

'Emerging forms of spatialised and socialised authority' among 'tenure-insecure peri-urbanites' in African peri-urban spaces

A review study

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Abstract

This paper explores the '*emerging forms of spatialised and socialised authority*' adopted by *tenure-insecure peri-urbanites* to secure coveted land in African peri-urban spaces. The paper demonstrates that *tenure-insecure peri-urbanites* are increasingly utilising various formal and informal institutions – '*emerging forms of spatialised and socialised authority*', in the form of state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, and religion and the occult to access and secure land in African peri-urban spaces. The review demonstrates how land remains of economic, social and emotional importance among *tenure-insecure peri-urbanites*. It further indicates that *tenure-insecure peri-urbanites* are not passive but '*nimble-footed and responsive*', as they find ways to secure land by drawing on various normative orders like the courts and sometimes through evasion, patronage, performance and other means of conviviality. The paper also highlights the complex power dynamics characterising peri-urban areas and underscores the need for a nuanced understanding of the multiple actors involved in land governance. The paper recommends the need for effective and inclusive mechanisms of access and security over land to balance the interests of diverse actors and promote the rights of *tenure-insecure peri-urbanites* in peri-urban spaces. Overall, the paper helps to broaden the scope of actors that need to be engaged in the planning and governance of peri-urban spaces in the age of complex peri-urbanisation processes.

Keywords: land, urban poor, migrants, peri-urban, tenure insecurity, emerging forms of authority, Africa

Introduction

There is growing academic and policy interest in understanding peri-urban land dynamics in Africa, as land increasingly becomes a highly sought-after resource in this highly contested space. In its most expansive terms, land comprises the surface of the earth, materials beneath, air above and all things fixed to the soil (Dale & McLaughlin, 1999). Land, therefore, includes houses, other buildings and additional developments to the land, both in urban and rural areas. While technically precise, these definitions do not explain why land is a highly socio-economic and political resource, particularly in Africa. In Africa, the land is laden with multiple connotations and carries great social and symbolic values and meanings as a place and territory within which people live and interact. In legal and economic contexts, land is often treated as a form of property, with owners having certain rights and responsibilities over the land they possess. The concept of land also has cultural and symbolic meanings, representing a connection to one's heritage or identity.

Berry (2008: 27) defines land in institutional and physical terms as property. She views land as an economic resource that can be valued as a means of production, a territory, and a governed space that gives those in control an advantage to control others. Tacoli (1999) also views land as a critical concept in peri-urban debates where multiple land use and land users are apparent. In the peri-urban, land is a crucial resource for human habitation, agriculture, mining, construction, and many other activities. Anseeuw and Alden (2010) also show that the socio-economic meanings of land are constructed differently at different levels of the individual, household, community and nation. Similarly, the categories of land-users who compete over land, especially in the peri-urban, vary from the state, local authorities, traditional leaders, private investors, land barons, and the ordinary, often poor urbanites, including migrants.

A significant dimension of peri-urban land dynamics that has caught much of the attention of African scholars is access and security over land by the urban poor, including migrants.¹ Scholars have drawn attention to the use

1 Migrants are people on the move, eventually settling temporarily or permanently in another place from their natal places.

of informal land transactions, including purchase and rentals, inheritance, fictive kinship, and land seizures, as strategies used by *tenure-insecure peri-urbanites*² and migrants to access land (Bhanye & Dzingirai, 2020a; Hungwe, 2014). The reason why migrants and other *tenure-insecure peri-urbanites* turn to these informal ways of accessing land is that they are often the least powerful compared to other actors regarding matters of land. In part, and especially for foreign migrants, this can be explained by their foreign ancestry and unresolved citizenship status (Bhanye & Dzingirai 2020b).

Thus, regardless of having accessed land, migrants and other poor urbanites often remain tenure-insecure. Their land ownership remains volatile and threatened by competing actors, including the indigenes, private developers, traditional authorities, state institutions and local authorities. Contemporary African observers have also perceived bureaucratic, commercial and highly political processes increasingly concentrating land into fewer hands of people – rich, elite, powerful and politically connected (Boone, 2014; Peters, 2004). Peri-urban spaces are also confronted with both urban and rural laws and institutions, breeding a situation of legal pluralism that threatens land that is in the hands of migrants (Tacoli, 2002). In Southern Africa, studies also show that *tenure-insecure peri-urbanites* are often vulnerable to evictions and displacements as peri-urbanisation continues and development pressures increase (Chirisa, 2014; Chagutah, 2013; Hungwe, 2014). They also lack legal recourse to protect their land and property rights (Bhanye & Dzingirai, 2020b).

Thus, it is essential to inquire about what *tenure-insecure peri-urbanites*, including migrants, do to protect the land they acquire in African peri-urban spaces. This, however, does not mean supporting and legitimising illegal land seizures, squatting³ or space occupation by migrants on public land or government reserves. Again, the legality of squatting varies widely depending on the country and region. In some places, squatting may be considered a criminal offence; in others, it may be tolerated (see adverse possession/prescription)⁴ or even protected under certain circumstances. Thus, the

2 Tenure-insecure peri-urbanites refers to people who live in peri-urban areas, which are regions on the outskirts of urban areas that are experiencing rapid urbanization and urban sprawl, and who lack secure land tenure. In many peri-urban areas, there is often a lack of formal land titling, zoning, and regulation, leading to informal settlements and insecure land tenure.

3 Squatting generally refers to the act of occupying a property (such as a building or piece of land) without the permission of the owner or lawful occupier.

4 Adverse possession or prescription is a legal concept that allows a person who is not the legal owner of a piece of land to claim ownership of it after using it for a certain period of time. In

legality or illegality of squatting remains highly debatable and is not the focus of this study.

This article is concerned with understanding the *emerging forms of spatialised and socialised authority* that *tenure-insecure peri-urbanites* resort to in securing land in the contested African peri-urban spaces. While these institutions, including state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, and religion and the occult, have been around for decades, in this paper, they are referred to as ‘*emerging*’ because their prominence in land matters in peri-urban spaces is recent. The paper explores how these ‘*new forms of authority*’ are being constructed and contested, the factors driving their emergence, and the challenges they pose for promoting inclusive and participatory land governance in African peri-urban spaces. The paper highlights the need for more research and policy attention to these *emerging forms of authority* and their implications for the future of African peri-urbanisation.

Conceptualising the peri-urban, land governance and ‘emerging forms of spatialised and socialised authority’

The term “peri-urban” refers to the areas between urban and rural areas or the transition zone between urban and rural areas (Mortoja, Yigitcanlar & Mayere, 2020). These areas are characterised by rapid urbanisation and expansion of cities, and they are often located on the outskirts of cities and towns (Matamanda, Mafuku & Bhanye, 2022). Peri-urban areas typically mix urban and rural land uses and are characterised by a complex social, economic, and environmental landscape. They often lack basic infrastructure and services such as piped water, sanitation, and waste management and are home to a diverse range of populations, including urban migrants, rural-urban migrants, and low-income groups (Bhanye, 2022; Bhanye, Dzingirai & Chirisa, 2021; Matamanda, 2022). As peri-urban areas continue to grow and develop, they face various challenges related to land use, resource management, and governance (Hungwe, 2014; Woltjer, 2014). These challenges include land use and ownership conflicts, inadequate infrastructure and services, and environmental degradation, among others. Understanding the dynamics of peri-urban areas is crucial for developing effective policies and strategies

other words, it refers to the acquisition of land by someone who is not the owner, through their open and continuous possession of the land for a specified period of time.

to address these challenges and promote sustainable development in these regions.

