on Land Policy and Legal Reform in the Third Republic of Zambia*. Lusaka: Centre for Continuing Education, The University of Zambia.

Oxfam (1998). *Land tenure insecurity on the Zambian Copperbelt*. *Oxfam GB Communiqué*. Oxford: Oxfam. www.oxfam.org.uk/landrights (accessed on 27th September 2018)

Parfit, D. (1984) *Reasons and persons*, Oxford: Oxford University Press.

Pellissery, S, Davy, B, Jacobs, H M (2017). *Land policy in India Promises, Practices and Challenges*. Singapore: Springer Nature Singapore Pte Ltd.

Republic of Zambia, (1996). *Land Policy Document*. Lusaka: Ministry of Lands.

Republic of Zambia. (2013). *Population and Demographic Projections 2011- 2035*, Lusaka: Central Statistical Office.

Republic of Zambia. (1993). *The Draft Land Policy*. Lusaka: Ministry of Lands.

Republic of Zambia. (2017). *The Draft Land Policy*. Lusaka: Ministry of Lands.

Robinson, D. N. (1989). *Aristotle's Psychology*. New York, NY: Columbia University Press.

Sommerville, M. Norfolk, S. Mothers, T. Chuba, B. Phiri, M. (2017). *Documenting Customary Resources Rights: Reconciling State And Customary Records For Land Planning: Sandwe Chiefdom, Zambia*. World Bank Conference On Land And Poverty; Washington DC, The World Bank.

Sumner, L.W. (1996). *Welfare, happiness and ethics*. Oxford: Clarendon Press. United Nations Economic Commission for Africa [ECA] (2010). *Framework and guidelines on land policy in Africa*. Addis Ababa; ECA Publications and Conference Management Section (PCMS).

Valletta, W., (2001). *The Land Administration Law of China of 1998 and its impacts on urban development*. Proceedings of the 2001 World Congress of Urban Planning. Shanghai; [N.P.]

Van Holst F, Eberlin R and Lopez F. O. (2014). Landnet and land market issues in Europe. Accessed at: www.geodaesie.info. (accessed on 18th November 2018).

Van Loenen, B. (1999) '*Land Tenure in Zambia*.' University of Maine, Department of Spatial Information.

Appendix 1

INTERVIEW GUIDE FOR MINISTRY OF LANDS OFFICIALS

Dear informant,

I am a student at the University of Zambia. I am conducting research on the land policy and the effectiveness in achieving its objectives. This is to enable me partially fulfil the requirements of the degree of Master of Public Administration (MPA).

The information to be collected is for academic purposes only and your responses will be kept strictly confidential. Please you should feel free to make comments where possible during your answering of questions for the research. I would be very grateful if you could be kind to respond to the questions on the questionnaire.

PART 1. BACKGROUND INFORMATION

1. Gender:

1. Male ()

2. Female ()

2. Position held in the organisation:

.....
.....

PART 2.

3. Has the land policy brought about the protection and conservation of commons lands?

a. Yes

b. No

4. If “Yes” in what ways has it resulted in the protection and conservation of common lands?

.....
.....
.....

5. If “No” explain how it has failed to result in achieving the above objective.

.....

.....
.....
6. Describe how far the preparation for the national planning framework has gone?

.....
.....
7. Why do you think the national planning framework is essential for improving the livelihood of the Zambian people?

.....
.....
8. How is your ministry ensuring that the land policy brings about economic growth?

.....
.....
9. In what ways is the land policy helping to provide for the overall well-being of a community?

.....
.....
10. What regulatory measures have been put in place by your ministry to eliminate the growth of unplanned areas?

.....
.....
11. Is your ministry working in collaboration with the Chiefs?

a) Yes

b) No

12. If yes, in which areas is collaboration being conducted?

.....
.....
13. What are your obligations as ministry of lands in this collaboration?

.....
.....
14. What are the roles of the House of Chiefs in this collaboration?

15. What benefits has the collaboration brought to the operations in your ministry?

.....
.....

