

Institutional Multiplicity and its Implications for Resilient Land Administration Systems in Informal Settlements in sub-Saharan Africa – A Focus on Informal Settlements in Lusaka, Zambia

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SUMMARY

A key theme of land administration systems (LAS) in Sub-Saharan Africa (SSA) is the presence of multiple institutions co-existing in the same geographical spaces. The governance of land rights is undertaken by a diverse spectrum of institutions, from traditional authorities and state land offices to local councils and non-governmental organisations. This multiplicity is commonly attributed to factors such as strong colonial legacies, post-colonial governmental policies and reforms and developmental organisational influences. The presence of multiple institutions has permeated the LAS space in SSA, influencing and affecting land administration in customary and urban areas. The result is that both state and non-state institutions/actors are central to matters related to land. Urban informal settlements, commonly associated with fragile tenure arrangements and undocumented property rights and interests, increasingly rely on a complex mix of both formal and informal institutional mechanisms to uphold a semblance of order. This paper investigates how the interplay between these diverse institutions enhances or undermines a resilient LAS in such contexts. Through a critical analysis of legislation, policies, and empirical data from Lusaka, Zambia, this investigation moves beyond merely identifying institutional overlap. It examines how these institutions intersect, conflict, and complement one another in ways that affect core dimensions of resilience such as tenure security, land accessibility, and dispute resolution. A complex LAS is revealed to be at play in informal settlements in Lusaka. While these pluralistic arrangements can provide adaptive mechanisms for maintaining order and resolving conflicts, they can also be conduits for insecurity, dispossession, and opaque governance, often exacerbated by the actions of local politicians and land agents. Ultimately, we argue that building resilient LAS requires moving from attempts to impose formal and unified systems towards understanding of, and then the careful recognition, harmonisation, and integration of the de facto roles played by multiple institutions. Such an approach may better support the development of sustainable systems that are responsive to the realities of Africa's growing informal settlements.

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