Governance in the context of land in the peri-urban refers to the processes and mechanisms through which land is managed, regulated, and controlled (German et al., 2018). It encompasses the legal, institutional, and social frameworks influencing land use and ownership and the relationships between different actors and stakeholders involved in land governance (Silva-Castaneda, 2016). Effective land governance in the peri-urban is critical for ensuring equitable access to land and resources. It consists in ensuring that land is used to support the needs and aspirations of all stakeholders, including *tenure-insecure peri-urbanites*, migrants, and other low-income groups. Thus, land governance in the peri-urban often involves a range of actors, including formal state institutions, traditional leaders, civil society organisations, and private sector entities (Bhanye & Dzingirai, 2020b; Hugwe, 2014).

Effective governance requires coordination and collaboration among these actors and establishing clear rules and procedures for land use and ownership, especially for the urban poor. The term “urban poor” refers to individuals and households living in urban areas with low-income levels, assets, and access to essential services and amenities. In the context of this study, the urban poor and *tenure-insecure peri-urbanites* will be used interchangeably, referring to people who face significant challenges related to land tenure, land use, and access to basic services.

Many poor urban residents in peri-urban areas live in informal settlements⁵ or slums located on land often owned by the state or private entities (Bhanye, 2022; Matamanda, 2022). As a result, these residents often lack secure tenure rights and may be at risk of eviction or displacement (Bhanye & Dzingira, 2020b). Effective land governance in the peri-urban must consider the needs and perspectives of *tenure-insecure peri-urbanites* and address the challenges they face in accessing secure tenure rights and essential services. However, this has not always happened in favour of Africa’s poorest in urban areas, regardless of the visibly increased demand for land by this now majority urban population. Consequently, the increased demand for land has given rise

5 An informal settlement, also known as a slum or shantytown, is a residential area where people live in unplanned and often overcrowded conditions without legal ownership of the land and with limited or no access to basic services such as clean water, sanitation, and electricity. These settlements typically arise in urban or peri-urban areas as a result of rapid urbanization, migration, and poverty.

to multiple forms of authority and power, now shaping land allocation and governance in African peri-urban spaces. '*Emerging forms of spatialised and socialised authority*' in the context of African peri-urban spaces refer to the diverse actors and institutions shaping land governance and decision-making processes. A study by Bhanye and Dzingirai (2020b) on security over land by Malawian migrants in peri-urban Zimbabwe conceptualised these institutions as '*structures and networks*' of securing land. These *emerging forms of authority* include state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, religion, and the occult.

In many cases, formal state institutions may have limited capacity or face challenges in enforcing land regulations in African peri-urban spaces. As a result, informal power structures such as traditional leaders, cooperatives, and lobbying groups may play a more significant role in shaping land governance practices. Religion and the occult (see Bhanye, 2023) may also shape perceptions and practices around land ownership and use, particularly in contexts where traditional belief systems and cultural practices continue to influence social norms and behaviour. Overall, these *emerging forms of spatialised and socialised authority* reflect the complex and dynamic nature of land governance in African peri-urban spaces and highlight the importance of considering the diversity of actors and institutions involved in shaping land management and decision-making processes. Thus, this paper explores the *emerging forms of spatialised and socialised authority* in African peri-urban spaces, with a focus on the roles of state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, and religion and the occult in land matters for the urban poor. By examining the dynamics of these various actors, this paper seeks to contribute to the broader understanding of the complex power structures that shape land governance in African peri-urban areas. Figure 1 is a conceptual framework showing the dynamics among the peri-urban, land governance, *tenure-insecure peri-urbanites*, and '*emerging forms of spatialised and socialised authority*' in the peri-urban.

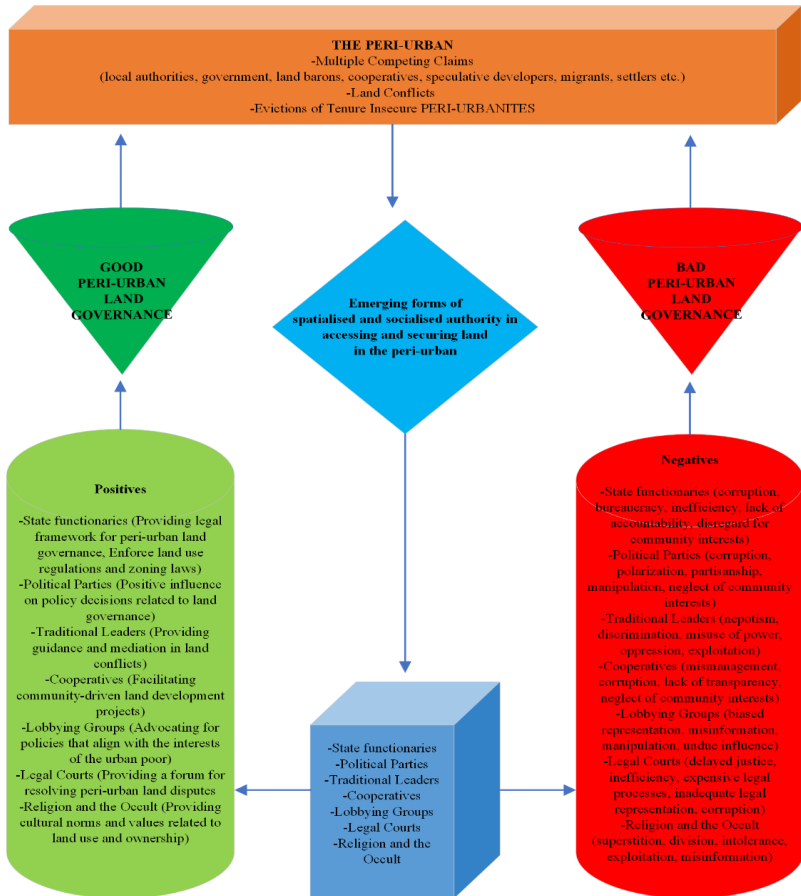


Figure 1: Conceptual framework of the peri-urban, land governance and 'emerging forms of spatialised and socialised authority' in the peri-urban. Source: Author

Review Approach

This article is based on a review of literature on the *emerging forms of spatialised and socialised authority* in African peri-urban spaces. The review includes academic journal papers, policy documents, blogs, newspaper articles, and other relevant sources. The literature search was conducted using

a combination of keywords such as “formal and informal land institutions,” “the urban poor and land access,” “migrants and security over land,” “peri-urban,” “African peri-urban,” “land access,” among other search words on academic databases such as JSTOR, Google, Google Scholar, Web of Science and Scopus. The literature was initially screened based on the relevance of the study. Full-text articles were reviewed to assess their suitability for inclusion in the analysis. Inclusion criteria included articles that discussed the emergence of new forms of authority in African peri-urban spaces, focusing on the spatial and social dimensions of authority and their implications for governance in peri-urban spaces. The selected articles were subjected to thematic analysis to identify common themes and patterns in literature. The themes that emerged from the analysis were used to develop the framework for the paper. Finally, the findings from the literature review were integrated and synthesised to provide a comprehensive overview of the different forms of *emerging spatialised and socialised authority* in African peri-urban spaces.

