A photograph of a rural building in Zimbabwe. The building is a single-story structure with a corrugated metal roof and a window. A dirt road leads away from the building towards the horizon. The background shows a dry, open landscape with some distant hills under a clear sky. The image is overlaid with a semi-transparent purple and blue gradient.

Impact of Growth Point Expansion

# ON COMMUNAL

RURAL LAND IN ZIMBABWE:

**The Guruve Case**

**Revison Kanyepa**

# **Impact of Growth Point Expansion on Communal Rural Land in Zimbabwe: The Guruve Case**

**REVISION KANYEPA**

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## **Dedication**

This work is dedicated to my children, Lessly, Levi and Leo.

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I wish to acknowledge and express my indebtedness to the support demonstrated by my supervisor Dr. W. Zimunya. Without his invaluable intellectual guidance, criticisms and insights, this study would have been extremely difficult and most probably would not have seen the light of day.

To my lovely wife Enert; I thank you for your continued support and encouragement during the period of this study.

I also express my gratitude to Mr. Mazhambe, Councillor for Ward 6 (Guruve Growth Pont). Your assistance during fieldwork helped me to gather all the valuable information for my study.

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I also do not forget the support rendered to me by Mr. Tinos Marisa, the Chief Executive Officer of Guruve Rural District Council. Thank you Sir for entertaining my questions as I enquired on the background of the issues under study and council programs.

## Book Synopsis

This study critically investigated the contestations in acquisition of communal land for urban expansion with a view to promoting proper growth of urban centres in Zimbabwe using the case of Guruve Growth Point. The study is aimed at establishing, *inter alia*, the causes of the contestations between rural local authorities and communal land holders, the effects of the contestations, the legal provisions governing the administration and acquisition of rural land and the planning strategies that can be applied to address the contestations. This study is driven by seemingly scant evidence and research work on the causes and impact of contestations in acquisition of rural land for expansion of urban settlements against a backdrop of the problem being rampant in Zimbabwe and therefore fills an important intellectual lacuna in the existing canon. The study was informed by the pragmatic philosophy to research and inquiry and adopted the mixed methods approach. The study utilised the case study research design and employed both probability and non-probability sampling to select the participants in the research. Data collection was done through questionnaire surveys on rural households, focus group discussions, key informant interviews documentary review and observation technique. Content analysis and the hermeneutics methods were used in data analysis. The study made the observations that the contestations are being caused by lack of alternative land to resettle the displaced communal land holders, conflicting institutional and outdated legal frameworks, in-effective participation by land holders and fear of livelihood disruption emanating from lack of clear compensation framework. These factors are adversely affecting the proper growth and expansion of small urban centres in Zimbabwe. The study recommends the adoption of land re-adjustment programmes as opposed to excision and expropriation, regularisation of peri-urban informal settlements, harmonisation of land administration institutions, review and harmonisation of the legal instruments and improved participation in acquisition of rural land for urban expansion as measures to promote proper growth of urban settlements.

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## **Acronyms and Abbreviations**

GRDC	Guruve Rural District Council
DDC	District Development Coordinator
CEO	Chief Executive Officer

# Chapter 1: Growing from a Point Outwards: Introductory Overview on Rural-Urban Land Dynamics

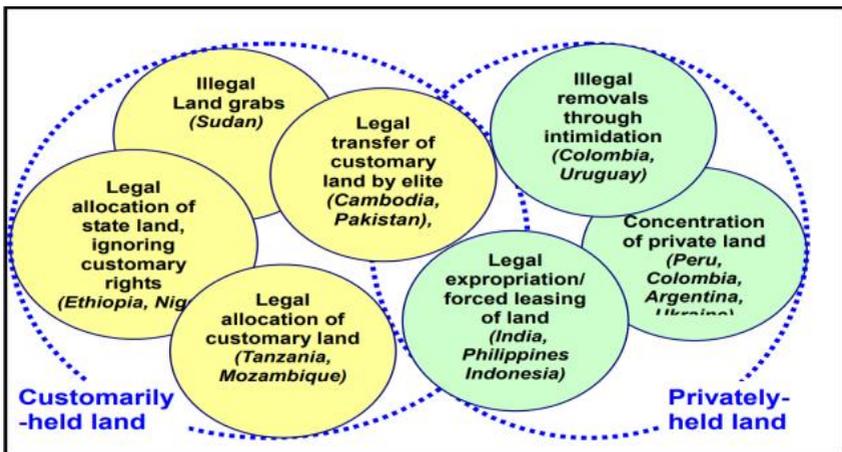
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Land acquisition for urban expansion purposes is an overarching issue that is gaining traction in many urban settlements especially in developing countries. Adam (2014) posits that the rapid growth of the urban population in Africa and other parts of the developing globe is driving up an acute demand for urban land at an unprecedented rate that is met primarily through conversion of peri-urban land at the periphery of existing built-up areas. Areas affected by contestations in land acquisition and urban expansion are known to experience negative repercussions in their economic, social and physical development paths (Ansah & Chigbu, 2020). The land acquisition problem is compounded by the fact that there are dual landownership models in most African countries, that is, communal or customary landownership and statutory landownership (Mends, 2006). Communal landownership is administered by traditional leaders who are vested with powers and prerogatives to allocate land and the land itself is inherited from one generation to another. Statutory landownership is obtained from local authorities that are municipalities and the state. However, communal land is regarded as state land that can be compulsorily acquired for urban expansion and development projects (Mends, 2006; Adam, 2014).

The conversion of communal land to urban land has, however, always been characterised by a lot of problems, strife, conflicts and disputes. Many authors have made their contributions to the communal peri-urban land acquisition discourse, some looking at land rights issues (Mends, 2006), infrastructure provision challenges (Chirisa, 2010) and challenges in the process of land acquisition (Vengesai & Schmidt, 2018). However, the causes and the effects of the contestations to urban growth and expansion have not been exhaustively explored in Zimbabwe. The purpose of this study is thus, to investigate the contestations in acquisition of communal land for urban expansion in a bid to promote proper growth of urban centres using the case of Guruve Growth Point expansion. The question that arises in this instance is how urbanisation can take place without being hampered by these contestations. The study is set to examine the conflicts prevailing between communities and local authorities over land for

urban expansion, to review the legal framework governing land issues in urban and peri-urban areas and to analyse the effects of the conflicts prevailing in urban centres and peri-urban areas. The results of this study will serve to provide the basis for addressing the planning for urban expansion into rural areas. A critical review of the experiences from other countries and regions will help to explain and understand the problem.

The contestations in acquisition of rural land or farming land for urban expansion and development projects are a global developmental problem especially manifesting itself within the situatedness of the Global South. There are various types of land acquisitions used by different countries and these are also sources of conflicts in land acquisitions.



**Figure 1.1:** Typologies of land acquisition (*Bending & Taylor, 2009:8*)

As illustrated on figure 1, illegal land grabs, legal allocation of state land ignoring customary rights, forced leasing and illegal removal and intimidation are some of the typologies of land acquisition globally and this prove the fact that land acquisition is a topical global problem. In Asia, Europe and America, conflicts relating to land acquisitions are rampant. In these regions, land acquisition is meant for large scale commercial agricultural plots, Export Processing Zones, bio-fuel projects and residential and commercial development to cater for high

demand for land emanating from rapid urbanization (Ravanera & Gorah, 2011). A recent study by Vengesai & Schmidt (2018) has brought to the fore the fact that in China, seventy million people were displaced between 1950-2000 while fifty million people were affected in India due to peri-urban and industrial expansion and developmental projects such as dams and road construction. Farmers whose land was disposed in Pakistan, Nepal and India reacted in different ways and some of them violently (Ravanera & Gorah, 2011).

The challenges being faced in the acquisition of land for urban expansion globally are emanating from various factors. Some of the most cited causes are poor compensation resulting in lack of livelihood reconstruction after compensation, inequalities in compensation, food insecurity and lack of effective participation by the communal landowners (Gorrah, 2011; Western *et al.*, 2015). For instance, in Pakistan, Philippines, India and Vietnam, conflicts in land acquisition and resistance to projects are in most cases a result of the above factors (Gorrah, 2011).

The resistance from communal landholders to the acquisition of their land for development projects and urbanisation is in most instances affecting the initiation and progress of development projects. For instance, a proposal to establish one-million-hectare project of hybrid cone in Philippines was forfeited after the communal occupants of the land resisted (Ravanera & Gorrah, 2011). This was even though the governments of these two countries had already signed agreements to start the projects.

Most of African countries are also reeling under the problems of land acquisition. For instance, in Ghana, Tanzania, South Africa, Ethiopia and Sudan, acquisition of communal land for expansion of urban settlements is a big problem (Mends, 2006; Kombe, 2010; Adam, 2014). Most of the problems of land acquisition in African countries owe much to the existence of dual landownership rights (formal and customary tenure) with the majority being communal. The formal land rights system was introduced to Africa by the European countries during the period of colonisation. In Ethiopia, as in several other African countries, urbanization is occurring at a more rapid rate, imposing an intense competition between agricultural and non-agricultural activities (Adam, 2014). The demand for urban

land in Ethiopia is met by expropriation and reallocation of peri-urban land. The highest rate of urbanization in the world occurs in developing countries and in Africa where about 87% of the population growth in the next two decades will occur in urban areas and thus, exerting more pressure on surrounding communal land for urban expansion (Mends, 2006). Similarly, in Accra township of Ghana, conflicts between urbanization and communal land uses have stalled development. In Tanzania, contestation in acquisition of communal land for urban growth is also a challenge (Kombe, 2010). The major causes of the contestations are delayed or inequitable compensation, a lack of consultation with landowners and bad governance. Thus, contestations for communal land for urban expansion are a regional problem (Kombe, 2010).

In Zimbabwe, land acquisition is guided by a repertoire of legal provisions, among others; the Constitution of Zimbabwe Amendment number 20, Land Acquisition Act (Chapter 20:10), Regional Town and Country Planning Act (29:12), Rural District Councils Act (29:13), Communal Lands Act (20:04). In some instances, these pieces of legislation give the President and other authorities the power to acquire land and other immovable property compulsorily. Despite the explicitness of the processes and procedures in these pieces of legislation, acquisition of communal land for urban expansion remains a challenge in urban centres of Zimbabwe. According to Vengesai & Schmidt (2018), expansion of towns, growth points and rural service centres in Zimbabwe has resulted in the displacement and relocation of communities to pave way for urban development. The displacement of people has triggered conflicts between local authorities and communities occupying the land earmarked for urban expansion. The conflicts in acquisition of land for urban expansion in Zimbabwe are mainly a result of weaknesses in the land tenure system and compensation policies and some other structural challenges (Vengesai & Schmidt, 2018). Zvishavane and Shurugwi are classic examples of urban settlements that experienced conflicts involving land acquisition when 30 and 40 households were relocated in 2013 and 2002 respectively.

Contestations in acquisition of communal land for urban expansion are a global topical problem. Due to rapid urbanisation and population growth, peri-urban areas are associated with a lot of activities and land use changes (Achamyeleleh,

2014). Thus, globally the growth in urban population is increasing the demand for land and compelling local authorities to acquire peri-urban communal and customary land. The acquisition of communal rural land for urban expansion is resulting in many challenges and problems and conflict between the authorities acquiring the land and the communal land occupants. The conversion of customary land and the transformation of customary land tenure into urban formal tenure are at the centre of the land disputes and landownership conflicts (Mends, 2006). Earlier studies on problems in peri-urban areas have focused on how customary land tenure system is responding to the pressure of demand for urban lands (Mends, 2006; Achamyeleh, 2014), how peri-urban areas are possible disaster outbreaks in terms of diseases and other social hazards due to lack of planning and institutional integration (Chirisa, 2010) and challenges to relocation and compensation of rural communities displaced by development projects (Vengesai & Schmidt, 2018). It seems little has been investigated about the impact of contestations in acquisition of communal land for urban expansion to the growth and expansion of urban settlements in Zimbabwe. Therefore, the purpose of this study is to investigate the contestations in acquisition of communal land for urban expansion in a bid to promote proper growth of urban centres using the case of Guruve Growth Point. If this study is not carried out to interrogate causes and impacts of the contestations, urban expansion is stifled, and socio-economic development is seriously affected. Thus, results of this study will guide policy-makers and planning practitioners in handling conflicts emanating from communal peri-urban land acquisition and henceforth being in a better position to promote urban growth.

The aim of the study was to investigate the contestations in acquisition of communal land for urban expansion in a bid to promote proper growth of rural urban centres using the case of Guruve Growth Point. The study objectives include, among others, the need,

- 1) To examine the main causes of conflicts prevailing between rural communities and local authorities over land for urban expansion.
- 2) To assess the legal framework governing acquisition of land for urban expansion in peri-urban areas.
- 3) To analyse the effects of conflicts prevailing between rural communities and the local authorities over land for urban expansion.

- 4) To recommend planning strategies to address the contestations relating to urban expansion into rural areas.

The research questions were formulated as follows:

- 1) What are the main causes of conflicts between rural communities and local authorities in the process of acquisition of land for urban expansion?
- 2) What is the position of existing legal instruments on land issues in urban and peri-urban areas?
- 3) How are the conflicts prevailing between rural communities and the local authorities over land for urban expansion affecting development?
- 4) What measures can be taken to address the planning for urban expansion in rural areas?

The protracted contestations currently obtaining in the acquisition of communal land for urban expansion in Zimbabwe and other countries points to the fact that there is general lack of knowledge in the planning practice and policy pertaining to peri-urban developments or the legal framework governing urban and peri-urban land issues is somehow inadequate. Thus, this study is of great benefit to planning policy, planning practice and to generation of new planning knowledge. According to Henely & Locke (2016), an understanding of land issues in peri-urban areas will help in promoting sound urban growth and land administration. Proper land management and administration can thus, lead to a less conflict urbanisation process with minimal impacts to the communal land occupiers. This study will greatly guide planning practitioners and policy-makers in understating peri-urban land issues and thereby enabling them to handle and minimise land conflicts by creating a mutual and symbiotic relationship between the parties involved.

Further, this study will help policy-makers in understanding land governance issues. According to Henely & Locke (2016), policymakers should aim to minimise the scope for struggles over land through effective land planning and administration by clarifying the mandates and decision-making powers of various ministries, agencies, and local governments; ensuring that changes in the authority over planning are carefully managed so that new arrangements respect existing planning choices; and effective land valuation and compensation by ensuring that rules for valuation and compensation are applied transparently in

peri-urban areas to guarantee that landholders do not either lose out materially, or decline to participate in the formal sector out of fears. This implies that this study is of utmost importance in helping policy-makers to clearly understand the causes of contestations in acquisition of land for urban expansion and richly learn how to handle the issues from the recommendation of the study.

