Managing Urban Growth in Sub-Saharan Africa

The effective resolution of the urban land situation in Sub-Saharan Africa is critical to effective urban management. This study, *Perspective on Urban Land and Urban Management policies in Sub-Saharan Africa*, proposes the need for a new perspective in looking at the problem of urban land management in the context of urban development in Sub-Saharan Africa. In cities of Sub-Saharan Africa, land transactions occur for residential home construction on a large scale, yet the State has developed little capacity for recording these transactions. Moreover, it is hardly able to issue and register titles to these land holdings, or to appropriate revenue for needed urban infrastructural development from these land assets. The problem can be resolved through a strategy that capitalizes on institutions and processes of land management with which the population is familiar and to which it is likely to relate.

The introductory chapter reviews the efforts of the World Bank in dealing with the urban land problem. It identifies three broad phases as far as Sub-Saharan Africa is concerned. The first phase was the period prior to 1972 when the Bank’s main concern was simply to ensure that African governments secured land for Bank-financed projects. The second was the period 1972 to about 1982 when the interest shifted to the need of the urban poor and low income groups to secure title to land in order to induce them to invest time and resources in improving their shelter. This was the period of the sites-and-services and slum upgrading schemes which together accounted for 77 percent of the Bank’s loans for urban development in Sub-Saharan Africa. The third phase, which can roughly be dated as post-1982, reflects the interest in "integrated" urban projects, and more recently, a serious concern with urban management. This study emphasizes how this recent concern makes the resolution of the urban land policy question more imperative than ever before.

Chapter II examines the nature of the urban land policy question. It insists that if the question is properly posed, it will indicate that the issue is not whether land is being made available for urban
purposes but rather whether the post-colonial states in Sub-Saharan Africa have developed the capabilities to ensure that land is properly brought to the urban land market. The chapter explores the historical background to the present situation. In the colonial period, the interests of European settlers and various strategies of domination made the administration shy away from the process of fully commoditizing and bringing land into the capital market system except for Europeans and Asians. In many colonial territories, even where the law allowed the registration of individual land holdings by Africans, the colonial administration neglected to uphold this law, primarily to deny Africans the rights to permanent residence in the city.

Recognizing that traditional society had no prior experience to draw on for guidance in connection with the transformation being initiated through participation in the global capitalist system, African societies developed strategies for buying and selling land. This was particularly necessary to ensure that the large numbers of migrants to the city could provide themselves with necessary land on which to build their homes. The colonial and post-colonial State treated these adaptive reactions of society as aberrations. They described them as "customary," "informal," or "illegal," thereby excusing themselves from dealing with a process that accounts by far for the majority of land holdings in African cities.

Chapter III investigates how these adaptive processes came about and suggests how the State can overcome them if its capabilities to manage the modern African city effectively are enhanced. It describes the structure of the pre-colonial and pre-industrial city in Africa and points out the importance of quarters, wards, and neighborhoods in ensuring effective participation in governance in those days. It indicates how, in spite of colonial indifference and disregard for this internal structure of African cities, the system survived and has continued to serve as an "informal" model for new suburban development. In the case of Greater Khartoum in the Sudan, for instance, the chapter illustrates how much this system has been used by urban residents to meet the needs for various services. Yet, because neither the colonial nor the post-colonial administration paid much attention to strengthening these neighborhood institutions, their potential has hardly been recognized for enhancing the effective management of the modern African city, including land management. The chapter suggests that decentralized institutions provide opportunity to service many vital purposes of urban administration including land management. It also recalls that some of the Bank's most recent urban projects in Sub-Saharan Africa show some orientation in this direction; notable among these are the Second Urban Project in the Republic of Guinea; and the Second Addis Ababa Urban Development Project.