‘Emerging forms of spatialised and socialised authority’ in African peri-urban spaces

The review demonstrates plural ‘*emerging forms of spatialised and socialised authority*’ that *tenure-insecure peri-urbanites* and migrants adopt in accessing and securing land in African peri-urban spaces. These are state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, religion, and the occult (Figure 2).



Figure 2. *'Emerging forms of spatialised and socialised authority'* in African peri-urban spaces. Source: Author

State functionaries

Some scholars show that poor urbanites, especially migrants, can use state functionaries to protect the land they occupy in contested peri-urban spaces (Chirisa, Bandaiko & Mutsindikwa, 2015; Muchadenyika, 2015a). A state functionary can be defined as a person acting in an official capacity for a government. Examples of state functionaries include parliamentarians, bureaucrats, government and local authority officials and urban elites who claim the power to reverse the politics on the ground and facilitate security over land. In Southern Africa, cases where landless poor urbanites secured land through influential individuals and state institutions are abundant. In Zimbabwe, for example, landless migrants rode on the state and its local protégés (War Veterans, technical bureaucrats and ruling party authorities) to have complete security over accessed peri-urban land during the Fast Track Land Reform Programme⁶ (Matondi, 2012). These extra-territorial and extra-

6 The Fast Track Land Reform Program was a controversial land reform policy implemented in Zimbabwe in the early 2000s. The program was launched in 2000 by the government of President Robert Mugabe with the goal of redistributing land from white farmers, who owned the majority of the fertile land in the country, to black farmers. However, the program was

legal structures override government institutions and government personnel in their work (Matondi, 2012: 98).

In other instances, land seekers use state agents like the Ministry of Lands and Land Commissions in securing land that they could lose to other competing parties. Such scenarios and deals often involve bribes, kickbacks, and political patronage (Chiweshe, 2020). In other instances, land seekers may use local authority officials to enable protection over illegally allocated land. Evidence from municipalities like Chitungwiza and Harare in Zimbabwe shows that local authority staff, including councillors, town planners and town clerks, are generally corrupt and use their power in underhand land allocation deals (Matamanda, 2021). However, these functionaries are often ineffective in the end, as they eventually get nabbed for corruption, also exposing their beneficiaries (Chiweshe, 2017).

Studies also show that land seekers can benefit from land parcelled through land barons owned by political party bigwigs and government bureaucrats (Chikova, 2020; Chirisa et al., 2015). Land barons identify idle public land, often owned by local authorities or the government, converting the land into informal urban settlements, dividing the land and selling the stands (Chikova, 2020). Required services, such as roads, sewers, water pipes and electricity, are rare, and the proper town planning processes are ignored. Zhakata (2020) shows that land barons are behind African countries' chaotic urban housing and land allocations over the past decade. In Zimbabwe, there has been, for example, the rampant building of houses illegally on land designated for other uses like schools and state land without authorisation (Murwira, 2015). People in known areas, such as Harare South, North and East, were illegally allocated residential stands on state land by land barons apron tied to influential parliamentarians (Chirisa, Gaza & Bandauro, 2014; Chirisa et al., 2015). However, this cartel of land grabbers gets away with this for a long time as they are claimed to have immense influence and power, making them virtually untouchable.

While some land barons survive the law through ruling party alignments, others are not so lucky, resulting in them being targets of investigations for corruption cases and, in the process, resulting in their victim land seekers losing the allocated land (Mushanawani, 2019). A land audit by the government of

criticized by the international community for its lack of transparency, disregard for property rights, and its impact on the agricultural sector.

Zimbabwe looking into various land uses countrywide revealed that land barons and politically connected people have illegally sold \$3 billion worth of urban state land since 2005 (Mushanawani, 2019). Several land seekers who bought stands from land barons were cheated, finding later that their land/stands were not in sync with local authority planning standards since they had no roads, sewer or water. Some of the stands are on servitudes, wetlands, sites earmarked for clinics, schools and recreation or other places where housing is not allowed.

State functionaries, including land barons, parliamentarians, bureaucrats, government and local authority officials and urban elites, often hold significant power over land use and allocation and can assist *tenure-insecure peri-urbanites* in holding onto land. They are frequently involved in the decision-making process for land issues, and their decisions can significantly impact the urban poor. However, in most cases, security over land is not perpetual owing to the corruption, underhand dealing and illegality behind the transactions in the first place.

Overall, there are both challenges and opportunities for promoting inclusive and participatory governance in African peri-urban spaces in the context of the emergence of state functionaries as new forms of authority. These include the need for more research and policy attention to the role of state functionaries in shaping the political and social landscape of African peri-urban spaces, the importance of engaging with poor urban land seekers to understand their needs and challenges, and the potential for harnessing the potential of state functionaries to promote inclusive and participatory governance. Some tenure-insecure peri-urbanites can sometimes use ruling political parties to secure land, as discussed in the following subsection.

Political party allegiance

Political party allegiance can also play a crucial role in land matters. Political parties play a significant role in shaping the political and social landscape of African peri-urban spaces. They are often seen as representatives of particular social groups or interests and wield influence over local communities. For example, some studies have shown how political parties use their power to mobilise voters, shape public opinion, and influence policy decisions, leading to unequal distribution of resources and services (Bhanye & Dzingirai, 2020b; Chirisa 2014; Daimon, 2015).

There is also strong evidence of the construction and contestation of authority by political parties in African peri-urban spaces because of factors like the historical legacy of colonialism, the ongoing process of democratisation, and the complex interactions between state and non-state actors. For example, studies highlight how the legacy of colonialism has contributed to the fragmentation of political parties along ethnic or regional lines, leading to divisive politics and exclusionary governance (Chirisa, 2014; Muchadenyika, 2015b; Hungwe, 2014). In many African countries, political parties control the government, and their members often hold key positions in the decision-making process for land issues. This can result in the politicisation of land allocation and lead to favouritism towards party members and their supporters.

Akaateba (2019), Chirisa (2014) and Scoones (2015) have all highlighted how, in Africa, the landless have become established on lands through the use of political patronage. In Zimbabwe, for example, several cases highlight the strong hand of ZANU-PF⁷ as a source of security over land by migrants. Chirisa (2014) observed how some migrants in Epworth have a grip on their land through a ZANU-PF ticket. Migrants use this avenue because ZANU-PF has also used urban land over the years as a tool for winning elections. A study by Dube and Makaye (2013) also states that in the 2013 Harmonised elections, gerrymandering was seen in Harare South constituency with components of Harare urban and peri-urban areas ZANU-PF party loyalists were given land to settle on. ZANU-PF virtually created an urban seat by creating new unregularised suburbs where people did not have legal ownership of the land (Chiweshe, 2020). Land seekers' continued occupation of this land is thus based on political patronage; come election time, those settled there repay through voting for the ruling party (Chiweshe, 2020).

Marongwe (2009) also noted that migrants in Epworth derive the tenure security of their allocated residential stands from ZANU-PF, the ruling party that gave them land in the first place. In the same area of Epworth, Msindo,

7 Zimbabwe African National Union – Patriotic Front (ZANU–PF) is the ruling political party in Zimbabwe that has been in power since the country gained independence from Britain in 1980. The party has maintained its grip on power through a combination of electoral victories and sometimes violent suppression of opposition. The party's popular policies include land redistribution, indigenization of the economy, and a strong emphasis on national sovereignty. In recent years, ZANU PF faced criticism for human rights abuses, corruption, and economic mismanagement, which have led to widespread poverty and unemployment in the country.