Planning practitioners' perception on peri-urban land issues and developments will also be sharpened by this study. Mwachunga (2014) contend that conflicts over peri-urban land emanate from the different perspectives that planning practitioners and peri-urban dwellers have over land. Planning proposal usually serves the interests of the minority rich people at the expense of the majority poor who happen to hold customary land without security (Mwachunga, 2014). Thus, planners do not regard customary land rights as they do the formal land rights and this result in conflicts when communal land is to be acquired. This study will bring a new perspective on the rights of peri-urban dwellers and how planners can successfully achieve urban without protracted contestations.

This study will focus on examining the conflicts prevailing between local authorities and communal land occupants as local authorities tries to expand their boundaries, the effects of the conflicts to urban and socio-economic growth and to examine the legal instruments that guides land acquisition in Zimbabwe. The study is conducted using the case study of Guruve Growth Point (formerly Sipolilo), that is a district located in the Mashonaland Central Province of Zimbabwe. Guruve Growth point is one of the centres that is urbanizing fast and according to ZimStats (2012), it is the second urbanized district in the province from Mazowe district. Guruve district is grappling with acquisition of communal land for the expansion of its boundaries hence it became of interest to the researcher. The study will use interviews, focus group discussions, key informant interviews and administering questionnaires to communal landowners surrounding Guruve Growth Point, Guruve Rural District Councils officials, the Ministry of Lands officials, District Development Coordinator and traditional leaders. These are the stakeholders who are involved in the process of acquisition of land for urban expansion and thus, their inputs will greatly assist the researcher in understanding the nature and causes of the contestations.

As illustrated in Figure 2, Guruve Growth Point is surrounded by communal areas, that are Chimanikire and Nhemachena in the East, Musokeri in the south, and Chipangura in the West and to its North are Meiringeni, Dunvert and Maidavale farms. The growth point is in serious contestation with Nhemachena, Chimanikire and Musokeri communal areas in the process of trying to expand its boundaries and achieve growth in line with the current demand for land.



**Figure 1.2:** Communal Areas and Farms surrounding Guruve Growth Point  
(Author's creation, 2021)

#### Definition Of Key Terms

**Contestations:** The act by that two parties to an action claim the same right, or when one claims a right to a thing that the other denies; a controversy (Thesaurus Dictionary)

**Communal tenure:** a land tenure type by that land rights are held by multiple users in communal ownership. Land allocation, use and transfer to the individuals are determined by leaders of the community. Such tenure allows individuals to hold rights and obligations jointly with all other users (Adam, 2014).

**Public/State tenure:** a tenure type where the state exercises ownership and governance of land. Land allocation, use and transfer of land are determined by state. That means individuals have the duty to observe rules for use/access as determined by the controlling/managing agency of land (Adam, 2014)

**Peri-urbanization:** the process of urbanization in peri-urban areas and in other words refers to the process through that peri-urban areas are physically and functionally incorporated into the urban system (Webster & Muller, 2004). It involves the conversion of rural agricultural lands to urban built-up properties and thereby entails changes in landownership patterns and transfer processes (Adam, 2014).

The study comprises five chapters, that is chapter one up to chapter five. The first chapter is the introductory and prefatory chapter which serves to elaborate and outline the research problem, research objectives and questions. Chapter one lays the foundation of the study as it provides the background of the research problem, provides a justification of why the cited problem is worth to study and outlines the research aim and objectives that will guide the whole research and determine the contents of chapter two, three, four and five. The second chapter serves to give an in-depth review of relevant literature on contestations for communal land for urban expansion from global to the local context. The literature review section is based on the aim and objectives of the study and the key research questions outlined on chapter one is answered by the literature review section. Another important aspect of the literature review section is conceptual and theoretical frameworks of the study that serves to expose the interrelationship between the main variables under study. The third chapter will provide an overall description of how the research is conducted in detail. Chapter three presents the research methodology and design for the study. It cover issues on research paradigm and philosophy, research approach and design, sampling design and the research methods , data analysis and ethical issues. The fourth chapter deals with both qualitative and quantitative data presentation analysis. It serves to present and interpret the results of the study in line with the research questions outlined in chapter one. Chapter five presents the summary of findings, conclusions and recommendations from the study. The conclusions and recommendation is drawn from the results of the study presented in chapter four.

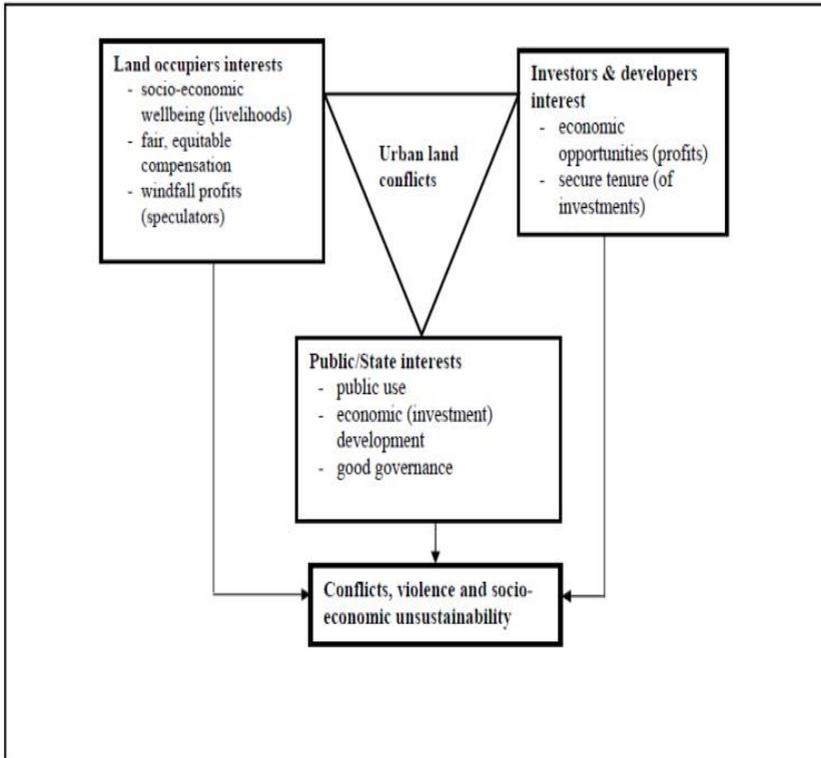
The chapter basically provides the general overview of the research results considering the objectives and a way forward on what should be done to address the research problem as viewed by the researcher.

This chapter has laid a foundation of the study by giving and stating the problem or gap that need to be addressed, the aim of the study, the objectives of the study, the research questions and the justification for carrying out the study. It has also given a delimitation of the study and the study scope and the description of the study area. The next chapter is going to cover a review of the literature relevant to this study and the conceptual and theoretical frameworks.

## **CHAPTER 2: Conflicting Interests in Communal Peri-Urban Land: A Literature Review**

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This chapter furnishes a critical review of the literature canon on the contestations over the acquisition of communal land based on the studies that were previously done by some other authors. The chapter presents conceptual and theoretical framework that assists in understanding the causes of peri-urban contestations; examines the causes of conflicts in acquisition of communal land for urban expansion by local authorities and provides a review of the legal instruments that guides local authorities in acquisition of communal land for urban expansion in Zimbabwe. The conflicts over communal land for urban expansion can best be understood looking at Figure 3 that has been adopted from by Kombe (2010). As is illustrated, conflicts emanate from different interests on land. Communal land occupiers are usually concerned about their socio-economic well-being, fair and equitable compensation and profits while local authorities are concerned about the need to acquire space for various urban land uses. To satisfy the growing needs for urban development, land must be acquired from communal occupiers and when the expectations of communal landowners are not met, conflicts ensue. The protracted conflicts between local authorities and communal land occupiers frustrate investors and developers whose interests are economic opportunities and secure land tenure for investment. Development will henceforth be affected because of the conflict of these three parties. An inclusive, fair and transparent land acquisition process that will reconcile the interests of all the parties will thus, help to minimise the conflicts.



**Figure 2.1:** Key actors and interests in land conflicts (*Adopted from Kombe, 2010: 16*)

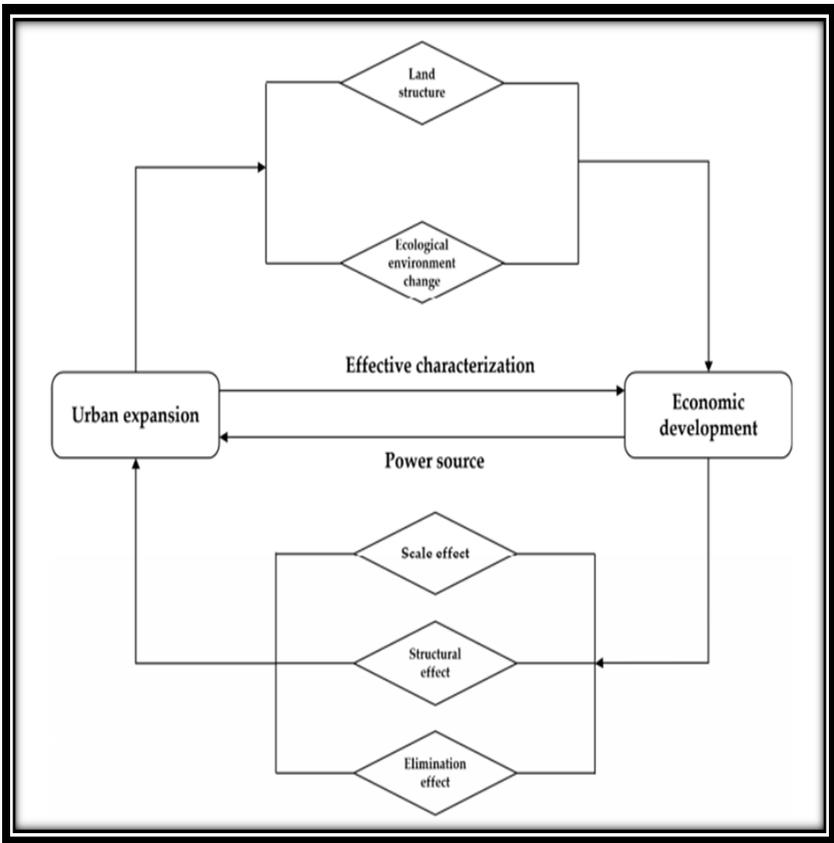
This study is anchored conceptually and theoretically on the population growth theory, the economic growth theory and the political theory (Alemineh, 2018). These three theories were propounded by Clark and Harvey in 1971. These theoretical optics explain the factors behind the expansion of urban centres outwards and the effects that results because of the expansion of the urban centres. The population growth theory argues that an increment in urban population either in natural growth or through rural to urban migration explodes to the surrounding of city (Alemineh, 2018). A recent study by Kesanko *et al.* (2006: cited in European Environment Agency, 2016) on urban expansion in fifteen European countries between 1950s and 1990s supports the population growth theory as it discovered that population growth was a major driver to urban expansion throughout the study period. The European Environment

Agency (2016) also supports the view espoused by the Population Growth Theory by alluding that the size and structure of the population affect the extent of the built-up areas and the larger the population, the more space is required to accommodate all the people. The trends in urbanisation in Africa also provide more evidence to the Population Growth Theory. In his study report on the implication of population growth and rapid urbanisation in Africa, Chirisa (2008), expounded that rapid population growth in Sub-Saharan Africa has a great bearing on urban growth and expansion. The rapid population growth in African cities and towns is mainly attributed to high rates of rural to urban migration. Issues such as difficulties in provision of infrastructure, conflict for land, overcrowding and shelter problems are resultant from population growth that is the main factor (Chirisa, 2008). The demand for land for urban expansion at this area of study, Guruve Growth Point, is also to some extent explained by the Population Growth Theory. The 2012 Zimbabwe National Census report alluded that Guruve District is the second urbanized district in Mashonaland Central province among Rural District Councils and had seven percent of its population living in urban settlements.

The second theory that is important to this study is the Economic Growth Theory. This theory posits that economic growth or socio-economic development is a major driver to urban expansion. The growth in economic activities of urban settlements as indicated by the increase in Gross Domestic Product (GDP) will cause urban settlements to require more land for expansion, thereby engulfing on its surroundings (European Environment Agency, 2016; Alemineh, 2018). A study by European Environment Agency (2016) in Europe discovered that an increase in GDP brings about a multiplicity of effects including a change in lifestyles, an increase in demand for investment resulting in demand for more space for building of industries, an increase in use of motorised transport that make people to have the desire to live at the periphery of urban settlements and a general change in tastes and preferences. These factors induce the demand for more land for outward urban expansion hence resulting in more communal land being expropriated.

The economic growth theory seems to be of much applicability to the real world and there is a lot of literature to support it. For instance, studies by Zhang & Xie in China in 2019 brought out that economic growth has a positive correlation with urban expansion. The conclusions drawn by Zhang & Xie (2019) were based on a spatial statistical analysis of Chinese country level data by Deng (2008) that showed that every ten percent increase in Gross Domestic Product (GDP) will cause an urban expansion to increase by three percent. The economic growth

theory also seems to be of great applicability to the researcher’s study area since the need for more land by Guruve Rural District Council is in response to the demand for housing and industrial activities as evidenced by the physical developments on the ground. Figure 4 below provides the interrelationship between urban expansion and economic growth.

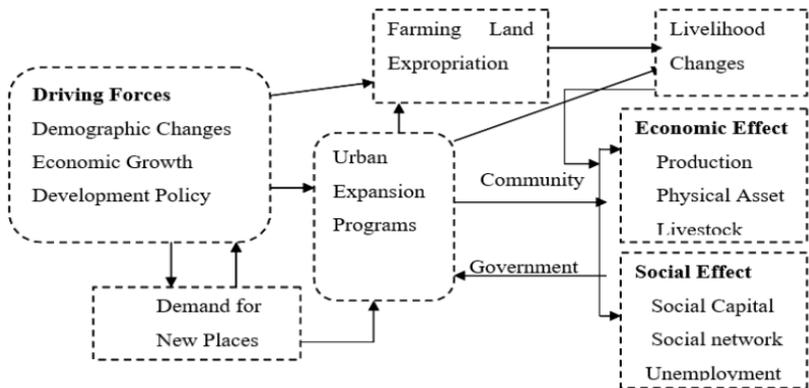


**Figure 2.2:** Effect of economic development on urbanisation (Zheng & Xie, 2019:07)

As illustrated on Figure 4, economic growth has a direct bearing on urban expansion, and it affects the structure of land and cause ecological environment change. Economic growth has thus, a scale effect, structural effect and elimination effect on spatial developments. The third theoretical perspective that provides explanation and intellectual grounding for urban expansion is the political

perspective. This theory postulates that the absence of proper planning policies and failure to enforce such policies are a source of unlimited urban expansion that ultimately pose a threat to peri-urban communal farmers (Aleminih, 2018). This theory is premised on the basis that politics has the power to promote sustainable urban development and prevent urban sprawl through enactment of appropriate legislation (European Environmental Agency, 2016). Basing on these policies, some governments in the world have developed policies that outlaws urban sprawl or have introduced incentives and subsidies to promote compact development and German is a typical example of such nations.

