

Land for Housing the Poor in African Cities through Neo-Customary Processes : an Effective Alternative to Formal Systems ?

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Excluded from formal government and private sector land delivery systems, those who are poor in the cities of Sub-Saharan Africa increasingly take shelter on urban land through other means. Many do this through transactions derived from traditional rural customs of land management, rarely legitimised by government, sometime tolerated, but accepted by the social networks within which they live. These new customary processes – which blend pre-colonial land management procedures, low-income household strategies for securing access to land, and the production of informal settlements – have their own actors and procedures. However, neo-customary processes are commonly viewed by government officials as generators of problems, giving rise to policies whose unintended impacts can instead reduce the access of poor households to shelter, as well as reduce the security and capital assets of those already housed.

Although there has been a considerable amount of study that includes neo-customary practices in the delivery of housing land in Sub-Saharan Africa, it is rare for analysis to examine the dynamics and sustainability of these practices and their capacities to perform, especially in terms of the emerging role, legitimacy and functions of customary decision-makers in land management and development. During the 1970s and 1980s, many observers saw customary processes of land management for housing in Africa as a relic of past practices that would be eradicated by economic development. This did not occur. Low-income demand for land is overwhelmingly met by neo-customary and other informal delivery systems. The failure of government and formal private sector systems has possibly strengthened the attractiveness of customary procedures and encouraged the development of new forms of customary systems. Rather than be vestiges of the past, customary systems appear to have a surprising ability to adapt to change. At the same time that neo-customary systems are delivering land that formal systems fail to provide to poor people for urban housing and basic urban services, official procedures for land development and management seem to become more informal in their nature, perhaps often being re-interpreted by informal/customary actors.

Driven by these possibilities, an investigation of neo-customary urban land delivery systems in nine African cities – jointly financed by the French and British Governments - is addressing the following questions :

- How substantial are the neo-customary systems that are delivering land to poor households in urban areas ?
- How do these neo-customary systems work ?
- How are neo-customary systems changing and adapting ?
- Are neo-customary systems viable alternatives to formal systems for delivering urban housing land to those who are poor ?
- How do neo-customary actors and democratically constituted governments interact ?

It is using the answers to these questions to test three hypotheses:

1. The delivery of land for housing through neo-customary processes is increasing in Sub-Saharan Africa, especially to serve poor households ;
2. These processes are able to adapt to changes and thus can be expected to survive and continue to expand their coverage ;
3. The neo-customary systems can be sufficiently effective to serve as alternatives to formal government and private-sector systems in providing people access to urban land, while providing major advantages to those who are poor.

Collaborators in Benin, Cameroon, Ghana, Kenya, Namibia, Senegal, South Africa, Tanzania, and Uganda are completing their case studies in time to report a preliminary synthesis of their answers to the research questions at the December workshop of the World Bank.