Gutsa & Choguya (2013) noted that some migrants were taking advantage of the Local Board and would come to settle with the claim that they had the backing of ZANU-PF and politicians. Msindo et al. (2013) observed that during election times, some politicians give people land to settle without liaising with the council. Thus, local authority powers are often undermined because of fear of being at loggerheads with politicians (Msindo et al., 2013).

In the future, local authorities and powerful politicians should try to have a shared understanding of the challenges facing peri-urban areas, including conflicting land use demands, insecure land tenure, and inadequate infrastructure. This shared understanding can be developed through collaborative discussions and workshops that bring together different perspectives and expertise. Further, clear policies and regulations guiding land use in peri-urban areas can help prevent conflicts and ensure land is used sustainably and equitably. Local authorities and politicians can work together to establish these policies and regulations and ensure they are enforced.

So clearly, access to land has become part of distributive politics and clientelism in the housing of urban low-income groups (Chirisa et al., 2015). Boone (2013) also documented land use as 'bait' in exchange for election votes. According to Muchadenyika (2015a), ZANU-PF used peri-urban farms to bolster its waning support in the urban constituencies. Through ZANU-PF-aligned cooperatives and land barons, the party became a major player in deciding who had access to land for housing (Muchadenyika, 2015a). In some cases, land seekers fulfil their promise of votes to the parliamentarians, but there is always the chance that they might fail to fulfil the initially promised votes (Chirisa et al., 2015; Muchadenyika, 2015a). On the other hand, the poor land seekers' quest for land tenure security is also not always guaranteed by associating with the ruling party. There are instances when the safety of the poor residents became subject to precarity because the tenure guaranteed to them had vanished in thin air. Thus, alignment with political parties in peri-urban spaces has not always secured land for *tenure-insecure peri-urbanites*.

Dynamics of aligning with the ruling political party to secure land in peri-urban spaces are also evident among foreign migrants. A study by Daimon (2015) in Zimbabwe, for example, revealed that to benefit from the land for farming and settlement in the peri-urban, many Malawian migrants perfected the art of 'shifting political identities' by conveniently associating with ZANU-PF through the acquisition of its party cards. In his study on the

Malawian Diaspora in Zimbabwe, Daimon (2015) quoted a migrant who stated that; '*many of us alien farm-workers sought allegiance to ZANU (PF) during the invasions and political elections, buying its cards to survive the violence and threats of deportation*' (Daimon, 2015: 214).

Rutherford (2008) also noted that former farm-workers of international descent in Zimbabwe who sought after the land as an alternative form of dependence through cultural politics of recognition often tied to demonstrating support for the ruling political party. In cases where non-indigenous Zimbabweans benefited due to shifting their allegiance to ZANU (PF), they were often given pieces of land at the peripheries of the farms where their fields acted as buffers against wild animals like baboons and feral pigs (Daimon, 2015: 211).

It is crucial to make a clear distinction between foreign migrants and local migrants in this paper as these groups of people certainly do not enjoy equal access and security over land in African urban and peri-urban spaces. Studies show that legal requirements of land ownership for foreign migrants and local migrants in peri-urban areas may vary depending on the specific laws and regulations of the country in question, but in general, foreign migrants may face additional legal barriers to land ownership compared to local migrants (Bhanye & Dzingirai, 2020b; Daimon, 2015). In some countries, foreign migrants may be subject to restrictions on land ownership or may be required to obtain special permits or approvals to own land. This may be due to national security, economic competition, or cultural preservation concerns.

Local migrants, on the other hand, may have greater access to land ownership rights and be able to purchase or lease land more efficiently. In addition, foreign migrants may face discrimination or bias from local authorities or communities, making it more difficult to acquire land. Local migrants, on the other hand, may have established relationships with local officials and may be more familiar with the legal system and cultural norms. In Zimbabwe, while legal frameworks like the Land Acquisition Act allow foreign migrants to own land, with some restrictions or conditions, land ownership has not been easy for migrants as the issue of land ownership in Zimbabwe is controversial and politically charged, as mirrored by the radical land reform policies.

Practices of political parties in African peri-urban spaces have significant implications for governance, citizenship, and democracy. On the one hand, political parties can act as agents of change, promoting inclusive and

participatory governance and advancing the interests of marginalised groups. On the other hand, they can undermine democratic institutions, erode the rule of law, and exacerbate social inequalities, mainly when they use their power to exclude or discriminate against certain groups. Thus, there is a need for more research and policy attention to the role of political parties in shaping the political and social landscape of African peri-urban spaces, the importance of engaging with communities to understand their needs and challenges, and the potential for harnessing the potential of political parties to promote inclusive and participatory governance. While, as discussed, alignment with the ruling party can play a significant role in securing land for poor migrants, this channel has not always been successful. In other instances, land seekers turn to traditional authorities to secure land, as presented in the following subsection.

Traditional leaders

Departing from the literature that highlights the instrumental role of modern political leadership or political functionaries in facilitating land security among migrants and other poor urbanites, other scholars show the instrumental role of traditional leaders in the establishment of land seekers in peri-urban spaces (Cheater, 1984; Kurebwa, 2018; Hungwe, 2014; Owusu, 2008). Mohammed-Katerere (2004) defines traditional leaders as the leadership structures (chiefs, headmen, village heads) within the community that are by custom ascribed or appointed (traditional forms) and provide the necessary leadership that ensures that the norms, practices, vision and values of the community are respected.

In most African countries, land administration in customary peri-urban areas is vested in the community, with traditional leaders acting as custodians and individuals enjoying use rights (Chigwata, 2016; Kurebwa, 2018; Owusu, 2008). Thus, traditional leaders are increasingly active in peri-urban land politics (Bennett, Ainslie & Davis, 2013; Hungwe, 2014; Chimhowu & Woodhouse, 2006). Gough & Yankson (2000) show that traditional leaders use their authority to allocate land to indigenous groups and leasehold interests to strangers. In Asokore Mampong, Ghana, Akrofi & Whittal (2011) reveal the temptations of corruption and abuse of power by traditional leadership who are seized with handling land allocations to newcomers. Kasanga and Kotey (2001) also documented land deals made by chiefs and other customary

leaders, sometimes at the expense of the community, in the Ashanti peri-urban region of Ghana. In the peri-urban villages of Blantyre in Malawi, Jimu (2012) shows how migrants got land and protection from village headmen who benefitted from them materially by receiving gifts.

In Zimbabwe, traditional leaders also play important developmental, administrative and political roles in rural and peri-urban areas, despite modern state structures sometimes limiting their roles (Matondi, 2010). They regulate rural and peri-urban life, control access to land, and settle various disputes (Kurebwa, 2018). For decades, land seekers in Zimbabwe have been turning to the institution of traditional leadership to secure land. Some scholars highlight that land seekers, especially migrants, secured land through chiefs and headmen to whom they gave gifts, usually alcoholic, as material tokens to guarantee the allocation of usufructuary rights (Hungwe, 2014). Berry (1992) and Bourdillon (1976) documented that in the colonial period in Zimbabwe, some migrants worked on tribal plots in exchange for permission to settle on arable spaces. Cousins (1993: 18) revealed that outsiders could also gain security over land by petitioning the allocating authority and pleading need. This may be accompanied by the payment of a “gift”, a practice that has existed for decades and still survives in some areas today. In peri-urban Domboshava in Zimbabwe, for example, payment of gifts by migrants to traditional leaders and other community elders is critical in the generation of land rights (Hungwe, 2014: 153).