A study by Kombe (2010) in the City of Dar as Salaam discovered that lack of clear and predictable policies on peri-urban development and lack of frameworks on capacitation and resource mobilization for public planning institutions is the major cause for uncontrolled peri-urban development. The political perspective is thus, relevant in explaining urban expansion and the nature of developments in peri-urban areas. The Political theory, the Population Growth theory and the Economic Growth theory are thus, all important to explain urban expansion. Figure 5 below summarises these three theories and how they explain the occurrence of peri-urban land expropriation and changes in livelihoods of communal peri-urban dwellers.



**Figure 2.3:** Key Drivers and effects of peri-urban expansion (*Adopted from Aleminih, 2018:51*)

Several studies have been carried out to examine the nature, causes and manifestation of protracted contestations and conflicts between communal land

holders and local authorities as local authorities tries to expand their boundaries. There is a consensus among several authors that efforts by local authorities to acquire communal land usually hit a snag due to delayed compensation, unfair compensation, poor communication, legal pluralism, poor governance, unregulated land development and lack of clear and predictable strategies in land acquisition. These factors are discussed in the following passages.

Studies in both the developed and developing world indicate that delayed and unfair compensation is a major issue that causes conflicts between local authorities when they try to expand their boundaries. In Tanzania, land acquisition and compensation for the acquired land or properties are provided for in the Constitution of 1977, the Land Act of 1999 and the Physical Planning Act of 2007 (Kombe, 2010). However, despite the explicitness of these statutory instruments, fair and prompt compensation before land is acquired is a bigger problem and the process can delay up to five years (Kombe, 2010). The issue of compensation is complicated by the misuse of the public interest concept to justify land acquisition. Public agencies that acquire land usually justify their actions as meant to advance the interests of the public through construction of public infrastructure, commercial centres and new urban areas (Phuc *et al.*, 2015). With this view, they disregard the concerns of the communal land occupiers and regard compensation issues as meant to stifle development. Kombe (2010) recommended mandatory provision of alternative land for resettlement and fair and prompt compensation as the bedrock of conflict free land acquisition.

Effective communication and participation of the affected land occupiers is one aspect that has been cited by many authors as key in countering conflicts between local authorities and the land occupiers. In Dar es Salaam (Tanzania), poor communication and non-involvement of the affected people has been cited as a major cause of conflict in land acquisition for urban expansion (Kombe, 2010). Because sitting land occupiers are not directly represented in crucial decision-making processes linked to land acquisition, land conflicts have arisen in Dar es Salam, resulting in protracted disputes between public authorities and sitting land occupiers (Kombe, 2010). In most cases participation by land occupiers is passive and where they attend meetings; their roles are limited to listening to announcements without being given the latitude to negotiate (Phuc *et al.*, 2015). According to FAO (2009), conflicts in land acquisition for development projects or urban expansion usually emanate from the exercise of legitimate power by government without taking due cognizance for the process hence resulting in the exercise becoming unfair.

Where the land acquisition process is participatory and inclusive, FAO (2009) recommended that it must religiously follow certain statutory procedures including proper planning and assessment of the impact of the proposed land acquisition project to the affected people and looking for alternative solutions, publicity, valuation of properties in the areas earmarked for acquisition, payment of compensation, giving a chance to appeals and restitution.

Poor governance in land administration is another major cause for conflicts in land acquisition (Kombe, 2010). Governance issues in land administration and management that give rise to conflicts include dysfunctional land management and problematic governance institutions, including a lack of transparency in land acquisition, weak structures for checking land grabbing and exclusion of the disadvantaged (Kombe, 2010). Issues of corruption, nepotism and unregulated informal land acquisition also contribute to conflicts in communal land acquisition for urban expansion (Wehrmann, 2008). Legislative reforms that promote effective participation by communal land occupants are important to minimise conflicts (Kombe, 2020).

Legal pluralism is one of the major causes of conflicts in land in most African countries (Knight, 2010). Legal pluralism refers to the existence of two or more separate legal systems working alongside each other to deciding community matters (Knight, 2010). The existence of formal and customary legal systems working alongside each other is leading persistent conflicts and lawlessness as each legal system is assuming supremacy over another (Knight, 2010). For instance, in most African countries that were once colonised by the European countries, there are too many conflicting Acts and policies on land. In this case Nkamae (2006) observed that the Tribal Land Act and regulations in Botswana, the Communal Rights Act in South Africa and the National land Policy in Malawi are examples of Acts and regulations contributing to disputes between traditional leaders and local authorities. These Acts and regulations give powers to communal landowners while at the same time in urban centres other Acts like this are in use.

Past studies also indicate that capacity constraints to implement planned developments usually results in long term land acquisition problems (Nkmae, 2006). For instance, peri-urban settlements around the city of Gaborone (Botswana) were declared planning areas in the mid-1980s but capacity constraints resulted in the lack of monitoring and enforcement of development covenants and laws such that most construction in peri-urban areas took place without planning permission (Nkmae, 2006). This scenario thus, causes problems in trying to displace the illegal developers. Further capacity challenges results in lack of

clear, transparent and predictable strategies in land acquisition. While studying land acquisition conflicts in Dar es Salaam, Kombe (2010) concluded that a clear and transparent land development framework is important to avoid conflicts between governments and communal landowners.

In many countries across the globe, the legality to acquire land for urban expansion is enshrined in National Constitutions and some subsidiary Acts that are named differently from country to country. The provisions contained in these various legal frameworks vary depending on the history of the nation in question and its social and ethnic status. In general, the legal frameworks address issues to do with landownership, the process for land acquisition, responsibilities of various parties involved and compensation issues.

In the republic of China, the National Constitution of 1982 provides that rural land is collectively owned, and the land can be acquired for urban expansion and development projects (Asiama, 2015). The actual process of rural land acquisition and resettlement in China is guided by the Land Administration Act. The process of acquisition of rural land for urban planning and development in China as enshrined in Land Administration Law involves application by the acquiring authority to government seeking approval, approval of the application after consideration of the value of the intended use versus its current use, publication of requisition, presentation of certificates by land occupants to register for compensation, assessment of the compensation by the acquiring body, publication of the compensation plans by the acquiring body as a way of soliciting opinions and setting of the standard for compensation by the government (Asiama, 2015). Final acquisition and resettlement is done after the above steps are religiously adhered to.

The United States of America (USA) has a provision for land acquisition in its National Constitution that is contained in its Fifth and Fourteenth Amendment of the Constitution. The constitution provides that no person shall be deprived of life, liberty or property without just compensation and without due process of law (Asiama, 2015). The process of land acquisition in the United States of America is conducted either by the state or local government and they are guided by the Eminent Domain Law together with the national Constitution.

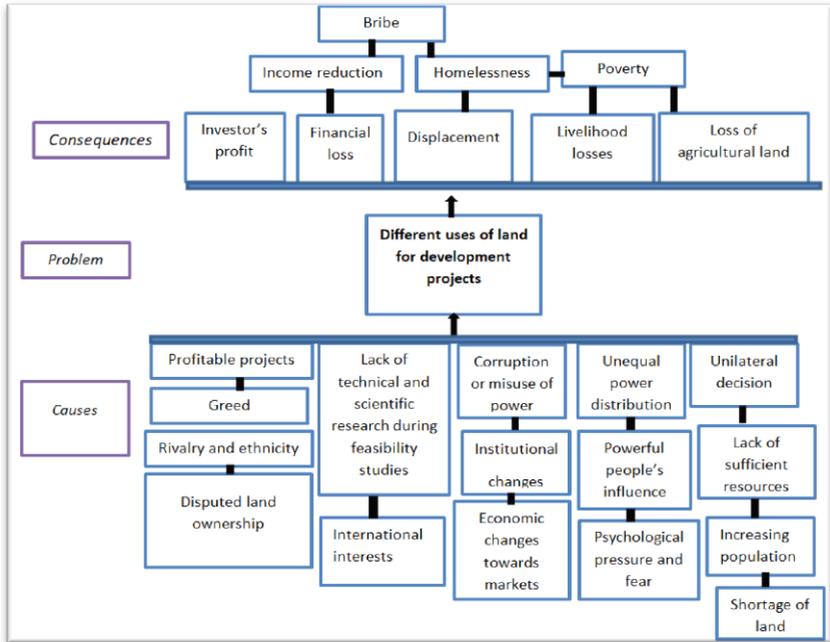
In most African countries, rural land is owned by the state and where local authorities require it for urban expansion an application is made to the central government. Like other developed countries such as China and United States of America, land Acquisition in Tanzania is provided for in her national constitution

and the constitution clearly address the need to adhere to due process and payment of just compensation. Tanzanian Land Acquisition Act of 1967 is the principal Act that governs land acquisition (Kombe, 2010). The Act stipulate four key stages that are followed in the acquisition process that are planning and decision to acquire land, getting statutory authority and serving notices, field investigation and valuation and payment of compensation (Kombe, 2010). The instruments used in the process of land acquisition in Tanzania are usually negotiation and persuasion, legalised force and compulsory acquisition.

In Rwanda, it is only the state that is vested with the powers to effect land acquisition. The Rwandan national constitution provides that the right to property shall not be interfered with except where the property is required for public interest in which case the state can acquire it. The state put more importance to the public interest and as such activities that constitute public interest and that can guarantee land acquisition are listed in its principal law that guide land administration that is the Law Relating to Expropriation of 2007 (Kombe, 2010). The main steps that are followed in land acquisition as provided by the Act are initiation of the land acquisition process by the District executive, notification of the intention to acquire land to land occupants, sending of the land acquisition proposal to Lands commission, appraisal and approval of the proposal by the land commission, the Land commission make consultations with the land occupants, publication of the proposal, compensation and relocation (Kombe, 2010).

In conclusion, there exist laws and regulations in most countries both developed and developing that address land acquisition issues. The most common feature of all the legal set ups in all these countries is the fact that land acquisition issues are contained in National Constitutions and there are also Acts of parliament that provides guidelines on how the land acquisition process should be conducted. The issues addressed in these legal frameworks are also common. These include the need to respect the rights of the expropriated parties, the need to consult extensively in the process, the need to follow due process and the need to compensate the expropriated parties satisfactorily.

Several consequences result from conflicts emanating from acquisition of communal land for urban expansion. Some of the effects of these conflicts include poverty, profit and financial losses, homelessness, loss of agricultural land and a serious disturbance to livelihood activities (Magsi, 2014). Figure six below presents a conflict tree diagram illustrating the causes and consequences of conflicts in acquisition of land for urban expansion.



**Figure 2.4:** Conflict Tree Diagram Showing causes and effects of land conflicts to socio-economic development (*Adopted from Magsi, 2014:63*)

As illustrated on Figure 6 above, several factors result in demand for acquisition of rural land. These include development projects and general shortage of land for urban expansion. The process of acquisition of land will result in conflicts and the conflicts affect the society and economic activities in various ways. These conflicts are further explained below.

Conflicts in the process of acquisition of rural land for urban expansion can affect socio-economic development of an area by affecting the profits of companies and by creating financial losses to investors. Companies may be forced to engage courts to dispel communal land occupants on 'acquired' land resulting in more costs and financial losses. Conflicts can also affect the ability of companies to expand their operations, or they may be forced to cut down operations. For instance, Saruji Corporation that was a cement production company in Msikitini and Chasimba in Dar as Salam was forced to consider cutting its supply of cement after incessant conflicts with rural land occupants (Kombe, 2010).

Studies in several countries have brought out that conflicts in the process of acquisition of rural land for urban expansion are contributing to a greater extent, to retardation of development through delay or cancellation of development projects or limiting expansion of urban centres. A recent study by Chigbu & Ansah (2020) has discovered that the Trede district of Ghana has lost investment projects because of land disputes. The district lacks basic amenities and economic activities such as hospitals, tertiary schools and industrial areas because each time potential investors come, the land earmarked for such developments is under cultivation (Chigbu & Ansah, 2020).

Conflicts resulting from contestations in acquisition of communal land for urban expansion also affect the livelihoods of the rural occupants through diminution of agricultural land and disturbance of similar livelihood activities such as animal rearing and fishing (Ravanera & Gorah, 2011). For instance, the residents of Lubhu and Lele in India were left poor and their livelihoods seriously affected by conflicts. Contestations in acquisition of communal land for urban expansion results in strained relationship in society and disturbs peace and tranquillity. In several rural peri-urban areas where local authorities are in conflicts with the rural occupants for land, the rural occupants have a general resentment for the local authority and this in most cases triggers violence in such areas. The worst-case scenario occurs where there is a deadlock in land acquisition resulting in litigation. For instance, in Kalinga Nagar (India), police opened fire at protesters who were opposing a mining project in the area and in the process fourteen men and women were killed (Ravanera & Gorah, 2011). Conflicts of this extent affect the social and economic life of the rural land occupants and results in abject poverty to the affected people and general underdevelopment to the affected area.

There are many planning strategies that can be adopted by local authorities to address the contestations relating to urban expansion into rural areas. Most of the strategies however require a paradigm shift by central governments and local authorities since they require legal and institutional changes and new skills set through human capital building. Some of the strategies include introduction of an urban expansion system that incorporate peri-urban land rights and livelihood issues, introduction of participatory and inclusive land development tools, embracing regularization, improvement of the land administration institutional framework and institutional capacity building of the local planning authorities (Adam, 2014; Chigbu *et al.*, 2020).