Chapter IV reviews the urban land tenure systems encountered in countries of Sub-Saharan Africa. It observes that the traditional land tenure systems all over Africa are basically simple, having been predicated on kinship links. Complexity was introduced with the massive mobility of population, set in motion by colonialism and by the growth of a free market economy. This complexity is the product partly of the adaptive responses of African societies to the novel situation of rapid urbanization, and partly of various devices of colonial administration to exclude the Africans from having a permanent stake in living in the city. Tenure systems such as the livret du louer, the permis d'habitation, certificates of occupancy, head lease, and quitrent are some of the contrivances to deny freehold rights to Africans living in the city. By the time of independence, freehold tenure had come to be seen as a European device to expropriate African land. Thus, although in all countries there had always been recognized land in the public domain and the right of the State to acquire more land for public purposes had never been challenged, it is remarkable that, especially between 1974 and 1984, as many as twenty countries of Sub-Saharan Africa (accounting for nearly 75 percent of the total population of the region) decided to nationalize their land and offer citizens only leasehold rights of
varying duration. Nationalization, however, was largely a legislative measure and not one to expedite the issuance of appropriate titles even for those leaseholds. This development, to the extent that it tried to substitute administrative processes for allocation through the free market system to which the society was already responding, must, to that extent, be considered retrograde.

Chapter V examines the various urban land management systems. The chapter reviews the traditional land management system in pre-colonial urban centers using the capital of the Basuto Kingdom as an example. The role of ward chiefs is strongly underscored as well as the clarity of traditional land policy objectives. The latter sought simply to ensure, to all families, access to land for residential, cultivation and grazing purposes. This clarity of policy goals contrasts sharply with the ambiguity and incoherence surrounding present land policies in most countries. The result is the difficulty in effective managing urban land processes in most Sub-Saharan African countries. This explains the poor state of development of both geodetic and land surveys, the complete absence of cadastres in many cities, and the inchoate institutional development with respect to land titles and land registration. The provision of fiscal and legal cadastres for African cities must now be seen as a compelling necessity if the present confused situation in not to be perpetuated indefinitely. It is recognized that developing a cadastre is a time-consuming and costly task. A strategy, is therefore, presented for undertaking this task in stages. The first stage is the production of what has been called a "halfway" cadastre using relatively inexpensive modern methods such as large-scale aerial photography with microlight aircraft. Once this information from the "halfway" cadastre is ready, neighborhood organizations can be mobilized to help in expediting the process of listing the names of owners of particular plots. With time and more detailed survey, the provision of real title documents can then be planned. The impact of this informational "infrastructure" on the capacity of African cities to generate a significant proportion of the revenue they need to pay for their physical infrastructure and services should always be borne in mind. The example of self-reliant cities in Zimbabwe is instructive in this regard.

Chapter VI considers the question of urban planning and urban land markets. It examines the factors likely to contribute to a continuous and increasing demand for urban land, and the problems impeding adequate land supply processes. These problems have resulted in the emergence of a dual land market system -- the formal and the informal-- creating considerable distortion in land values and prices. Little systematic information exists about land transactions in most cities, a fact which affects the effectiveness of supply. The role of urban planning departments in facilitating the supply of urban land is also discussed. The need to revise the outmoded legislation which established these urban management agencies in most African countries is stressed. Equally underlined is the need to enhance the capability of these agencies to supply, more expeditiously, serviced land for urban development. In this connection, the prospect of utilizing the current widespread practice of land nationalization is considered. A strategy based on a concept of "moments of transition" from rural to urban land is outlined as a way of facilitating the process. The involvement of private land development agencies and of private sector organizations is generally regarded as central to this strategy. The experience of the Republic of Korea based on the "land re-adjustment strategy" is described in brief as providing valuable lessons for African countries as to how cities can engage in a self-financing process of urban land development.

In conclusion, Chapter VII examines the need for institutional development and technical assistance. Tasks include extensive legislative reforms, comprehensive and continuous bureaucratic record keeping, and wide-ranging administrative surveillance of the efficient operations of the free market. Each of these tasks provides ample opportunity for technical assistance without compromising the integrity of any government to make its own decisions. The chapter identifies seven broad areas of
institutional development.

- Human resource development;
- Enhancement of neighborhood capabilities;
- The creation of the "half-way" cadastres;
- The development and implementation of strategies for transforming "half-way" cadastres into proper legal and fiscal cadastres;
- The strengthening of land titling and land registration departments;
- The strengthening of urban planning departments;
- The closer integration of private sector organizations into urban land development programs.

The study ends by reiterating that the 1990s are bound to witness a tremendous upsurge in the urbanization process in Africa. Whether the concomitant, dramatic expansion of African cities will take place in a more orderly and environmentally satisfactory manner is the challenge facing all countries in Sub-Saharan Africa as well as bilateral and multilateral agencies participating in the social and economic development of the region.