From the above discussion, traditional leaders, such as headmen and chiefs, can allocate land and facilitate security over the land to strangers/migrants under communal tenure. However, in these settings, migrants are believed to owe their hosts a debt of gratitude for being allowed to settle on the host’s ancestral territory (Whitehouse, 2012: 209). Migrants must express that gratitude in part by paying various tributes and in detail by respecting the terms of what Whitehouse called the “stranger’s code”: to keep in their host’s good graces, strangers must abstain from ostentatious displays of wealth and surrender certain privileges they might enjoy at home (2012: 209). Above all, they must avoid the political domain. It is not seen as fitting, writes Geschiere (2009: 64), “for a guest to go into politics and dominate his ‘landlord’ in the latter’s own house” (in Whitehouse, 2012: 209).

However, the co-existence of various competing claims and legal pluralism in peri-urban spaces has weakened traditional leadership as an

effective source of land among migrants (Bennett, Ainslie & Davis, 2013; Hungwe, 2014). Indeed, there are instances where migrants have lost land allocated by traditional leaders to compulsory acquisitions by local authorities (Hungwe, 2014). Hence, some migrants have been turning to other structures for securing land. The following section presents literature on state idioms or cooperatives as another *emerging form of spatialised and socialised authority* securing land among migrants and the urban poor.

State idioms - Cooperatives

Cooperatives are also emerging as a potential solution to land issues for *tenure-insecure peri-urbanites* in African peri-urban spaces. *Tenure-insecure peri-urbanites* can gain more power over their land use and allocation by pooling their resources and purchasing land collectively. Thus, in other instances, *tenure-insecure peri-urbanites* can use state idioms of development like cooperatives to secure their rights over land (Chirisa et al., 2014; 2015). The International Labour Organization (2004) defined a cooperative as an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly and democratically controlled enterprise.

Cooperatives were introduced during the Cold War with support from socialist countries. However, by the 1990s, cooperatives had declined and seemed to be relics of prior statist policies after the collapse of communism. Cooperatives bounced back during the global economic reforms from the mid-1990s to the present due to the liberalisation of the economies (Wanyama, Develtere & Pollet, 2009). This saw the introduction of the Economic Structural Adjustment Programme (ESAP)⁸. During that time, cooperatives became free

8 Zimbabwe's Economic Structural Adjustment Programme (ESAP) was a set of economic policies implemented in the 1990s with the aim of stabilizing the country's economy, which had been struggling with high inflation, a large budget deficit, and a declining GDP growth rate. The program was implemented with the assistance of the International Monetary Fund (IMF) and the World Bank, and included a range of policy reforms, including the liberalization of the economy, deregulation of markets, privatization of state-owned enterprises, reduction of government expenditure, and the removal of subsidies on basic goods and services. While ESAP led to some positive outcomes, such as a reduction in inflation and an increase in foreign investment; it also had negative effects on the economy and the population including increase in prices and reduced access to healthcare, education, and other public services, job losses and rise in inequality.

from the state, enjoying autonomy and operating like business ventures responding to market demands (Wanyama et al., 2009). By the 2000s, local cooperative organisations re-emerged as instrumental ways for land seekers, particularly in the peri-urban areas, to secure land (Chirisa et al., 2014).

Landless members pool their resources to acquire land collectively and attempt to avert the common peri-urban frustrations of evictions (Marongwe, Mutoko & Chatiza, 2011). Literature also shows that land seekers can shield themselves with cooperatives when threatened with evictions. In one case of Chesa Rainharm farm in Zimbabwe, threatened migrants successfully aligned themselves with the politically connected Mbuya Nehanda Housing Cooperative. Scholars like Chirisa et al. (2014; 2015) highlighted that for them to be more effective, cooperatives usually align themselves with the ruling party (ZANU-PF), which gives them legitimacy to claim land and carry out development. Zhangazha (2015) noted some cooperatives aligned with the ruling party, like *Bhora Muggedhi*, *Graceland* and *Nehanda* Housing Cooperative.⁹

While cooperatives try to play a role in facilitating security over land among the urban poor, studies show their ineffectiveness through corruption and duping land seekers of their hard-earned cash (Chirisa et al., 2014; 2015). For example, a study by Machakaire (2015) found that land seekers in Budiriro suffered a total prejudice of \$ 134,000 in subscriptions to a bogus land cooperative that distributed illegal land to them. In another case, in a land audit carried out in Chitungwiza in 2014, it was established that some cooperatives allocated stands on spaces that were reserved for non-residential use, such as clinics, churches, schools, cemeteries, recreational activities and roads, while others were created under high voltage electricity pylons in contravention of the Regional Town and Country Planning Act. It emerged that cooperatives had looted and illegally sold 23 074 stands that did not belong to them, pocketing more than 20 million (The Herald, December 2013). Zhangazha (2015) also indicated that even when cooperatives ensured security over land for the poor, most of the migrants who are members of politically aligned cooperatives usually face eviction threats later, especially after the elections are done.

9 The names given to the Cooperatives are meant to praise the ruling party -ZANU PF. *Bhora Muggedhi* (implying voting for the ruling party), *Grace land* (praising the then wife of the former President Robert Mugabe- Grace), and *Nehanda* Housing Cooperative (named after the great Zimbabwean spirit medium - Nehanda).

In short, cooperatives are increasingly emerging as a valuable form of *spatialised and socialised authority* in African peri-urban spaces concerning land matters. They provide a platform for collective action, enabling members to access land and secure land rights. Cooperatives also serve as intermediaries between *tenure-insecure peri-urbanites* and external factors like government agencies, local authorities, the courts, and private property investors. However, cooperatives also face a range of challenges in African peri-urban spaces. These include issues around governance, management, and participation, as well as concerns around land conflicts, exclusionary practices, and unequal distribution of benefits. Cooperatives also face challenges in accessing credit and technical assistance, limiting their ability to achieve their goals and objectives.

Further, while cooperatives play an active role in land allocation among poor land seekers, they can also be entangled in corrupt and illegal deals that often strip beneficiaries of their security over land. Some *tenure-insecure peri-urbanites* turn to lobby groups to secure their rights over land. This aspect is discussed in the section that follows.

Lobbying groups

Departing from the above review on cooperatives as sources of security over land for *tenure-insecure peri-urbanites*, scholars like Biti (2009) make a point that because of the vicious responses to ‘illegality and informality’, threatened poor urbanites can organise themselves to look for outsider lobbying groups who can represent them when faced with eviction threats by powerful actors including the state and its local authorities. Lobbying groups, such as non-governmental organisations (NGOs), can play a crucial role in advocating for the rights of tenure-insecure peri-urbanites in land matters. They can provide legal assistance, mobilise communities, and pressure decision-makers to make more equitable decisions. Lobbying, one of the oldest professions, has always been part of the political and legislative system (Zorack, 1990). Lobbying is “the deliberate attempt to influence political decisions through various forms of advocacy directed at policymakers on behalf of another person, organisation, or group” (Arroyo et al., 2002:82). Lobbying, as an accepted and legal process, allows the voice of citizen groups, associations, labour unions, corporations and others to be heard in the political arena (Berg, 2009).