One of the strategies that can be adopted to address contestations relating to urban expansion into rural areas is incorporation of peri-urban land rights and livelihood issues in the process of land acquisition for urban development. This approach is also known as tenure responsive lands use planning (Adam, 2014). Studies in both the developed and the developing world have discovered that contestations relating to urban expansion into rural areas usually emanate from non –recognition and non-incorporation of land rights and livelihood issues in the process of land acquisition. Adopting a land use planning approach that integrate all forms of land rights allows for participatory planning, incorporates tenure security and provides security from unwarranted disposition and reduce the occurrence of land disputes (Adam, 2014). This approach also helps to avoid monolithic planning where land uses are skewed towards residential and commercial uses only; but instead incorporate also agricultural activities (Adam, 2014; Chigbu *et al.*, 2020). Moreover, a paradigm shift from consideration of only physical issues such as land use, housing supply and urban infrastructure in urban development policy-making and planning would see policy-makers giving priority to livelihood issues and hence reduce contestations (Adam, 2014).

Experiences from countries such as Ghana, Ethiopia and Tanzania have brought out that land acquisition and peri-urban development process are onerous and top down and hence they are marred with a lot of conflicts. To circumvent the status quo, participatory and inclusive development tools are encouraged. Some of the participatory land development tools that can be used are land readjustment and legal mechanisms that allows for the automatic conversion of peri-urban/ customary land rights into urban (Adam, 2014).

Land readjustment is a concept that refers to land acquisition and reallocation techniques based on voluntary participation and contribution of land by local peri-urban landholders (Adam, 2014). Land readjustment paves way for a win-win situation in which planning authorities can acquire land without using its power of eminent domain(expropriation), and landowners can remain in situ and enjoy better living conditions (World Bank, undated). This approach has the capacity to accommodate the interests of various actors who have a stake in peri-urban development.

This is another participatory land development tool that can be used to acquire land with minimal conflict. This approach should be guided by the development of a policy and legal mechanism that allows for automatic conversion of peri-urban or rural land rights into urban land rights when peri-urban territory within a rural jurisdiction is planned for inclusion into urban jurisdiction (Adam, 2014).

Regularisation is another land development tool that can be considered as a strategy to address contestations relating to urban expansion into rural areas. Regularisation, also expressed as legalisation entails recognising and legalising informally built settlements in the process of urban development. Informal settlements are usually developed in urban fringes and they should pose a challenge when the planning authorities expand their boundaries. Embracing the regularisation strategy thus, implies that planning authorities must move away from their hostile attitude in which they consider demolition as a solution and move towards the view that informal settlements are caused by the inefficiency and inadequacy of the formal and delivery system (Chigbu *et al.*, 2020). Such a mind-set shift by planning authorities will result in minimal conflicts in urban expansion into rural areas.

Capacity building is another effective strategy that can be used to address the contestations relating to urban expansion into rural areas. A recent study in Ghana by Chigbu *et al.* (2020) indicates that due to lack of financial, human resources and logistical constraints, state planning institutions are not pro-active enough to plan rural areas. Planning in most cases occurs after an area might have been fully transformed into peri-urban or urban town. Capacitating local authorities with adequate resources will thus, enable them to initiate land use planning in rural areas before traditional authorities take over and manage them in their own interest (Chigbu *et al.*, 2020). Capacity building also entails educating and training planning authorities on how they can integrate social norms with legal regulation in the planning peri-urban areas (Chigbu *et al.*, 2014).

Two case studies detailing contestation in acquisition of communal land in Ghana and Tanzania are presented. These cases outline the causes and effects of contestations in land acquisition in the Trede district of Ghana and Masiki and Chasimba villages in Ghana.

#### **CASE STUDY 1: CAUSES AND EFFECTS OF CONTESTATIONS IN LAND ACQUISITION TO SOCIO-ECONOMIC DEVELOPMENT**

The Trede district of Ghana has lost investment projects because of land disputes. It was found that, in 2008, the government was considering siting the Atwima Kwanwoma district capital in Trede but, due to on-going chieftaincy and land disputes cases, such decision could not materialize. It is currently the area council for the district. One sub-chief commented;

*“We deserved to have the district capital in our town because Trede is big and more developed than the other towns in the District. However, matters of disagreements related to chieftaincy and land made us lose this great opportunity (Chigbu and Ansa (2020).”*

Trede currently has one clinic, and the proposed hospital has been pending for years and families whose lands were acquired for the project are disputing over the land since they were not compensated in any form either by money or alternative land. One sub-chief commented that;

*“...any time these investors come to inspect the land they find people cultivating on the land.”*

Findings by Chigbu & Ansah (2020) show that land dispute adversely affected physical, social, and economic developments of Trede.

### **2.7.2 CASE STUDY 2: CHALLENGES IN LAND ACQUISITION FOR INDUSTRIAL USE AT MSIKITINI AND CHASIMBA (DAR ES SALAM) (ADOPTED FROM KOMBE, 2010)**

Msikitini and Chasimba are 20 kilometres north of Tanzania’s Dar es Salaam metropolis (Kombe, 2010). These two settlements started to experience meaningful developments around 1980s. They had around 4000 people in the year 2010 (Kombe, 2010) who were settling as communal landowners. The laws that govern communal land in Tanzania does not give ownership to communal landowners but vests the powers of landownership in the hands of the state (Land Ordinance cap 113 of 1923). The land conflict in these two settlements started in 1993 when Saruji Corporation, that was a public institution that was operating a cement factory nearby, had a need to expand its operations and thereby increasing its land size. The area on that Msikitini and Chasimba settlements were located was designated for industrial development according to City of Dar es salaam Master Plan of 1979. Saruji Corporation with the assistance of local leadership negotiated with the settlers at Msikitini and Chasimba and compensated them for buildings but excluding the land. However, the residents of these two settlements refused to relocate from their homes. The major factors they cited for refusing to be relocated were the fact that they were not involved in the process of determination of compensation and the compensation was pittance and unfair and their acceptance of the monetary compensation was by means of being cajoled by their local leaders. The residents of Msikitini and Chasimba appealed to court, but they lost the case and Saruji Corporation was given the right to the land and sought support from riot police to forcefully evict the residents. The people resisted and the conflict escalated into a war and in May 2007, a group of women from Msikiti and Chasimba organised at protest at State House in Dar es Salaam. In December 2007, a new court order was given that directed the land occupiers to continue occupying the land until their new appeal was determined. The Saruji Corporation however threatened to cut its supply of cement if the case was not determined in their favour. Experts and key informants who followed up the events of Msikitini and Chasimba concluded that the conflicts emanated from the fact that Saruji Corporation did not comply with

the provision of the Tanzanian Land Acquisition Act of 1967. The Act obliges public institutions and entities that acquires land to pay fair, full and prompt compensation to the land occupants. Good governance was therefore not adhered to.

### **CASE STUDY 3: LAND ACQUISITION IN THE REPUBLIC OF CHINA**

Land acquisition in China is provided for in Article 10 of the Chinese Constitution. The constitution provides that all lands belong to the public, urban land and natural resources are owned by the state while rural land is collectively owned. Compulsory acquisition only applies to rural land since urban land is state owned and the acquisition and resettlement process is guided by the Land Administration Laws. The process involves a series of application and approval by various government departments. These include the State Council, the Local Body of Central Government and the Land Administration Department. The procedure involves the following steps:

- Application by the acquiring authority to government (State council and Local Body of Central Government if the land size is small and large respectively) seeking approval,
- Approval of the application after consideration of the value of the intended use versus its current use,
- Publication of requisition, presentation of certificates by land occupants to register for compensation,
- Assessment of the compensation by the acquiring body,
- Publication of the compensation plans by the acquiring body as a way of soliciting opinions and setting of the standard for compensation by the government,
- Payment of compensation,
- Change of ownership and takeover of property.

*Source: Aslama (2015).*

This chapter reviewed literature relating to contestations in acquisition of communal land for urban development. The literature is based on studies conducted in both developed and developing countries on experiences in these countries and the strategies implemented to promote urban development. The section lays down the conceptual framework, the theoretical framework and the key themes that are in line with the objectives that are the causes of the contestations in acquisition of rural land for urban expansion, the effects of the contestations to socio-economic development, the legal frameworks governing land acquisition in peri-urban communal area, the strategies that can be

implemented to address the conflicts relating to acquisition of rural land and some cases studies.

Several studies reviewed have brought out that the main theoretical perspectives that explain the expansion of urban centres that can lead to the need to acquire more land is because of population growth, economic development and political decision. The literature has brought out that prompt and just compensation, participation and involvement of the affected families and legal pluralism are the key factors that causes the peri-urban dwellers to resist efforts by local authorities to acquire that land. In cases where local authorities do not prioritise compensation and relocation of the affected people to alternative land, conflicts are usually rife, and the contestation prolongs. The literature has also brought out that local authorities and governments usually ignore compensation in the belief that their efforts are meant to benefit the public (public interest) and the whole community benefits from the development. This misconception of the public interest concept is a great cause of conflicts between public authorities and peri-urban rural dwellers. Issues of participation and involvement of the affected families are key from the initiation of the land acquisition process up to the compensation and relocation stage. Where active participation is not considered, resistance by communal land dwellers became imminent and land acquisition usually will not be achieved easily.

The second thematic issue discussed in the literature review section based on experiences of other countries and the effects of the contestations in land acquisition to socio-economic development. The literature has clearly brought out those conflicts in land acquisition for urban expansion is a cause of concern globally and has far reaching repercussions to socio-economic developments. Firstly, the conflicts affect the local authorities' development agenda. It was clearly brought out in the literature that the conflicts, delays social and economic infrastructure developments, affect profitability of business, frustrates investors and lead to cancellation of proposed mega projects. On the other hand, the conflicts also affect the livelihood of the peri-urban dwellers. It is revealed that Local authorities' intention to acquire land for urban expansion affects productivity on the land and lead to poverty and joblessness to the affected people. The continued conflict is thus, counterproductive.

The literature also reviewed the legal frameworks of other contexts pertaining to acquisition of communal land for urban expansion. In many countries, issues of land acquisition for urban expansion are provided for in the national Constitutions and some subsidiary Acts of parliament. In most countries,

communal land is state- owned and it can be acquired for urban expansion. Compensation, relocation, participation by the affected people and adherence to lay-down procedures with the affected families given a chance for restitution are the key issues addressed in the legal frameworks.

On the strategies to address the conflicts in land acquisition for urban expansion, there is a general concurrence by several authors that there is need to incorporate land rights and livelihood issues in land acquisition, regularisation of informal peri-urban developments, embracing of participatory peri-urban development strategies such as land adjustment and capacity development for the local planning authorities. Implementation of these strategies can address the main factors that cause the communal land occupants to resist expropriation and thus, leading to a harmonious land acquisition and development process.

This chapter has reviewed the critical literature relating to contestations surrounding communal land for urban expansion. It has covered the causes of conflicts between local authorities and communal land occupiers while local authorities try to expand their boundaries, among them, poor governance, unfair and delayed compensation, legal pluralism and lack of effective consultation in the process of land acquisition. The chapter has also reviewed the legal instruments that guides land acquisition for urban expansion in other countries. The review of legal framework was meant to establish whether the causes of the conflicts in land acquisition for urban expansion are a result of weak or conflicting legal framework or not. This chapter also touched on the effects of conflicts in land acquisition to urban growth and socio-economic development. The chapter has clearly revealed the experiences of other countries on the effects of conflicts in communal land acquisition that include delays in projects take off and implementation, limited infrastructure development, cancellation of development projects and poverty and underdevelopment in the affected regions. The next chapter presents the research methodology and design for the research.

## CHAPTER 3 Study Design and Methodology

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This chapter examines the research paradigm, research design, target population and research sampling methods and techniques that were used in studying the contestations in urban expansion into rural land. It also examined the key data collection methods and the data analysis procedures that were used in the study. Further, it also analysed ethical considerations and the limitations of the study and the strategies that were implemented to circumvent the same.

A study paradigm is a researcher's worldview or the perspective, thinking or school of thought or a set of shared beliefs that informs the meaning and interpretation of data and which informs the methodological paradigm which he or she employs in the inquiry (Kivunja & Kiyini, 2017; Kamal, 2019). A study paradigm is the lens through that the researcher examines the research project and that will determine the methods used in data collection, how data is analysed, how the researcher defines knowledge and the best way to acquire the knowledge (Kivunja & Kiyini, 2017).

This study was hinged upon the pragmatism research philosophy/ paradigm. This paradigm is a departure from a mono-paradigmatic approach to research in which a study is based on positivism or interpretivism only. This worldview provides methods of research that are seen to be most appropriate for studying the phenomena at hand (Kivunja and Kiyini, 2019). This paradigm is based on the proposition that researchers should use the methodological approach that works best for their research problem that is being investigated and hence it embraces plurality of methods in a study (Kaushik & Walsh, 2019.) In other words, the pragmatism approach advocates for the use of methods that works better depending on the situation under study and thus, the choice of mixed methods to come up with a better understanding of the research problem.

The pragmatism research paradigm assumes that knowledge is based on experience and each person's knowledge is unique as it is created by his or her unique experience (Kaushik & Walsh, 2019). This study paradigm advocates a relational epistemology, non-singular reality ontology, a mixed methods methodology and a value laden axiology (Kivunja & Kiyini, 2019). This study paradigm was thus, of paramount importance to this study as it allowed the researcher to get realistic information by applying appropriate methods that suits the situation at hand.

This study was based on a mixed approach, that is, it embraced both qualitative and quantitative research methods. The use of both methods enabled the researcher to gather valuable, realistic and representative information about the causes and effects of contestations in urban expansion into communal lands of Guruve Growth Point. The mixed paradigm approach is in line with Figurehosa (2009)'s sentiments who argued that the mixed paradigm demands that in science, researchers should endeavour to utilise multiple methods that have complementary strengths and non-overlapping weaknesses to ensure valid information is obtained. Qualitative methods were used in establishing the views and opinions of experts and practitioners at Guruve Rural District Council, local traditional leaders, the District Development Coordinator and Ministry of Lands officials and the communal land holders. In using the qualitative approach, key informant interviews, surveys and interviews shall be used. Quantitative research is a study that employs statistical tools to analyse numerical data. They ask who, what, when, where, how many, and how much, among other things (Kivunja & Kiyini, 2017). This approach was used in establishing the effects of the contestations in urban expansion into communal lands by establishing the number of stands that were developed versus those that could have been developed, the number of families who have been affected and relocated and the number who have been compensated.

