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LAND AND RURAL/URBAN LINKAGES IN 21ST CENTURY by Dr. Clarissa Fourie
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Introduction

My approach is very much African oriented. Most of my experience and work has been in sub-Saharan Africa. As a social anthropologist I specialised in land tenure in informal settlements and customary tenure. My work in cadastral surveying covers three major areas:-

- Firstly, land delivery processes. That is, how to combine informal and formal land delivery systems, with a specific focus on land tenure.
- Secondly, increasing technical capacity to deliver secure tenure. Here my focus is on the decentralisation of land registration systems; and the re-gearing of professionals to undertake land management.
- Thirdly, encouraging sustainable land use. My focus here is on increasing local level access to land information; and linking a local land administrator (insider) to the built environment professionals (outsiders).

The issues

Informal land delivery systems often limit the formal growth of cities in Africa. Frequently, when a formal project is being undertaken the informal land delivery system intervenes at one or other stage of the process. When this happens it becomes impossible to deliver legal serviced sites for formal housing.

Nearly all efforts at sustainable formal land delivery are defeated by the informal land delivery systems. The little technical capacity for land delivery that exists is too often wasted on attempts which are ultimately frustrated by the informal system. This leads to a common perception that the formal land delivery system is useless and needs to be changed.

Until and unless informal systems are combined with formal systems they will continue to defeat the goals of governments, developers and development agencies who are trying to supply secure tenure. The challenge is to absorb the informal land delivery systems into the formal system.

As far as land tenure goes, this means that group forms of land registration need to be developed, which go hand in hand with existing individual systems. Successful group land registration systems remain an unsolved problem in cadastral circles.

Secondly, informal land delivery systems in customary areas, on the fringe of cities, often house the poor. Too often new housing on the city fringe is developed for the middle class. If these informal areas are to become part of the formal system it will require the development of land delivery and land registration systems which are geared to the poor. To date land registration has generally been utilised by the middle class.

Land registration for the poor in Africa will mean that the system itself has to be accessible, both in terms of location and culture. The land office will have to be at the local level and be user-friendly to poor, often uneducated, people. Such an approach would challenge our existing land information systems which have generally been centralised and premised on computer literacy.

To combine informal and formal land delivery systems, especially on the edge of cities, it will be necessary to integrate customary and informal tenures into urban management systems.

To do this one would firstly need a local land administrator in place who:-

- Could fit into the local social scene;
- Could introduce and manage change at the local level;
- Has social skills (conflict management, needs assessment, communication) and technical capacity (para-legal, spatial,

planning);

- Has information concerning the range of issues that affect land delivery and sustainability;

A local land administrator, linked to a land manager, would serve to bring an informal land delivery system into the wider urban management system (see diagram below). However, such a local administrator would need to have direct access to, and be supervised, by a land manager. Such a land manager would in turn be adapting the existing urban management system wherever possible to local level norms and standards. This partnership would link the local community and the built environment professionals and the various authorities involved in the land delivery process.

For the land manager to undertake this role he\she would have to be able to:-

- Supply up to date land use control\zoning information;
- Supervise and monitor land records in terms of first registrations, ongoing record integrity, transfers and re-registrations;
- Manage the land information flows between the local level and metropolitan and central level, both in relation to new titling and transfers;
- Ensure that maps of the area were available for local use.
- Assist with conflict management over boundaries and rights;
- Serve as a communication, negotiation and institutional link between the local level and other built environment professionals and organisations;

This type of approach would increase the amount of information about land at the local level. This input alone would facilitate local land management decision making, thereby building overall technical capacity in any given area. It would also encourage democratic practices, accountability and sustainability. It could also well underpin successful land taxation and/or cost recovery schemes.

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