In countries like South Africa, shack dwellers organise themselves in groups, such as *Abahlali baseMjondolo* and *Western Cape Anti-Eviction Campaign*, to protect their established spaces in the city and its peripheries (Losier, 2010). *Abahlali baseMjondolo*, a Zulu name translating to “the people of the shacks”, is a shack dwellers’ movement in South Africa that campaigns both against evictions and for public housing (Figlan, 2018). *Abahlali baseMjondolo* has held demonstrations, created dual power institutions, engaged in direct action, such as land occupations, self-organised water and electricity connections and used the courts tactically (Figlan, 2018; Laframboise, 2019; LibCom, 2019). Another lobbying group, the *Western Cape Anti-Eviction Campaign* is a non-racial popular movement of poor and oppressed communities in Cape Town, South Africa (Oldfield & Stokke, 2006). It was formed in November 2000 to fight evictions, water cut-offs and poor health services. Its mandate extended to free electricity, securing decent housing, and opposing police brutality (Tolsi, 2010).

In Zimbabwe, lobbying organisations like the Zimbabwe Homeless People’s Federation (ZHPF)¹⁰ and its partner Dialogue on Shelter¹¹ have played a key role in creating new solutions to secure land tenure for people experiencing poverty in the face of continued eviction threats (Biti, 2009). The alliance of Dialogue on Shelter and the Zimbabwe Homeless People’s Federation, a partnership between an autonomous network of community organisations (the federation) and an NGO, combine their relative comparative advantages as strengths for negotiation and articulating issues of urban poverty and landlessness (Biti, 2009). Working in alliance with the NGO Dialogue on Shelter, the federation quickly grew into a national network. As of 2007, it was in 27 local authority areas, bringing together more than 45,000 households, with 22,000 saving collectively to address their common development needs. Over the same period, despite the very adverse economic environment, these communities saved more than US\$ 185,000, secured land for 8,500 settler

10 The Zimbabwe Homeless People’s Federation (ZHPF) is a social movement of homeless people in Zimbabwe. It was established in 1998 and is part of the Shack/Slum Dwellers International network. ZHPF’s primary objective is to organize and empower homeless people to take control of their lives and secure their right to adequate housing. It works towards achieving this objective by facilitating the formation of savings groups, promoting access to land and housing, advocating for policy and legislative reform, and strengthening the voice of homeless people in decision-making processes.

11 Dialogue on Shelter Zimbabwe (DOS Zimbabwe) is a non-profit organization working towards the improvement of housing and shelter conditions in Zimbabwe.

families, built 1,100 houses, installed piped water and sewerage on 1,200 plots, and raised US\$ 1,275,000 in equity through an urban poor fund. In another case, Nyangani (2018) documented a situation of 1000 illegal migrants in Mutare's Devonshire suburb who sought the help of a lobbying organisation to secure their land. The High Court had given the migrants until December 31, 2017, to vacate the land. Through their lobby group, The Zimbabwe Homeless People's Federation Association, the families remained defiant, and they continued erecting up makeshift structures in the Devonshire suburb while lobbying the council to regularise their stay (Nyangani, 2018).

Thus, there are cases where land seekers employ lobbying groups to safeguard their control of land; in some instances, winning, while in other cases, does not yield positive results. As an illustration, Biti (2009) highlighted that for more than four years, the Harare Federation tried unsuccessfully to negotiate for land with the municipality. The land was only allocated to the Harare chapter of the Zimbabwe Homeless People's Federation on World Habitat Day in 2002 after years of lobbying (Biti, 2009). Why lobbying sometimes fails is often because this structure is the target of state attacks. In Zimbabwe specifically, lobbying groups have been fingered for being agents of imperialism and working in cahoots with foreign regimes to destabilise the ruling government (Muchadenyika & Williams, 2017).

Indeed, scholars show that lobbying can sometimes be spoken of with contempt when the implication is that people with inordinate socioeconomic power are corrupting the law to serve their interests (Dür & De Bièvre, 2007; Khatib, 2015). Other critiques of lobbying point to competition among interest groups and the potential for conflicts of interest, often leading to agenda misdirection at the expense of intended beneficiaries (Khatib, 2015). Mixed results from the use of cooperatives and lobbying groups suggest that there are still other options that poor peri-urban land seekers turn to in securing land. This becomes a point of departure to move on to the next category of scholars who have observed other *emerging forms of spatialised and socialised authority* in African peri-urban spaces, like litigation, as discussed in the following sub-section.

Litigation or courts

The increase in various forms of land conflicts in peri-urban spaces prompts the urgent need for a legal framework for resolution. Legal courts emerged as

one of the forms of *spatialised and socialised authority* in peri-urban spaces, in dealing with matters of land, in particular, resolving disputes between *tenure-insecure peri-urbanites* and other actors such as landowners, government, and developers. The courts also provide a mechanism for enforcing land rights and preventing land grabbing. However, one of the challenges faced by the courts in peri-urban areas is the lack of legal literacy among the urban poor, which often leads to a lack of understanding of their legal rights and limited access to legal services. This, in turn, limits their ability to engage with the courts and seek redress for land-related disputes.

Additionally, the formal court system may be slow and expensive, making it inaccessible to many urban poor residents. Alternative dispute resolution mechanisms, such as customary and traditional authorities, have complemented the formal court system in peri-urban areas. However, these mechanisms often lack the legal framework and safeguards to ensure fairness and protection of the urban poor's rights.

Scholars like Tibaijuka (2005) indicate that migrants and poor urbanites whose land tenure is threatened can seek formal litigation/ for justice in the formal courts. By definition, litigation is the proceedings initiated between two opposing parties to enforce or defend a legal right. Litigation is typically settled by agreement between the parties but may also be heard and decided by a jury or judge. In seeking justice through the courts, migrants usually seek help from lawyers. Various scholars have observed cases of migrants using litigation to protect their land tenure. In Plastic View, South Africa, the City of Tshwane Metropolitan Municipality has been trying for years to forcibly evict the residents of the settlement, who are dominantly irregular migrants. Allegations are consistently raised by representatives of the affluent property owners surrounding Plastic View, such as Meadow Glen, Meadow Ridge, Moreleta Park, Mooikloof, and Woodhill suburbs. It was argued that the location of the settlement in the vicinity of their properties severely negates the aesthetic and economic value of such properties (Nyamwanza & Dzingirai, 2020).

In March 2006, the local authority (with the assistance of immigration control officials and South African Police Services) tried to relocate the residents of Plastic View forcibly. Structures were razed down, and property and livelihoods were lost (Nyambanza & Dzingirai, 2019). However, a court interdict saved the day for the stranded residents when Tshwane Municipality

was ordered to restore the destroyed structures (See Tswelopele Non-Profit Organization vs City of Tshwane Metropolitan Municipality 2007 6 SA 511 [CSA]). The court judgment also instructed the local authority to manage the expansion of the settlement by setting up a perimeter fence around the new settlement site (Nyamwanza & Dzingirai, 2019). It also directed that security personnel be posted at the gates and give passes to residents and visitors. Furthermore, the local authority was mandated to regularly inspect and promptly mend the perimeter fence whenever breaches were discovered (See Meadow Glen Home Owners Association vs. City of Tshwane Metropolitan Municipality 767/2013).

In Zimbabwe, Human Rights Watch (2005) observed that poor urbanites and migrants threatened with eviction from their land during Operation Murambatsvina¹² approached human rights lawyers to represent them in the courts. Human rights lawyers use different clauses stipulated by various acts to seek justice for threatened migrants. During Operation Murambatsvina, the local human rights lawyers noted that evictions were not carried out following procedures in Zimbabwe's national laws, including section 32 of the Regional Town and Country Planning Act (Human Rights Watch, 2005). The Act stipulates under section 32 that an enforcement order for evictions shall not be operative until the period prescribed expires, giving occupants one month to vacate the premises. It also specifies that an appeal against the order automatically suspends it.