The researcher used a case study approach in carrying out this study. Guruve Growth Point was scrutinized describing and explaining the circumstances surrounding the contestations in acquisition of communal land for urban expansion. The use of a case study research design enabled the researcher to get valuable and detailed information since the approach enabled the researcher to thoroughly study the problem focusing on the circumstances taking place in a single area. Mugweni *et al.* (2010) supported the use of a case study research design as he asserts that it enables one to use the multimodal approach in research (triangulation) as it promotes the interrogation of the unit of analysis through content analysis, observation, focus group discussion, interviews and archival data.

The population for this study included rural households occupying the land earmarked for Guruve Growth Point expansion, Council officials, traditional leaders and officials from Ministry of Lands, Agriculture, Water and Rural Resettlement and the District Development Coordinator's office. The selection of the population was since the above are the main parties who are involved in the land contestations. The Ministry of Lands officials are the custodians of the communal land since their Ministry is responsible for administering the

Communal Lands Act, the District Development Coordinator's office comes into play as the office representing the Ministry of Local Government and Public Works, to that the local authority (Council) is accountable and deals with concerning land acquisition issues. The officials of the local authority come directly into conflict with the rural households as they are acquiring land and implementing Council development plans. Thus, the involvement of all these parties will help in the examination and analysis of the problem at hand.

The researcher used purposive or judgmental sampling to select the key interviewees for the study. Purposive or judgmental sampling is a technique of sampling in which the researcher selects the instances to be included in the sample by his discretion and depends on the researcher's experience (Kumar, 1989). Key informant interviews involve interviewing a select group of individuals who are likely to provide needed information, ideas, and insights on a particular subject (Kumar, 1989). Ten key informants who include two traditional leaders, one local Councillor, 3 officials from Guruve Rural District Council, the District Development Coordinator, the District Land Officer and former Chief Executive Officer for Guruve Rural District Council were purposively sampled for interviews.

The researcher used probability sampling to select adult respondents from rural households. The target population of the research rural households communal land surrounding Guruve Growth Point. The selection of the sample size determines to a greater extent the reliability and accuracy of the outcome of the research (Asiama, 2015). In determining the sample size for the study, the researcher used the Alain Bouchard sampling formula. The researcher found this formula to be much useful since it was used by Asiama (2015) in a study with population characteristics and data collection tools more like this study. The Alain Bouchard sampling formula was used as shown below:

$$\text{Sample Size } (n) = \frac{(Z\alpha/2)^2 * p(1-p) * N}{[(E^2)*N] + [(Z\alpha/2)^2 * p(1-p)]}$$

Where: N =Population size (600 households for this study)

p=the estimated frequency for the sample size n (proportion of success 50% in this study)

E=Tolerable error (10% in this study)

$Z_{\alpha/2}$ =Value for the confidence interval according to the precision required (1.96 or 90% for this study).

Therefore, the sample size for the study is 62 households. Proportional stratified random sampling was used from the list of households in the communities Nhemachena and Chimanikire and Musokeri and structured questionnaires with both close-ended and open-ended questionnaires shall be administered.

The researcher used purposive and snowball sampling techniques that are variants of the non-probability approach in selecting participants for focus group discussions. Participants for the focus group discussions were chosen using the purposive selection technique. Two focus group discussions were held. The first one was held at Guruve Hotel and it consisted of three village heads and the local councillor while the second one was held at Chimanikire Primary School and it consisted of six rural land occupants. The composition of the focus group discussions was meant to get wider views from discussions with both local traditional leadership and the rural households. The numbers were however limited due to COVID-19 regulations.

A questionnaire survey is one of the primary data collection techniques that was used in the study. Questionnaire surveys are used in collecting data to determine a general trend in people's opinions, experiences and behaviour and are useful to find small amounts of information from a wider selection of people in the hope of making a general claim (Driscoll, 2011). The researcher administered questionnaire survey on rural households inhabiting communal land bordering Guruve growth point. The questionnaire survey focused on soliciting the rural households' opinions, feelings and preferences regarding alienation of their land by the Rural District Council for the purpose of expanding Guruve growth point. In the questionnaire, emphasis was on the causes of the contestation in the process of land acquisition by the local authority and their suggestions on how the local authority can expand its boundaries without their resistance.

Another data collection method that was used by the researcher is focus group discussion. The researcher gathered two groups of participants, the first one consisting of 3 traditional leaders and the local councillor and the second one consisting of six rural land occupants. Focus group discussions were important to this study because they helped to validate the data from questionnaires and key informant interviews and to give detailed formation about the on-going contestations in acquisition of communal land for urbanisation (Adam, 2014).

Key informants are individuals who possess special knowledge, status or communication skills, that are willing to share their knowledge, and skills with the researcher and who have access to perspectives or observations that the researcher might not have accessed easily (Muzeza, 2014). Key informant interviews were held with the District Development Coordinator (DDC) of Guruve District, the Chief Executive Officer of Guruve Rural District Council, the former Chief Executive Officer of Guruve Rural District Council and two officials from the Department of Spatial Planning. The key questions that were asked in the key informant interviews were related to the interviewees' perception towards the causes of the conflicts in acquisition of communal land for urban expansion, the adequacy of the existing legal framework in Zimbabwe in providing guideline in acquisition of communal land and the strategies that can be implemented to ensure a conflict free land acquisition process. This is another primary data technique that was used by the researcher. Direct field observation and field visits shall be conducted to the areas that are in conflicts with the local authority as it is trying to expand its boundaries. Photographs of agricultural activities currently being conducted shall be taken.

This study also involved extensive reading of already existing information. The secondary data that was collected include information on the number of families that were previously affected by urban expansion, information on relocation and compensation modalities for the affected people and information on procedures followed in the previous relocation efforts. Moreover, the researcher reviewed the legal instruments that guide land acquisition and urban expansion in Zimbabwe. In addition to that the researcher did an analysis of how the contestations have affected physical developments in Guruve Growth Point by analysing the deployments on maps on areas with conflicts and comparing them with those on areas that did not have conflicts.

Data analysis was defined by LeCompte & Schensul in Kulich (2004) as the process used by a researcher to reduce data to a story and its interpretation. The data analysis process involves organisation of data, summarisation and categorisation of data and identification of patterns and links within the data (Kawulich, 2004). The researcher analysed qualitative primary data using the interpretative or the hermeneutics approach. Hermeneutics approach involves continually interpreting the words and texts to understand their meaning and their directives (Kawulich, 2004). The researcher formulated themes from the data coded from questionnaire surveys, key informant interviews and focus group discussions to interpret the meaning of the findings in line with the literature and the study

objectives. Quantitative data shall be analysed by means of Microsoft Excel and using this software, tables, graphs and pie charts are going to be plotted.

The researcher used the content analysis approach to analyse secondary data. Content analysis is a data analysis tool used to make inferences by interpreting and coding textual material from existing documents and publications (Philipp, 2014). The researcher used content analysis tool to analyse the legal statutes that govern acquisition of land for urban expansion in Zimbabwe, the maps and photographs about the developments taking place at Guruve Growth Point and documents and publications on strategies that can be employed to address the contestations for land acquisition for urban expansion.

The researcher ensured that the results of the study are useful and valid and meet all the main types of validity that are content validity, external validity, internal validity and utility validity. Validity is about the degree of truthfulness of the study (Mahajan, 2017).

Content validity is a type of validity in which different elements, skills and behaviours are adequately and effectively measured (Mohammad, 2013). To improve content validity, research instruments should be scrutinised to see whether they are adequate to answer the research problem. The researcher engaged experts in the field under study to review the research instruments and the data obtained from surveys. Based on the reviewers' comments, the unclear and obscure questions were revised and the complex items reworded. Ineffective and non-functioning questions is discarded, and the questions can be face validated by these experts (Mohammad, 2013).

Internal Validity is concerned with the congruence of the research findings with the reality (Mohammad, 2013). It deals with the degree to that the researcher observes and measures what is supposed to be measured. The researcher ensured internal validity through triangulation, peer examination of research tools, adopting participatory modes of research and working to minimise researcher's bias. Triangulation strengthens the validity of data findings as the researcher uses several sources other than surveys alone to collect data. Peer examination improves validity of survey as it allows nonparticipants to comment and review the research tools and research findings. Member checks allowed research participants to confirm and validate the results and the interpretations. This provides the participants room to correct biases and to validate the results (Mohammad, 2013).

By working to improve content validity and internal validity, the researcher ensured that the study met the utility validity and external validity criterion. Utility validity is the degree of usefulness of the study findings to administrators, managers and other stakeholders (Lynch, 1996). Utility validity intends to inquire whether the research works and generates enough information for the decision-makers regarding the effectiveness and appropriateness of the research findings while external validity is concerned with the applicability of the research findings in other settings or with other objects (Mohammad, 2013). Thus, when the content of the study is valid and internal validity is achieved, the results of the study can have utility to stakeholders and be applicable and generalised in other contexts.

Reliability deals with the consistency, dependability and reliability of the results obtained from the research (Mohammad, 2013). The researcher used five techniques to improve the reliability of the research results. These are audit trial, triangulation and investigator's position, pilot testing and advance notification (Guba & Mirriam in Mohammad, 2013). These three techniques addressed both aspects of reliability that is internal and external reliability. Investigator's position technique entails that to increase reliability of the research; the investigator should clearly explain the different processes and the phases of the research including the rationale of the study, design of the study and the subjects. This enabled the researcher to obtain truthful information and enhance participation and henceforth response rate. Triangulation, that is the use of other data collection tools such as observation and focus group discussion in addition to surveys increases reliability as it also increases validity of the findings. Audit trial technique ensured that the researcher describes in detail and clearly the research processes including how data is to be collected, analysed and how different themes are to be derived. This will help in replication of the research and thus, contribute to its external reliability.

In addition to the above three techniques, the researcher pilot tested the questionnaires and key informant and interview questions. This helped to improve reliability of the results to be obtained as errors is corrected before the actual research is carried out. Lastly, the researcher gave advance notices to research participants so that they prepare for the interviews and focus group discussions. This helped to ensure that the researcher obtains reliable responses. The researcher took into cognisance many ethical principles in upholding participants' rights. The first principle that was observed is the voluntary participation of the participants. The researcher made it clear to the participants that their participation is voluntary that they have freedom to withdraw from the study at

any time without any unfavourable consequences and that they are not harmed because of their participation or non-participation (Bhattacharjee, 2012). Thus, the researcher ensured that all participants in the questionnaire surveys, focus group discussions and key informant interviews participant by their own consent and voluntarily.

The other principle that was observed in carrying out this study is anonymity and confidentiality. To protect the image of respondents, actual names of the respondents shall not be written in data presentation. This was done so that so that the research report will not identify a given response with a specific respondent (Bhattacharjee, 2012).

Moreover, another principle that was considered by the researcher is the disclosure of the aim of the research, its outcomes and beneficiaries. This is in line with the sentiments echoed by Bhattacharjee (2012) who said that researchers have an obligation to provide some information about their study to potential subjects before data collection to help them decide whether they wish to participate in the study. The researcher ensured that all research participants, that is communal land occupants and key informants were aware of the purpose and possible outcomes of the research before data was collected.

The researcher also observed the World Health Organisation and Ministry of Health and Child Care COVID-19 prevention guidelines while conducting the research. These guidelines included maintaining of social distances during interviews and focus group discussions and limiting the number of people gathering for discussions and wearing face masks and frequent use of hand sanitizers. This was done so as not to jeopardize the health of the research participants.

The COVID-19 pandemic is one factor that affected the outcome of this study. The prevailing COVID-19 and lockdown regulations resulted in strict travel bans and limitations on gatherings. Most of the targeted respondents in the study area did not own electronic gadgets such as smart cellphones and laptops that would enable the researcher to administer questionnaires electronically. The researcher had to conduct door to door visits and to seek the assistance of traditional leaders to administer the questionnaires to ensure that the response rate is high.

Moreover, lack of interest to participate in the research is another challenge that was encountered by the researcher. Since the contestation between Council and communal land occupants is a very sensitive issue, some respondents were

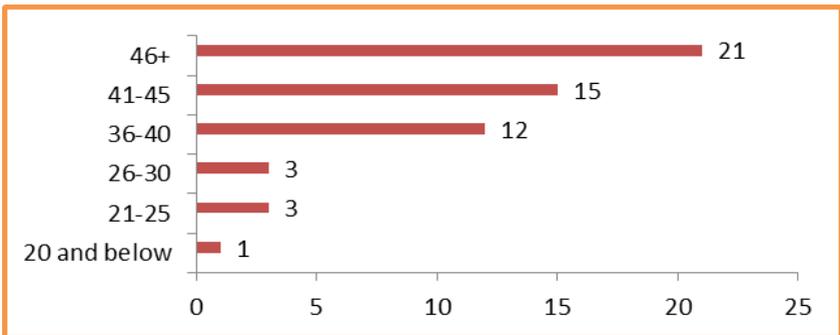
sceptical to participate. The researcher had to seek the buy in of local leadership and to ensure that the purpose of the study is well explained to the respondents. Time is another factor that limited the outcome of this study. The researcher was working with limited time and among various commitments. Thus, the researcher used a sample instead of administering questionnaires to the whole population and some few individuals is invited for focus group discussions. The views and opinions of the selected sample is generalized to the whole population.

The research used a mixed paradigm approach that is both the qualitative and quantitative research paradigms. The study design is a case study and both primary and secondary data collection methods shall be used. The researcher shall use the hermeneutics approach in analysing data and graphs and bar charts to present analyse quantitative data. Anonymity, confidentiality, disclosure of the aim, outcome and beneficiaries of the research and voluntary participation are key ethical considerations that are going to be observed.

## CHAPTER 4: Data and Facts from Guruve District

This chapter presents and analyses the data that the researcher has collected through surveys, interviews, focus group discussions, key informant interviews and reviewing of existing literature. The data presented is sync with the main objectives of this study, that are to study the causes of contestations in acquisition of rural land for urban expansion, reviewing of the legal framework that governs acquisition of rural land for urban expansion, effects of contestations in acquisition of rural land to socio-economic development and strategies to address the contestations and to ensure a smooth urban expansion. The data is presented in the form of headings and subheadings that were crafted in line with main thematic issues that arose during data collection. Tables, bar graphs and pie charts were used in the presentation and analysis of data and in comparing the findings to the literature.

The researcher administered sixty-two (62) questionnaires and fifty-five (55) were completed and returned giving a response rate of 88.7 percent. The largest number of people who constituted the sample was mainly the elderly of above forty-six years who were twenty-one in this sample. There was only one youths of below twenty years while those youths of 20-30 years were only six. The middle-aged groups of 36-40 years were only twelve.