16. What challenges do you face in this collaboration?

.....
.....

PART 3.

17. What criteria do you use to determine state and customary land?

.....
.....

18. How happy are you with the use of duo land tenure?

- a) Yes
- b) No

19. If happy, give reasons.

.....
.....

20. If not happy, what is the problem?

.....

PART 4.

21. In what ways has your ministry ensured the improvement of smallholder access to secure ownership of agriculture land?

.....
.....
.....

22. In what ways has your ministry ensured that citizens secure ownership of agriculture land?

.....
.....

23. Has your ministry ensured that state land is accessible for every citizen?

- a) Yes

b) No

24. If Yes, in what ways?

.....
.....
.....

25. If No, explain why?

.....
.....
.....

PART 6. RECOMMENDATIONS

26. What do you think should be done to improve the management of land?

.....

Date of interview

End time of
interview.....

Duration of
interview.....

End of interview

Thank you for your time

Appendix 2

INTERVIEW GUIDE FOR COUNCIL OFFICIALS

Dear informant,

I am a student at the University of Zambia. I am conducting a research on the land policy and the effectiveness in achieving its objectives. This is to enable me partially fulfil the requirements of the degree of Master of Public Administration (MPA).

The information to be collected is for academic purposes only and your responses will be kept strictly confidential. Please you should feel free to make comments where possible during your answering of questions for the research. I would be very grateful if you could be kind to respond to the questions on the questionnaire.

PART 1. BACKGROUND INFORMATION

Date of interview:

.....

Start time of interview:

.....

1. Gender:

1. Male ()

2. Female ()

2. Position held in the organisation:

.....

.....

PART 2.

3. What are your roles/obligations in the management of land in Zambia?

.....

.....

4. How much land is under state tenure?

.....
.....
.....

5. Does the ministry of lands give you enough power to help in the provision of land to the people?

- a) Yes
- b) No
- c) How much?
- d) Very much
- e) Much
- f) Moderate
- g) Little
- h) Very little

6. Are the people working in the council well informed about land issues?

- a) Yes
- b) No

7. If No, suggest how this can be sorted out.

.....
.....

8. Are you facing any challenges working in partnership with the ministry of lands?

- a) Yes
- b) No

9. If yes, what challenges do you face in this partnership with the ministry of lands?

.....
.....

10. Do you have challenges working with chiefs?

- a) Yes
- b) No

11. If yes, what challenges do you face in this partnership with the chiefs?

.....
.....
12. Are there written or documented guidelines about land management by traditional leaders?

- a) Yes
- b) No

13. If yes, name the documentation?

.....
.....

PART 5. RECOMMENDATIONS

14. What do you think should be done to improve the management of land?

.....
.....

Date of interview

End time of
interview.....

Duration of
interview.....

End of interview

Thank you for your time

Appendix 3

QUESTIONNAIRE FOR LAND OWNERS

Dear respondent,

I am a student at the University of Zambia. I am conducting a research on the land policy and the effectiveness in achieving its objectives. This is to enable me partially fulfil the requirements of the degree of Master of Public Administration (MPA).

The information to be collected is for academic purposes only and your responses will be kept strictly confidential. Please you should feel free to make comments where possible during your answering of questions for the research. I would be very grateful if you could be kind to respond to the questions on the questionnaire.

Instructions: Tick in the spaces provided or fill in the blank spaces.

PART 1. BACKGROUND INFORMATION

1. Sex
 - a) Male ()
 - b) Female ()
2. Age
 - a) 18 - 30 years ()
 - b) 31 - 40 years ()
 - c) 41 - 50 years ()
 - d) 51 - 60 years ()
 - e) 61 and above ()
3. Highest level of Education
 - a) Never been to school ()
 - b) Primary school level ()
 - c) Junior secondary school ()
 - d) Senior secondary school ()
 - e) Tertiary education ()

4. Sources of income
 - a) Business
 - b) Work
 - c) Farming
 - d) Others (specify)
5. How long have you owned this land?
 - a) 1 year or less ()
 - b) 2 to 3 years ()
 - c) 4 years and above ()

PART 2.