Another law, the Urban Council Act, requires twenty-eight days' notice; during that time, those issued an eviction order can appeal to the courts. Under this Act, no action can be taken until the court issues its determination. Lawyers working for the organisation Zimbabwe Lawyers for Human Rights sought several court injunctions against the evictions but reported that the High Court unduly prolonged the disposal of urgent challenges to the evictions. In another case in Budiriro residential area in Harare, *tenure-insecure*

12 Operation Murambatsvina, also known as '*Operation Restore Order*' or '*Clear the Filthy*', was a controversial government-led operation carried out in Zimbabwe in 2005. The operation involved the forced eviction and demolition of informal settlements, markets, and other structures deemed illegal or unsanitary, resulting in the displacement of an estimated 700,000 people and the destruction of their homes and livelihoods. The operation was widely criticized by the international community for its violation of human rights and humanitarian principles. The United Nations described it as a "disastrous venture" that caused "unnecessary suffering and deprivation." The operation remains a controversial chapter in Zimbabwe's history and serves as a stark reminder of the importance of respecting human rights and the rule of law.

peri-urbanites approached the Zimbabwe Lawyers for Human Rights (ZLGHR) to assist them with court actions after several families were left homeless by the demolition of their structures spearheaded by the City of Harare with the tacit approval of the Local Government Minister. The poor urbanites sought a court order to stop the demolitions that infringed on their human rights as citizens and compensation for the destroyed property (Chidza, 2005).

In another case, a High Court order barred the police and the city council from removing people from Porta Farm, located on the outskirts of Harare. It also barred authorities from assaulting the migrants or destroying their property. However, the police and local city council authorities in Harare ignored the court orders and the 10,000 inhabitants of Porta Farm were eventually evicted, and their houses demolished (Human Rights Watch, 2005). Over the years, several other migrants have lost their court cases on land, resulting in evictions. In Cyrene Farm, Matabeleland South, at the Anglican Church-owned farm, over 500 illegal migrants were served with a 2003 High Court order directing them to vacate the property within seven days (Nkala, 2020).

Regardless of the efforts by threatened *tenure-insecure peri-urbanites* to turn to the courts to secure land, evidence shows that courts have remained inefficient in representing the poor over land matters (Tibaijuka, 2005; Vambe, 2008). Evidence shows that states have packed the judiciary with justices that uphold state positions to deny the poor people land. In Zimbabwe, this was most evident during the infamous “Operation Murambatsvina” (*Clear the Filth*), where the state destroyed tens of thousands of properties around the country, resulting in the mass evictions of urban dwellers from housing structures.

The United Nations noted that nearly 6 percent of the total population – about 700,000 people- were forcibly evicted and made homeless (Human Rights Watch, 2005). This was disguisedly done through an enforcement order under the Regional Town and Country Planning Act that directed the demolition of houses built without a council permit; houses constructed as part of housing cooperatives, sometimes on farms appropriated by the government; houses constructed as part of informal settlements like Hatcliffe Extension and Porta Farm in Harare; and in some instances, even legal houses and buildings where the owners had valid leases and planning permission (Tibaijuka, 2005). The fundamental factors behind demolitions were related

to electoral politics in Zimbabwe and the desire by ZANU-PF to disenfranchise urban voters, as many scholars have observed (Mbiba, 2019; Muchadenyika, 2015b; Muchadenyika & Williams, 2017).

Operation Murambatsvina made poor urbanites lose faith in the ability of the judicial process to offer them protection or other satisfactory remedies. Some judges were unwilling to deal firmly and decisively with those who violated the law, especially officials who showed disregard for legal administrative procedures during the evictions. Thus, Operation Murambatsvina violated the rights of the urban poor in Zimbabwe in several ways. Firstly, it resulted in the forced eviction of hundreds of thousands of people from their homes and businesses without due process or compensation. Many of these individuals were left homeless without access to basic services such as water and sanitation. Secondly, the operation disproportionately targeted the urban poor, who were more likely to live in informal settlements and operate small businesses in marketplaces (Tibaijuka, 2005; Vambe, 2008). The operation devastated the livelihoods of these individuals, who lost their homes, possessions, and sources of income. Thirdly, the process was carried out without regard for the rights of those affected. Human rights organisations documented violence, intimidation, and harassment by state security forces during the operation. Many individuals were arbitrarily detained, beaten, or subjected to other forms of mistreatment.

From the discussion, even when there are attempts by poor land seekers to use the law and courts, these have not always been successful in securing their land tenure. Thus, the independence of institutions of governance, like legal courts, is essential for ensuring that the rights of all individuals, including the urban poor, are protected and upheld. Without independence, these institutions can be susceptible to corruption and bias, which can lead to violating people's rights and perpetuating inequality and injustice. Independent courts also ensure that land disputes are resolved fairly and impartially. However, it is a reality that in several African countries, some courts may be run by corrupt judges who favour partisan interests. As such, governments need to strengthen and protect the independence of these institutions. This can be done by ensuring judges are appointed based on merit and qualifications rather than political connections or affiliations. It is also vital to provide adequate funding and resources to courts for effective performance. Furthermore, measures should be taken to hold corrupt judges accountable for their actions, including investigation and prosecution where

necessary. This will help to deter corruption and ensure that the courts remain independent and impartial.

Therefore, legal courts emerge as another essential form of *spatialised and socialised authority* in African peri-urban spaces, particularly in land matters. While alternative dispute resolution mechanisms have been used to complement the formal court system, they often lack the legal framework and safeguards to protect the rights of the urban poor. Cooperatives offer a potential alternative to the formal court system, providing legal support and dispute resolution mechanisms. However, the success of cooperatives is dependent on various factors and requires a supportive legal and policy framework. Policymakers should prioritise legal literacy and access to legal services for the urban poor while supporting community-based organisations such as cooperatives to resolve land-related disputes in peri-urban areas. The independence of institutions of governance, like legal courts, is crucial for protecting the rights of the urban poor and ensuring that issues related to land and housing are resolved fairly and impartially. While there may be corruption and bias, it is essential to strengthen and protect the independence of these institutions through measures such as appointments based on merit, adequate funding, and accountability for corrupt behaviour.

Religion and the Occult

In African peri-urban spaces, land disputes often involve complex dynamics of power and authority, which may be influenced by religious beliefs and practices (Bhanye, 2023). Religion and the occult have emerged as forms of *spatialised and socialised authority*, which play a role in resolving land disputes and promoting access to land for the urban poor (Bhanye & Dzingirai, 2020b). Religion and the occult play a significant role in African societies, influencing social norms, cultural practices, and beliefs about land ownership and use. In many African societies, land is seen as a sacred resource, and its ownership and use are governed by religious and cultural norms (Mabvurira, 2016). Religious leaders, such as priests, imams, and traditional healers, are recognised as legitimate authorities in matters related to land, and their decisions may be considered binding by community members.