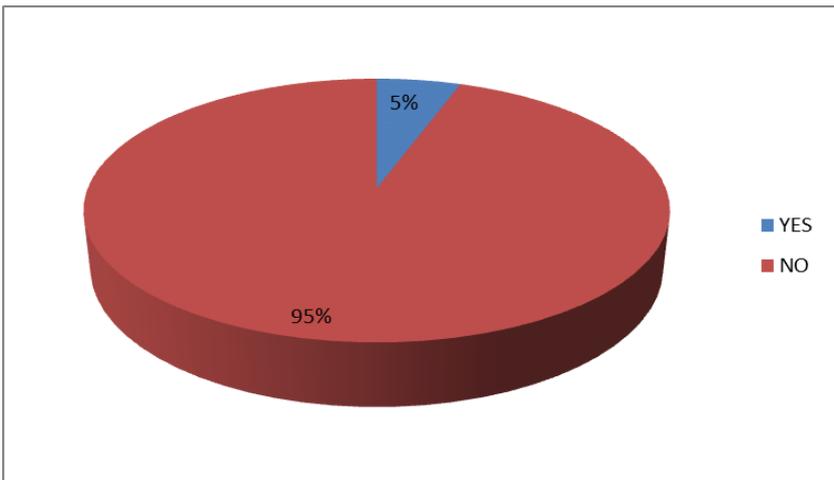


**Figure 4.1:** Age distribution of the sample population (*Fieldwork, 2021*)

In terms of economic activities, most of the people who participated in this survey (36 out of 55 making it 65%) are farmers. Very few people who reside in the sampled area are businesspersons or civil servants. Informal business activities constitute the second largest source of livelihood after agriculture. This scenario

clearly explains the situation in the study area in which most of the people depends entirely on agriculture as their source of livelihood. In terms of gender distribution, this sample was dominated by men. Sixty-four percent of the people who participated in this survey were males while females constituted thirty-six percent.

One of the objectives of the study was to examine the causes of contestations in acquisition of rural land for urban expansion. The data was gathered through questionnaire survey, key informant interviews and focus group discussions. The researcher discovered that the main causes of contestation between rural local authorities and communal land occupants in acquisition of rural land for urban expansion are lack alternative land to resettle the affected families, lack of effective participation and engagement during planning and implementation of urban expansion programmes, short notices being given to the affected families, improper compensation, existence of multiple institutions in administration of communal land and sale of land by traditional leaders and individuals. Because of the above factors ninety five percent of the communal land occupants interviewed through questionnaires in Guruve Growth Point clearly indicated that they are not willing to let Guruve Rural District Council take their land for urban expansion. Figure 12 illustrates percentage of communal land occupants who objected to council taking over their land for urban expansion.



**Figure 4.2:** Percentage of people willing to cede their land for urban expansion (*Fieldwork, 2021*)

As illustrated in Figure 8, only 5% of the respondents interviewed through questionnaires indicated that they are willing to pave way for urban expansion. Ninety five percent of the respondents are opposed to the idea of allowing the council to relocate them for urban expansion. Their main reasons for opposing the idea are explained below. Lack of alternative suitable land was the most cited factor causing the contestations in urban expansion. For instance, 55 % of the survey respondents considered failure by council to provide alternative land to resettle them as their major worry (see table 1). Some respondents pointed out that Guruve Rural District Council continues to annex more land while there are still some families whose land was taken some years back who are yet to be reallocated alternative land.

**Table 4.1:** Landholders main reasons for resisting excision  
(n=55) (*Fieldwork, 2021*)

Reason	Percentage
Alternative farming land	55
Alternative land near social amenities	16
Preserving their ancestral inherited land and graves	11
Compensation for buildings and disturbance	18
Total	100

As depicted in Table 1, the need for alternative land was ranked as the first reason with 55% followed by compensation for buildings and disturbance due to relocation with 18% and need for alternative land near social amenities and need to preserve ancestral land with 16 and 11 percent respectively.

Interviews with the local leadership indicated that since 2014, only thirty households have been allocated alternative farming plots of on average five hectares. However, this number is by far lower than the number of people who need alternative land considering the extent of the land proposed for urban expansion by Guruve Growth Point. One official interviewed had this to say;

*“The main challenge we are facing is emanating from the fact that when the Land Reform Program was done, no provision was made for land to cater for the families affected by urban expansion....”*

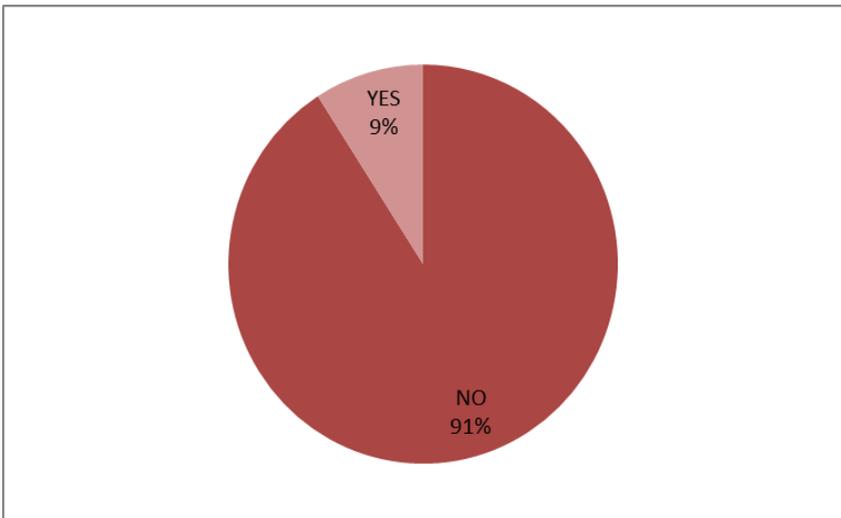
The local councillor for Guruve growth point also echoed the same sentiments and presented that the major challenge leading to protracted contestations emanates from the fact that the council is failing to fulfil the promises that it

makes to the affected families. He said during consultative meetings, communal land occupants make it clear that they need alternative land to sustain their agro-based livelihoods. However, their expectations are not usually fulfilled hence they resist attempts by council to take over their land.

Public participation was also cited by respondents as the major missing link and a contributory factor to contestations. One village head said;

*“This current system of government is by far different from the old days. When Guruve Business centre had a need for land to expand its boundaries around 1970s, the authorities then would engage the affected people, and this was done well in time...”*

For instance, ninety-one percent of the survey respondents indicated that council is not giving them enough opportunity to participate in the land acquisition process (see Figure 13). They said the consultative meetings are usually attended by councillors and village heads only and the occupants of the land usually receive feedback only and without the opportunity to make meaningful contributions.



**Figure 4.3:** Landholders' Perception on level of Participation in the land acquisition process (*Fieldwork, 2021*)

In terms of forms of communication and participation, the survey respondents indicated that none of them has received a written notice from Guruve Rural District Council. Their participation and engagement by council is in the form of

meetings that only forty percent have confirmed that they have once attended the meetings held by council (see Table 2).

**Table 4.2:** Percentage of landholders who have held meetings with council (n=55) (*Fieldwork, 2021*)

Reaction	Percentage
Once called for meetings	40
Never attended a meeting with council	60
Total	100

As illustrated on table 2, 60 percent of the survey respondents said that they never held meetings with Guruve Rural District Council officials while forty percent confirmed to have held meetings. This implies that the level of participation in in the land acquisition process is low, and when engagement is done, it is mostly with traditional leaders, part of whom form the forty percent that confirmed to have held meetings.

One key informant indicated that participation of the affected families and local leadership should be both during planning and implementation of decisions. He said sometimes people resist acquisition of their land because they are only engaged when a decision is about to be implemented and they would not have been involved during the planning stage. Compensation issues were also raised as one of the factors that are causing the communal land occupants to resist the efforts by the council to acquire their land. Most of the people interviewed indicated that consideration is not being given to the value of the land affected vis-a-vis the benefits that are going to be realized by the establishment of the proposed development. Most of the people interviewed indicated that their resistance to relocation to pave way for council developments is caused by meagre compensation proposals by council. They said council is compensating affected families with residential stands if they fail to relocate them to alternative land. They said the residential stands being allocated are not enough to offset the benefits they are getting from their farming activities.

The researcher also gathered that the reason why the council is facing difficulties in expanding its boundaries by acquiring communal rural land is because the council is seen as a threat that will disrupt the activities of the informal land market taking place at the peri-urban area. Village heads and individuals are selling land to desperate home seekers whom they advise to build 'standard structures' that can be incorporated by council. Being informed by experiences from other local authorities wherein people were displaced without proper

compensation and livelihood reconstruction; and being driven by the desire to make cheap money, most village heads and individuals are resorting to what was described by Ministry of Local Government and Public Works in 2018 as 'garawadya' a term used to describe the practice by peri-urban occupants wherein after realising that council shall take their land, they sell it before council excision. Thus, when the council initiates the land acquisition process, they usually face stiff resistance as people know that the land 'no longer exists'.

Most of the people interviewed indicated that the process of land acquisition for urban expansion by council will result in no meaningful achievement to them but only disturbance of their livelihood. One political leader said that;

*"since the process of land acquisition started, a lot of people have been left destitute after displacement from their land. No effort was even made to build houses for the people who were relocated and some of them were relocated to poor soils that does not yield anything..."*

On the same vein, another key informant reiterated that apart from being affected economically, people become social misfits and find it difficult to integrate with new environments, they lose social capital and at the same time they are relocated away from the Growth Point that offers them proximity to markets and employment opportunities. Most of the people who were surveyed indicated that they do not want to be relocated as they fear they are relocated to places without social amenities and other important facilities they need. Resistance is thus, a way of trying to fight for their livelihoods and a way to bargain for better treatment.

Challenges in acquiring rural land for urban expansion were also expressed by key informants and council officials as emanating from the multiple institutions involved in administration of communal land. One official said although communal land lies under the jurisdiction of councils in terms of administration, local authorities must apply to Ministry of Land to acquire it and thus, local authorities do not have the powers to directly control it. At the same time, traditional leaders are custodians of the land and are 'empowered' to distribute it. This array of institutions involved in land administration is affecting the ability of local authorities to control the activities that are taking place on communal land and hence unscrupulous communal land occupants and traditional leaders parcel it out further making it difficult for council to relocate the occupants.

The researcher discovered that the efforts by the local authorities to engage the affected communities and settle the issues of land acquisition are sometimes affected by politicians who interfere, instigating the community to resist council

maneuvers for them to gain political mileage. The politicians pretend as though they are representing the rights of the affected families and in the process misinforming them and causing them to resist council activities, boycott meetings and to vandalize the pegs that would have been put by council. One key informant interviewed said that Guruve Rural District Council is finding it difficult to acquire rural land because of politicians who have multiple farms and some of them are refusing to pave way for council activities on farms designated for such by Central Government. He called for central government intervention to settle the conflicts between political leaders who are using their muscles to outshine council manoeuvres.

The other objective of the study was to review the legal framework that governs acquisition of rural land for urban expansion. The study revealed that there exist many Acts and regulations that govern land administration and management, including land acquisition and expansion of urban settlements in Zimbabwe. The main legislation that underpins land acquisition and urban expansion include the Constitution of Zimbabwe Amendment number 20 of 2013, the Land Acquisition Act (20:10), the Regional, Town and Country Planning Act (29:12), Rural District Councils Act (29:13) and Communal Land Act.

The Constitution of Zimbabwe Amendment number 20 section 72, subsection 2(a, b, c) give the state power to compulsorily acquire agricultural land for public use (that is resettlement, settling people affected by developments and land reorganization, natural resources conservation or wildlife management.) According to the constitution, agricultural land is land used or suitable for agriculture, that is for horticulture, viticulture, forestry or aquaculture and for any purpose of animal husbandry, including bee keeping and grazing of livestock. The Constitution clearly stipulates that communal land or land within the boundaries of an urban local authority or township established under town and country planning law does not fall under agricultural land (Section 72, subsection 1a and b). Section 72(3) of the Constitution stipulates that no compensation is paid for the acquired land, serve for the improvements only that were made on the land. The Constitution is however silent on the procedure for acquisition of communal land. What it is only bringing out is the fact that communal land is not classified as agricultural land.

The Land Acquisition Act (20:10) is one of the central Acts that empowers the President and other authorities to acquire land and to execute compensation modalities where it is applicable (Land Acquisition Act 20:10). Part 11, Section 3 of the Act stipulates that the President, or any Minister duly authorized by the

President may compulsorily acquire land where the acquisition is, “Reasonably necessary in the interests of defence, public safety, public order, public morality, public health, town and country planning or the utilisation of that or any other property for a purpose beneficial to the public generally or to any section of the public” (Section 3(i) (a)). Part III of the Act set out the procedure that is followed in compulsory land acquisition where it is done without an agreement. The procedure involves publication of a notice in the Gazette describing the nature and extend of land to be acquired, the purpose for that the land is to be acquired and calling upon the owner or occupier of the land who wish to contest the acquisition to lodge their complaints (Land Acquisition Act Part III section 5(1) a, b and c).

Section 3(4) of the Land acquisition emphasize that, notwithstanding provisions of the Land Acquisition Act, Communal land, materials from Communal land or rights in Communal land can only be acquired in terms of the Communal Land Act (20:04). Implying that the provisions contained in the Land Acquisition Act are more inclined towards the acquisition of agricultural land. In terms of compensation for the people affected by compulsory land acquisition, the Land Acquisition Act provides the responsibility to the acquiring authority to pay fair compensation and within reasonable time to the owner of land that is not agricultural land (Part V, section 15). This implies that there is no a laid down framework that guides compensation in terms of what should be paid and time frames.

The Communal Land Act (20:04) serves to classify communal land and to regulate the allocation and use of the same. This Act also provides guidance to modalities that should be followed in acquisition of communal land for urban expansion and compensation of the affected families. Section 10 of the Act provides powers to the Minister to set aside communal land for the purposes of establishing a township, village, business centre or industrial area, where such land is designated for such in terms of a rural development plan approved by the Minister and subject to a layout plan approved in terms of the Regional, Town and Country Planning Act (Chapter 29:12). According to the Act, Communal land is state land vested in the President of Zimbabwe and local communities have no ownership but are permitted to occupy and use communal land by the President (Vengesai & Christof, 2018).