6. Is your land under state or customary tenure?
 - a) State
 - b) Customary
7. How did you obtain this land?

.....

.....
8. Was the procedure of obtaining this land easy?
 - a) Yes
 - b) No
9. If no, in what ways?

.....

.....

...
10. Are you happy with the services provided by both the ministry of land and the traditional authorities?
 - a) Yes
 - b) No
11. Do you think the ministry of land and the traditional leaders are ensuring the protection and conservation of commons lands?
 - a) Yes ()

b) No ()

12. If yes, explain how?

.....
.....
.....

13. If no, give reasons?

.....
.....
.....

PART 3:

14. Do you think regulations put in place by the ministry of land are helping in eliminating the growth of unplanned areas?

a) Yes ()

b) No ()

15. If yes, in what way?

.....
.....
.....

16. Is there enough collaboration between Chiefs and Government in availing adequate land to people?

a) Yes ()

b) No ()

17. If yes, has the collaboration helped people in your area to access land?

a) Yes ()

b) No ()

18. Does this collaboration help to facilitate the resettlement of people whose land was changed from customary to state land?

a) Yes ()

b) No ()

Date of interview

End time of
interview.....

Duration of
interview.....

End of interview

Thank you for your time

Appendix 4

INTERVIEW GUIDE FOR CHIEFS

Dear informant,

I am a student at the University of Zambia. I am conducting a research on the land policy and the effectiveness in achieving its objectives. This is to enable me partially fulfil the requirements of the degree of Master of Public Administration (MPA).

The information to be collected is for academic purposes only and your responses will be kept strictly confidential. Please you should feel free to make comments where possible during your answering of questions for the research. I would be very grateful if you could be kind to respond to the questions on the questionnaire.

PART 1. BACKGROUND INFORMATION

1. Gender:
 - a) Male ()
 - b) Female ()

PART 2.

2. Has the land policy brought about the protection and conservation of commons lands?
 - a) Yes
 - b) No
3. If “Yes” in what ways has it resulted in the protection and conservation of common lands?

.....

.....

.....
4. If “No” explain how it has failed to result in the protection and conservation of common lands?

.....
.....
.....
5. Describe how far the preparation for the national planning framework has gone?

.....
.....
6. How is the national planning framework essential for the improvement of livelihood support?

.....
.....
7. How is your ministry ensuring that the land policy brings about economic growth?

.....
.....
8. In what ways is the land policy helping to provide for the overall well-being of a community?

.....
.....
9. What regulatory measures have been put in place by your ministry to eliminate the growth of unplanned areas?

.....
.....
10. Are you working in collaboration with the ministry of lands?

- a) Yes
- b) No

11. What are your obligations as traditional leaders in this collaboration?

.....
.....
12. What are the roles of the ministry of lands in this collaboration?

13. What benefits has the collaboration brought to the operations in your area?

.....
.....

14. What challenges do you face in this collaboration?

.....
.....

PART 3.

1. Are you consulted when the ministry of lands determines the criteria to use in choosing between state and customary land?

- a) Yes
- b) No

2. How happy are you with the use of duo land tenure?

.....
.....

3. If happy, give reasons.

.....
.....

4. If not happy, what is the problem?

.....

PART 4.

5. As traditional leaders, are you ensuring that customary land is accessible for everyone in your village?

- a) Yes
- b) No

6. If Yes, in what ways?

.....

.....
.....

7. If No, explain why?

.....
.....
.....

8. In what ways have you ensured that citizens secure ownership of customary land?

.....
.....

PART 6. RECOMMENDATIONS

9. What do you think should be done to improve the management of land?

.....

10. What written documents do you have about land management in Zambia?

.....
.....

Date of interview.....

End time of
interview.....

Duration of
interview.....

End of interview

Thank you for your time.