In some cases, religious and occult practices have been instrumental in resolving land disputes in peri-urban areas. For example, in Nigeria, traditional healers resolve land ownership and use disputes using divination and other

spiritual practices to determine the rightful owner of contested land (Genyi, 2017). Similarly, in Ghana, Muslim leaders mediate disputes between farmers and herders over access to grazing land, using their influence and legitimacy to negotiate solutions acceptable to all parties (Bukari, Sow & Scheffran, 2018). A study by Bhanye (2023) among Malawian migrants in peri-urban Zimbabwe revealed that migrants turn to the enchanting, dramatic, yet dreadful Nyau cult¹³ to access and reinforce land ownership. Because it is feared and respected by adherents because of its association with deathly symbols, the Nyau cult can yield and secure land for those who seek it in its name (Bhanye & Dzingirai, 2020b; Bhanye, 2023). Other migrants secure land against expropriation from fellow migrants through the eccentric means of witchcraft (Bhanye, 2023).

However, the role of religion and the occult in peri-urban areas is not without controversy. Some have criticised these practices for their potential to reinforce patriarchal power structures, perpetuate inequality, and undermine the rule of law (Familusi, 2012; Kelkar & Nathan, 2020). Additionally, tensions between religious and secular authorities may complicate efforts to resolve land disputes and promote equitable access to land for the urban poor. Policymakers and communities must be aware of the potential for religious and occult practices to reinforce patriarchal power structures and perpetuate inequality in land matters. Efforts should be made to promote transparency, accountability, and the participation of women and marginalised groups in decision-making processes involving religious and traditional authorities. Additionally, religious and occult practices should be integrated into the legal framework, where possible, to ensure they are consistent with the rule of law and human rights standards.

13 The Malawian Nyau cult is a traditional religious group that is found in Malawi and some parts of Zambia and Mozambique. The cult is believed to have originated from the secret societies of the Chewa people, which were formed to protect their communities from external threats such as slave raids. The Nyau cult is known for its elaborate masquerades and dances, which are performed during traditional ceremonies and rituals. The Nyau cult is also known for its use of masks, which are often made from wood, animal hides, and other materials. The masks are believed to have spiritual powers that enable the wearer to communicate with the spirits of the ancestors.

Conclusion and recommendations

In conclusion, this paper explored the '*emerging forms of spatialised and socialised authority*' in African peri-urban spaces, focusing on access and security over land by *tenure-insecure peri-urbanites*. The study reveals that state functionaries, political party allegiance, traditional leaders, cooperatives, lobbying groups, legal courts, religion, and the occult all play important roles in shaping land governance in the peri-urban. State functionaries, including parliamentarians, bureaucrats, government and local authority officials, and urban elites, play a central role in developing and implementing land tenure and allocation policies. However, their actions can be influenced by political considerations and personal interests, which can result in the exclusion of the urban poor from access to land. Political parties also significantly affect land governance in African peri-urban spaces. They often use land allocation as a tool for patronage and clientelism, resulting in the exclusion of the urban poor from access to land. Traditional leaders are also influential actors in land governance in African peri-urban spaces, with the power to allocate land and mediate land disputes. However, their actions can also perpetuate land injustices, particularly against the urban poor, for example, when they are complicit in selling communal land to private developers, resulting in the displacement of the urban poor. Cooperatives are also increasingly seen as a means to promote community participation in land governance and allocation. However, their effectiveness depends on the level of accountability and transparency in their operations, as some studies show how they can be used as vehicles for elite capture and exclusion. Lobbying groups also play a critical role in advocating for the rights of *tenure-insecure peri-urbanites* and promoting participatory governance in land allocation. However, their effectiveness depends on their capacity to engage with decision-making processes and hold other actors accountable. Legal courts provide a means for resolving land disputes and upholding the rule of law; however, they can be constrained by corruption, inadequate resources, and cultural biases. Bizarrely, religion and the occult are also emerging as important institutions in land governance in African peri-urban spaces through their beliefs, mediation and sometimes invoking deathly practices against the threatening others.

The article demonstrates how land remains economically, socially and emotionally important among poor urbanites and migrants. Secondly, the study demonstrates that the drivers of *emerging forms of authority* in African

peri-urban spaces are multifaceted, ranging from demographic changes, economic transformation, and political contestation to new technologies and media. These drivers create new opportunities for exercising power and authority and pose significant challenges to inclusive and participatory governance. Thirdly, the implications of *emerging forms of authority* for governance, citizenship, and democracy are positive and negative. On the one hand, some of these *forms of authority* provide alternative pathways for peri-urban development and self-governance. On the other hand, they are also undermining democratic institutions, eroding the rule of law, and exacerbating social inequalities. The study also demonstrates that poor African urbanites and migrants are not passive but '*nimble-footed and responsive*', as they find ways to secure land by drawing on various normative orders like the courts and sometimes through evasion, patronage performance and other means of conviviality. The review helped broaden the scope of actors that need to be engaged in the planning and governance of peri-urban spaces in Africa's era of complex peri-urbanisation processes.

It argues for more interdisciplinary research and policy attention to these *emerging forms of authority* and their implications for the future of African urbanisation. By recognising the complex and dynamic nature of authority in peri-urban spaces, it may be possible to identify new pathways for promoting inclusive and participatory governance and harnessing the potential of these *emerging forms of authority* for the benefit of all citizens. While formal state institutions are important, informal power structures and alternative forms of authority also shape how land is governed and used. As such, efforts to improve land governance must consider the diversity of actors and institutions involved in shaping land management and decision-making processes. These players include political patrons or state functionaries, traditional leaders, cooperatives or state idioms, the courts, the occult and, most importantly, the urban poor, including migrants.

Based on the findings of this paper, the following recommendations are proposed to promote inclusive and participatory governance in African peri-urban spaces:

1. *Foster multi-disciplinary research and policy approaches:* Given the complex and diverse nature of *emerging forms of authority* in African peri-urban spaces, it is essential to adopt a multi-disciplinary approach that draws on insights from geography, political science, sociology, anthropology, and

other fields. Such an approach can help to understand better the drivers, dynamics, and implications of *emerging forms of authority* and inform more effective policy responses.

2. *Engage with communities to promote bottom-up governance:* Governments and local authorities should engage with communities to understand their needs, aspirations, and challenges. This can be done through working with community-based organisations, traditional leaders, and other local actors to foster bottom-up governance and decision-making.
3. *Support capacity-building for local governance:* Governments and local authorities should support capacity-building for local governance. This can be achieved by training local officials, supporting the development of participatory planning processes, and providing resources and technical assistance to support local initiatives.
4. *Strengthen democratic institutions and the rule of law:* To mitigate the negative implications of *emerging forms of authority* in African peri-urban spaces, it is essential to strengthen democratic institutions and the rule of law. This can involve promoting transparency, accountability, and responsiveness in government, supporting independent media and civil society, and ensuring the protection of human rights.
5. *Promote sustainable and equitable urban development:* To address the challenges of *emerging forms of authority* in African peri-urban spaces, promoting sustainable and equitable urban development is essential. This can involve supporting inclusive and participatory planning processes, investing in basic services and infrastructure, and promoting economic development that benefits all citizens.

These recommendations highlight the need for a comprehensive and integrated approach to promoting inclusive and participatory governance in African peri-urban spaces. Adopting such an approach makes it possible to harness the potential of *emerging forms of authority* for the benefit of all citizens and promote sustainable and equitable urban development (SDG 11).¹⁴

14 Sustainable Development Goal (SDG) 11 focus on Sustainable Cities and Communities. This goal aims to make cities and human settlements inclusive, safe, resilient, and sustainable. This requires engaging with communities to understand their needs and concerns, and developing policies that address these issues. SDG 11 also require collaboration between government, civil society, and the private sector to create inclusive, safe, resilient, and sustainable cities.

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