Section 12(1) of the Communal Land Act provides that those people who are dispossessed of their right to occupy or use communal land shall be give alternative land. If alternative land is not available, the acquiring authority and

the affected people must agree, and they can be compensated in terms of the section V (16) of the Land Acquisition Act that provides the duty to the acquiring authority to pay fair compensation within reasonable time. The money to pay compensation to the people who are dispossessed of their rights to occupy and use communal land is obtained from the Consolidated Revenue Fund (Communal Land Act, section 12 subsection 2). This is the main Act that give Rural District Councils the mandate to administer their areas including carrying out development functions and levying rates. One of the powers of duties of Rural District Councils is compulsory acquisition of land and properties for development purposes including regional and urban planning (Section 79). Section 79 of the Act also refers to Parts III, V and VIII of the Land Acquisition Act (20:10) that should be applied *mutatis mutandis*.

The Regional Town and Country Planning Act (29:12) is the centrepiece of regional and urban planning in Zimbabwe. Section 45 of the Act provides local planning authorities the powers to acquire and dispose land for the purposes of implementation of development proposals contained in an operative master plan or local plan. The acquisition and disposal of land is by way of purchase, exchange, donation or agreements with the owner of land or expropriation. Where the land earmarked for development is to be expropriated, section 46 of the Regional Town and Country Planning Act provides that the operation of the Land Acquisition Act (20:10), specifically part III, V and VIII are effected.

Section 150 and section 151 of the Urban Councils Act provides for the acquisition of land or interest in land and expropriation of land respectively. The Act empowers councils to acquire land for development purposes by way of purchase, donation, and lease agreement with the owner or expropriation in terms of section 151 of the Act. Where expropriation of land is necessary in terms of section 151, a resolution must be passed by council and an application shall be made to the minister and in the application, the local authority shall justify the need for the land, give full particulars of the land to be expropriated, purposes for that the land is to be used and any necessary information that may be required by the Minister. The provisions of the Land Acquisition Act (20:10), shall be applied *mutatis mutandis* in the acquisition process.

The study analysed the effects of conflicts prevailing between rural communities inhabiting on communal land around Guruve Growth Point and Guruve Rural District Council over land for urban expansion in line with one of its key objectives. The data on this aspect was obtained from households affected by the expansion of the growth point and key informants. The data collected revealed

that the effects of the conflict between the affected households and Guruve Rural District Council include loss of investor confidence in the area, limited physical infrastructural development, sour relations between council and surrounding residents and disturbance of the livelihoods of the peri-urban dwellers. The negative effects of these conflicts are explained below.



**Figure 4.4:** Areas where development is failing to take off due to contestations in Guruve Growth Point (*Google Earth, 2021*)

The contestations in acquisition of rural land for urban expansion have greatly affected the physical development of Guruve Growth Point. Interviews with council officials and District Development Coordinator indicate that there is a low density layout plan with 105 residential stands (area marked LD on Figure 10 ) that was approved in the year 2000 but no single structure has been built on the stands

due to contestations. Each time the local authority tried to implement the layout plan by way of pegging the stands, the pegs were ripped by communal land occupants who regard the land in question as their farming land. Areas marked LD2 and MD on Figure 10 are posing great challenges for the council as they are occupied by communal occupants even though they are within the boundaries of the Growth Point. Thus, the contestations have affected the physical development of Guruve Growth Point.

Apart from the areas marked on figure 10, the respondents interviewed by the researcher indicate that Guruve Growth Point has a great need for land as evidence by the number of applications that it receives for schools and industries that are needed in the Growth Point. Guruve Rural District Council intended to acquire more land to expand its boundaries but its intentions have been hampered by the contestations in acquisition of surrounding rural land.

Council officials and District Development Coordinator also indicated that the challenge for Guruve Growth point for land to expand its boundaries has also been compounded by the fact that the council is struggling to acquire Dunvert and Maidavale farms that are earmarked for urban expansion. The farms, that are located on the northern part of the Growth Point, are yet to be handed over to council by the Ministry of Lands and the issue has been on cards since the beginning of Fast Track Land Reform in the year 2000. Thus, due to this twin challenge, the council has been turning down potential investors and thus, it has experienced limited infrastructural development.

The researcher discovered that contestations for rural land for urban expansion have led to a loss of investor confidence in the Growth Point. Interviews with council officials and former Chief Executive Officer of Guruve Rural District Council brought out that several investors with brilliant investment ideas were turned down by the contentious environment. The researcher discovered that the 105 low density residential stands that have been undevelopable since the year 2000 had already been allocated to beneficiaries and a challenge came when they wanted to start developments. Most of the stand beneficiaries requested refunds from council and some of them just lost hope of pursuing the issue and they went elsewhere to purchase stands.

The researcher discovered that the conflict between council and peri-urban dwellers for rural land is contributing greatly to emotional distress to the peri-urban land occupants. Most of the people interviewed brought out that they are emotionally disturbed as they face an uncertain future due to the land grabs by

council. They felt that they are not protected by law and council is taking advantage of them leaving them destitute after taking over their land. The major factor they cited as leading to emotional distress is disturbance of their livelihood that is anchored on cattle rearing and crop growing. Their major worry is stemming from the fact that council is failing to offer them alternative suitable land to sustain their livelihoods. One politician interviewed, who is among the affected families pointed out that,

*“While we support government policies and we are sure that the land belongs to the state, one thing we are sure of is the fact that all efforts by council in acquisition of land are leading to dire suffering by landowners...”*

Thus, the contestations for acquisition of rural land are emotionally affecting the peri-urban occupants.

The researcher discovered that the conflicts for peri-urban rural land have resulted in a strained relationship between council and peri-urban dwellers. The researcher gathered that at one point, the conflicts between the communities and council degenerated into violence and the communities were targeting council officials who were pegging stands or carrying out surveys in the area. Targeted and personalized attacks on council officials by disgruntled community members are still rife.

The researcher gathered that the contestations between council and communal land occupants have led to the development of an informal land market. Cases of illegal land sales have ballooned as rural land occupants dispose the land they occupy in fear of losing everything because of takeover of land by council. Interviews with local village heads brought that it has become difficult to restrain the people from the practice of selling land. The researcher discovered that illegal land sales are compounding council efforts to acquire land for urban expansion. Those people who illegally acquire the land through the informal market will build quickly piling more problems on council when it comes to relocate the people.

The study sought to examine possible planning strategies to address the contestations and to ensure a smooth urban expansion. The data that was gathered from insights by key informants, and views gathered from field surveys indicate that land readjustment programmes are one key planning strategy that can be used to address contestations in acquisition of rural land for urban expansion. In addition to land readjustment programs, information gathered from the field also reveal that harmonisation of land administration institutions, review of land administration legal framework and regularisation are important in

ensuring proper growth of urban settlements. These planning strategies are discussed below;

The views by key informants are that land readjustment programmes are inclusive in nature and can promote urban growth without more problems as is the case with most rural local authorities in Zimbabwe. The researcher discovered that the contestations being faced between rural land occupants and local authorities are mainly emanating from failure by local authorities to address the plight of the rural land occupants in terms of reconstructing their livelihoods, having alternative land to resettle the affected families and the finance to compensate the structures of the affected families. This was confirmed by field surveys as the participants appeared to prefer remaining on their land than being relocated elsewhere as relocation brings more problems to them. These are the problems that the land readjustment program can address. Table 3 illustrates the advantages of land readjustment as opposed to expropriation.

**Table 4.3:** A comparison of Expropriation and Land Readjustment (*Adam, 2014*)

Expropriation	Land Readjustment
Reliance on coercion	Reliance on community participation and empowerment
Local governments have a significant fiscal burden because of cash transactions	An equity-based arrangement that reduces the amount of money needed up front for land acquisition
Relocation of the urban poor to remote areas with limited access to jobs and public services	Relocation provided within the same neighbourhood with improved tenure security and housing conditions for the urban poor
Redefinition of existing occupants, often through gentrification of the redevelopment area.	Preservation of the existing community
Exclusive rights against the existing community	Inclusive obligation to the existing community

As illustrated on table 3, land readjustment programmes are participatory in nature as compared to expropriation; they preserve the existing community and do not involve relocation of rural land occupants to remote areas without services. This strategy can therefore avert the challenges of urban expansion being faced in most rural areas of Zimbabwe. These programmes have been successful in Germany since 1902, in Japan (end of 19<sup>th</sup> Century) and in some African countries such as Botswana, Senegal and Cameroon (Adam, 2014).

The research showed that the land administration institutions in rural areas of Zimbabwe are currently fragmented and as such acquisition of rural land for

urban expansion is a great challenge. Guruve Rural District Council officials and the District Development coordinator expressed great concern with the fragmentation of the institutions and suggested that harmonization of the institutions is the way to go. Under the current set-up, the Communal land is under the Ministry of Agriculture Water and Climate. Although communal land is usually under the jurisdiction of rural local authorities, when council want to acquire it they must apply to the Minister of Local Government and Public Works who then makes an application to the Minister of Lands, Agriculture, Water and Climate. Traditional leaders are also custodians of the communal land and they have powers to administer it. The unification of all these institutions will ease the land acquisition process and thus, promote urbanisation.

The research also revealed that there is a multifarious of legal framework that speak to land administration and acquisition in rural areas of Zimbabwe. There is the Communal Land Act, the Traditional Leaders Act, the Rural District Councils Act, the Land Acquisition Act and the Regional Town and Country Planning Act. All these Acts refer to each other in their provision for administration, acquisition and compensation of rural land in the process of urban expansion. Thus, most key informants pointed out that the harmonisation of these Acts will ease the land administration and acquisition process.

This is another planning strategy suggested by many respondents especially in built up peri-urban areas. Respondents referred to Epworth in Harare and Dema in Chitungwiza where peri-urban settlements were regularised into mainstream urban settlements and this process eased the hassles to expropriate and relocate the peri-urban settlers. Thus, regularisation can be a viable planning strategy to enable urban expansion.

The findings of this study have both confirmed the relevance of the existing knowledge and offered some new insights in relation to the study contexts. Firstly, contestation in acquisition of rural land for urban expansion is a real problem in the study area and in Zimbabwe in general. Most rural growth points and small urban settlements in Zimbabwe are facing challenges in expanding their boundaries as they are surrounded by communal rural land. The study has confirmed the relevance of the economic growth theory and the population growth theory. Guruve Growth Point is experiencing rapid population growth that is leading to the rise in demand for land for urban expansion. Currently, the growth point is facing an unprecedented growth due to a strong local economy that is being supported by the existence of gold in the whole district and some four kilometers close to Guruve Growth Point where Eureka Gold Mine is

located. The mining activities have created many local jobs. Moreover, the District is also supported by a strong agricultural base. It is one of the districts in Mashonaland Central province that has favorable conditions for tobacco and maize production, and it is located in Agro-ecological Region 2A. These factors are pulling a huge population to Guruve Growth Point both within and outside the district and thus, causing high demand for land for housing, social amenities, commercial activities and industrial activities. The only option available to satisfy the need for more land is to acquire the surrounding peri-urban land.

This study sought to examine the factors underlying the conflicts between local authorities and rural communities on issues regarding expansion of urban centres into rural land. The research revealed that there are several factors that cause the conflicts that include lack of alternative land to resettle the communal rural land occupants, delayed compensation, poor communication and non-involvement of the rural land occupants and lack of coordinated and comprehensive forward planning. A comparative analysis of these factors on a global/ regional context revealed that these issues are not unique to Zimbabwe. For instance, studies indicate that in Ghana, Tanzania and most African countries and some developed countries such as China and United States of America, similar factors are also affecting urban expansion. In Ghana for instance, studies by Chigbu & Ansah (2010) brought out that lack of alternative land to resettle affected families, compensation issues and poor communication are causing resistance and affecting urban expansion by small urban centres such as the Trede District.

The study also sought to examine the effects of the contestations between rural land occupants and Rural District Councils on socio-economic development. The study revealed that the conflicts are negatively affecting the operations of local authorities in many respects. Some of the effects are manifesting in the form of delayed or failure by some projects to take off, lack of investor confidence and disruption of the livelihoods of the rural land occupants and creating disharmony between local authorities and the rural communities. The worse part of these effects is the fact that some of them are not directly seen but they have long term implications, for instance, failure by a growth point to attract critical service providers. The results of this study are characteristic of the challenges being faced in many developing countries such as Tanzania, Kenya and Botswana where infrastructure development is being affected by contestations. Recent studies in Tanzania, Ghana and Central Vietnam by Kombe (2010), Phuc *et al.* (2015) and Chigbu & Ansah (2020) respectively prove the effects of contestations in acquisition of rural land to social and economic development as revealed by this study. What is worrisome to note is the fact that some of the small urban

settlements in Zimbabwe like the study area have been reeling under the challenge of land acquisition for the past twenty years or more and there are no prospects of achieving growth any time soon. This is however against a backdrop of high rates of population growth and high demand for housing land. An informal housing land provision system has emanated in rural peri-urban areas and this is exerting a great challenge to urban centers both in trying to relocate the peri-urban dwellers and in providing infrastructure and services to support the informal settlements.

Moreover, the study also reviewed the legal framework that governs issues of land acquisition for urban expansion in Zimbabwe. The research revealed that the main legal instruments that govern land acquisition for urban expansion in Zimbabwe are the Constitution of Zimbabwe, the Land Acquisition Act, Communal Land Act, Rural District Councils Act, Urban Councils Act and the Regional Town and Country Planning Act. However, the researcher discovered that all these Acts do not clearly address the most contentious issues in acquisition of rural land for urban expansion, that are issues of compensation and rights issues to communal land occupants. As compared to legal provisions of some countries such as China and Rwanda as discussed in literature review, the legal framework of Zimbabwe is somehow weak. Table 4 provides a comparison of the Chinese land acquisition and compensation processes as contained in legal frameworks of these countries.

**Table 4.4:** Comparison of Zimbabwe and China land acquisition process (*Asiama, 2015: pp 26*)

Zimbabwe	China
<p>A local authority makes an application to the Central government of its intention to acquire communal land and the application details the following;</p> <p>The intended use of the additional land</p> <p>land description and site plan approved by the Provincial Planning Officer.</p> <p>a copy of full council meeting resolving the request for additional land</p> <p>Comments from the District Administrator and the Provincial Administrator.</p> <p>List of families to be displaced by the development</p> <p>Proposed arrangement by the Council for resettlement and compensation of displaced families</p> <p>Minutes of meetings held with the traditional leaders over the excision</p>	<p>Application by the acquiring authority to government seeking approval,</p> <p>Approval of the application after consideration of the value of the intended use versus its current use,</p> <p>Publication of requisition, presentation of certificates by land occupants to register for compensation,</p> <p>Assessment of the compensation by the acquiring body,</p> <p>Publication of the compensation plans by the acquiring body as a way of soliciting opinions and setting of the standard for compensation by the government.</p>

As illustrated in Table 4, the land acquisition and compensation in Zimbabwe provides the responsibility of determining compensation and resettlement modalities to the acquiring authority. There is also no provision for making the process transparent and participatory as compared to China wherein it is a requirement that compensation issues are advertised and the affected families submit their compensation claims to the acquiring authority in a systematic and transparent manner. Thus, is this one of the obscure areas of the Zimbabwe legal frameworks that makes land acquisition for urban expansion difficult. In the same vein, the provisions in the Traditional Leaders Act that give traditional leaders some powers to administer communal land, that are also derived from the constitution of Zimbabwe are causing confusion in acquisition of land for urban expansion as they to some extent clash with the Communal Land Act in terms of vesting of powers for communal land management.

Lastly, this study also sought to investigate and recommend the planning strategies that can be adopted to promote proper growth of urban centres. Through questionnaires surveys and key informant interviews, this study brought out that inclusive and participatory strategies are needed to ensure smooth urban expansion. Research participants suggested measures that will see the rural land occupants being accommodated in the urban expansion rather than being expropriated. Planning strategies such as regularisation, land readjustment programs, automatic conversion of rural land to urban land and harmonisation and capacitation of land administration institutions are among the key strategies suggested by research participants. These strategies are not unique to this study and they have been implemented in other countries where they worked well. For instance, a recent study in Ethiopia by Adam (2014) brought out that land readjustment and regularisation are key strategies to ensuring proper growth of urban settlements.

This chapter has dealt with presentation and analysis of the results of the study. The chapter has outlined the demographic and economic characteristics and the settlement history of the survey respondents. It has come out from the study that most of the people who responded to the survey are males and manly adults of above forty years. The main economic activity of the responds is farming and thus, the demographic and economic characteristics of the study respondents reveal the real picture of communal areas in Zimbabwe. This section has also presented the main causes and effects of contestations in land acquisition for urban expansion. Another part explored in this section is the strategies to address

the contestations in land acquisition. The last part of this section touched on discussion of findings that is basically an interpretation of the results in relation to the research problem, research objectives and in relation to the literature on the study problem.

## **CHAPTER 5: Towards a Framework Governing Acquisition of Land for Urban Expansion to Peri-Urban Areas**

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This chapter crisply summarises, concludes and provides recommendations based on the findings obtained throughout the study. It relates the aim and objectives of the study to the findings and provides policy recommendations on possible ways of addressing the contestations in acquisition of rural land for urban expansion.

The statement of the problem which informs this inquiry stemmed from a realisation that there is little evidence and research work on the causes and impacts of contestations in acquisition of rural land for urban expansion that is affecting the growth and expansion of urban settlements in Zimbabwe. This is against a backdrop of many small urban centres in Zimbabwe facing severe problems in acquisition of rural land to expand their boundaries and to keep abreast with the demand for housing, social amenities and industrial spaces emanating from rapid urbanisation and population growth. This is a global problem but is rife in African countries that were under colonial governments and in which land was categorised into state land and communal land. Gurube Growth Point was used as a case study.

The first objective of the study was to examine the main causes of conflicts prevailing between rural communities and local authorities over land for urban expansion. It has been noted that the major factor that is causing the contestations in acquisition of communal land for urban expansion is failure by local authorities to provide alternative land to resettle the rural landholders affected by urban expansion. In addition to this, lack of effective participation during planning and implementation of land acquisition programs, fear of livelihood disruption due to resettlement, conflicting legal frameworks, existence of multiple land administration institutions and the vesting of de jure and de facto powers to different institutions are also factors that are playing a role in working against the efforts by local authorities to expand their boundaries.

The second objective was to review the legal framework governing acquisition of land for urban expansion in peri-urban areas. The researcher discovered that acquisition and administration of rural land is governed by the Land Acquisition Act (20:10), the Communal Land Act (20:04), the Rural District Council Act (29:13), Urban Council Act (29:15) and Regional Town and Country Planning Act (29:12). Of these Acts, the Communal Land Act and the Land Acquisition Act

seems to be the major Acts governing land acquisition for urban expansion. The study however brought out that these Acts do not adequately address the issues of land acquisition for urban expansion. Firstly, compensation of the rural landholders affected by urban expansion is not adequately addressed. All the Acts cited above do not succinctly provides for a compensation framework for the landholders affected by urban expansion. The Land Acquisition Act leaves the responsibility of compensation to the acquiring authority that it states that it should be adequate and should be done within a reasonable timeframe, without stating the modalities for determining the amounts and minimum possible timeframe. On the other hand, the Communal Land Act continues to emphasise on the relocation of communal land holders affected by urban expansion to alternative land. This provision disregard the fact that land is a finite resource and securing it to resettle the communal land occupants is one major challenge being faced by local authorities.

The third objective was to analyse the effects of conflicts prevailing between rural communities and the local authorities over land for urban expansion. This study brought out that contestations for acquisition of rural land for urban expansion are negatively affecting the growth and development of many rural urban settlements in Zimbabwe. Through interviews with key informants, local traditional leaders and officials from council and the District Administrator's office, the researcher discovered that growth points and other small urban settlements are experiencing limited infrastructure development, are losing investor confidence and the peri-urban areas are war zones between council and the per-urban occupants as the communal land occupants fight to remain on their land. Thus, there are sour relations between councils and communal land occupants. The conflicts in acquisition of land for urban expansion have also resulted in the development of an informal land market in peri-urban areas as the peri-urban dwellers subdivide and dispose their plots before the coming of council (garawadya). This is mainly resulting from previous experience of excision of land with proper compensation on an offer for alternative suitable land.

The fourth and last objective of this study was to recommend planning strategies to address the contestations relating to urban expansion into rural areas. Insights from reviewing secondary literature and key informant interviews brought out that land readjustment programs, regularisation, review of land administration and legal framework, harmonisation of land administration institutions and rationalisation of A2 farms to pave way for rural land occupants who might be affected by urban expansion. Major emphasis on these strategies is an inclusive and participatory approach. Land readjustment programs and regularisation have

a history of success in other countries and they are opposed to expropriation. The review of legal frameworks and harmonisation of land administration institutions we pave way for the accommodation of land readjustment and regularisation program. As it was evidence from the study that local authorities are finding it difficult to acquire alternative land to resettle people affected by urban expansion that is a major bone of contention, if these strategies are employed holistically, they will help to promote urban growth with minimum contestations.

The field results have demonstrated that the main causes of contestations in acquisition of land for urban expansion by local authorities in Zimbabwe are delayed compensation and relocation because of difficulties in security alternative land to resettle the affected families, lack of comprehensive forward planning, existence of multiple land administration institutions that results in conflicting positions and confusion at local level, inadequate legal provisions and conflicts between de facto and de jure land management powers between traditional leaders and local authorities. These factors are affecting the expansion and socio-economic development of urban centres in most rural areas.

The study has revealed that the contestations in acquisition of rural land for urban expansion are rampant in Zimbabwe and are having negative effects to the growth and expansion of urban settlements. The effects resulting from these contestations are varied and are manifesting in various forms. For instance, this study has revealed that the contestations are hampering infrastructural development in small urban centres, they are causing investors to shun away from investing in growth points, they leading to disruption of peri-urban dwellers livelihoods, and they are creating social disharmony in communities. The worst-case scenario is the eruption of the conflicts into physical violence and destruction of urban houses being constructed on conflicted land. Such has been the experience in the study area and the tension continues as the local authority requires more land for urban expansion.

The Land Acquisition Act and the Communal Land Act are the major Acts that provides for the acquisition of land for urban expansion. The Rural District Councils Act, the Regional Town and Country Planning Act, the Urban Councils Act and the Constitution of Zimbabwe also have sections on that slightly touches on land acquisition, but they do not give enough detail and they make references to the Land Acquisition Act. All of the above cited Acts are not adequately addressing the issues of acquisition of rural land for urban expansion especially in terms of giving an emphasis on compensation and relocation of affected families. Compensation and relocation issues are central to the problem being faced by

local authorities in trying to expand their boundaries, but they are loosely covered in the Acts since they do not succinctly provide binding provisions on responsibilities of acquiring authorities. Thus, the researcher recommends the revision of these Acts so that they accommodate compensation and relocation issues clearly.

The study has also revealed that the current approaches being used in acquiring land for urban expansion are failing to produce desired results. Basing on the national legal statutes, local authorities can acquire land for urban expansion through expropriation or excision of communal land. Owing to the difficulties being faced in excising the communal land, the researcher has discovered that alternative and innovative urban expansion strategies such as land adjustment and regularisation can be used. To be applicable in the current Zimbabwean contexts, the legal and institutional frameworks need also to be reviewed and realigned. Thus, the researcher recommends a paradigm shift from repressive mechanisms that centre on the power of eminent domain to inclusive and participatory approaches.

The current contestations between local authorities and rural land occupants are detrimental and are affecting the growth and development of urban settlements. As already highlighted in chapter four, the contestations between local authorities and communal land occupants are emanating from various factors such as lack of alternative land to resettle people affected by urban development, fear of livelihood disruption, lack of a clear compensation plan and non-effective participation mechanisms. The contestations have resulted in limited to no infrastructure development, lack of investor confidence and the development of informal peri-urban land market among other things. In view of the foregoing, the researcher makes the forthcoming recommendations:

Firstly, adoptions of the land readjustment approach. This land development approach is inclusive and participatory and it helps in minimising conflicts between local authorities and rural land holders and hence paves way for proper growth of urban settlements.

Secondly, the researcher recommends the embracing of regularisation and accommodation of informally developed settlements as opposed to eviction of the land occupants. The research has brought out that some of the peri-urban settlers were illegally settled by village heads or by certain individuals. Regularisation will accommodate these occupants and thus, minimise the costs

associated with eviction and resettlement and thus, promoting proper urban growth.

The third recommendation is rationalisation of A2 farms to pave way for people affected by urban expansion. The researcher discovered that while local authorities are finding it difficult to get land to resettle people affected by urban expansion, there are some A2 farmers with multiple farms or with large farm sizes some of which is not being utilised. The rationalisation of such farms will see those peri-urban dwellers in need of farming land being accommodated.

Moreover, the researcher recommends the offering of tenure security to communal land occupants. The researcher discovered that communal land occupants have no security of tenure and always face an uncertain future. Local authorities regard the communal land as belonging to the President as provided for in Communal Land Act hence to some extent communal land occupants are more like second class citizens. According to security of tenure to communal land occupants will see their rights being respected in acquisition of land and this will ensure that their livelihoods are not disrupted without an alternative.

Harmonisation of land administration institutions such as local authorities, Ministry of Lands and village assemblies is another recommended strategy. This is against the backdrop of the research revealing that conflicting and overlapping roles between these various institutions is another factor contributing to contestations in rural land acquisition.

Another recommended strategy emanating from this study is the review and harmonisation of the legal framework that deals with land administration in rural areas. This is with reference to the Communal Land Act, the Rural District Councils Act, the Land Acquisition Act and the Regional, Town and Country Planning Act.

Lastly, the researcher also recommends introduction of compensation and relocation framework to guide relocation and compensation of rural land occupants affected for urban development. The study has revealed that there is no clear relocation and compensation framework in Zimbabwe hence local authorities are facing challenges in addressing compensation.

This study focused on the causes and effects of contestations in acquisition of rural land for urban expansion. Emanating from this study is a possible area of future research that is, modelling of the future of rural settlements in Zimbabwe

in the context of the rapid rate of population growth and the continued demand for urban land; there is a need to establish the possible future of rural settlements in Zimbabwe.

The aim of this study was to investigate the contestations in acquisition of rural land for urban expansion in a bid to promote proper growth of urban centres in Zimbabwe. The study basically examined the causes and effects of the contestations, to review the legal framework governing land acquisition and to investigate and recommend planning strategies to promote proper growth of urban settlements. The study successfully investigated the causes and effects of the contestations. It brought out that the main factor causing contestations is lack of alternative land to resettle the rural land occupants and lack of financial capacity to compensate the displaced rural land occupants by the local authorities. The study concluded that contestations in acquisition of rural land are affecting the rate of urban growth and causing under development in most small urban settlements in Zimbabwe. To address the contestations, the research recommends a paradigm shift from expropriation to participatory and inclusive approaches such as land readjustment programs and regularisation of informal settlements.

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## Synopsis

This study critically investigated the contestations in acquisition of communal land for urban expansion with a view to promoting proper growth of urban centres in Zimbabwe using the case of Guruve Growth Point. The study is aimed at establishing, inter alia; the causes of the contestations between rural local authorities and communal land holders, the effects of the contestations, the legal provisions governing the administration and acquisition of rural land and the planning strategies that can be applied to address the contestations. This study is driven by seemingly scant evidence and research work on the causes and impact of contestations in acquisition of rural land for expansion of urban settlements against a backdrop of the problem being rampant in Zimbabwe and therefore fills an important intellectual lacuna in the existing canon. The study was informed by the pragmatic philosophy to research and inquiry and adopted the mixed methods approach. The study utilised the case study research design and employed both probability and non-probability sampling to select the participants in the research. Data collection was done through questionnaire surveys on rural households, focus group discussions, key informant interviews documentary review and observation technique. Content analysis and the hermeneutics methods were used in data analysis. The study made the observations that the contestations are being caused by lack of alternative land to resettle the displaced communal land holders, conflicting institutional and outdated legal frameworks, in-effective participation by land holders and fear of livelihood disruption emanating from lack of clear compensation framework. These factors are adversely affecting the proper growth and expansion of small urban centres in Zimbabwe. The study recommends the adoption of land re-adjustment programmes as opposed to excision and expropriation, regularisation of peri-urban informal settlements, harmonisation of land administration institutions, review and harmonisation of the legal instruments and improved participation in acquisition of rural land for urban expansion as measures to promote proper growth of urban settlements.

## About the Author



Revision Kanyepa is a dedicated and accomplished professional in the field of Rural and Urban planning. Born and raised in Zimbabwe, Revision pursued his academic career at the University of Zimbabwe, where he earned both a Bachelor of Science (BSc) and Master of Science (MSc) in Rural and Urban Planning. With over six years of experience as a District Planner at a Rural District Council, Revision has developed a deep understanding of land governance, Sustainable Rural Development, and conflict resolution. Currently, Revision is pursuing a Doctorate in Land Governance, with a specific emphasis on promoting sustainable growth and development in small urban settlements in Zimbabwe. Revision seeks to make a positive impact on the lives of people in Zimbabwe and beyond.