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Panel discussion statement 'Land administration in Africa: Options and challenges'

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1. INTRODUCTION

The World Bank's document 'Land Policy and Administration: Lessons learned and new challenges for the Bank's development agenda,' puts forward new and more appropriate approaches to undertaking land policy and administration. The challenge lies in implementing these new approaches in terms of the technical (legal) aspects. The Moderator has mapped out some of these for Africa, and this is expanded further below.

As a social anthropologist I have worked in the land titling field for years in Africa and observed the behaviour of role players. One of the key challenges relates to these role players. There are at least two very different sets of people. On the one hand these role players come from a social science, economics, political science, geography, background, and on the other hand, from a land surveying, computer science, planning, valuation, engineering type background. Lawyers fall into both sets, with land lawyers generally falling into the former and those involved in land registration in the latter. Judging from many forums, including the e-conference run by the World Bank on land administration (2001), these different role players are still mostly talking past each other. To reach the objectives outlined by the Bank, where land policy programmes are translated into specific steps to be taken in individual countries, practical and pro-poor approaches have to be developed. This will require integrated work by the whole range of role players.

Quoting a widely respected Zimbabwean land surveyor, Sam Zhou, who stated at a major international conference, that there have been too many technical experiments in Africa in the cadastral surveying/land registration field that have failed. Some of the reasons for this failure put forward by different authorities include:-

- Systematic land titling programmes for rural areas are neither appropriate nor within the capacity of most countries and/or individualised, centralised land titling does not fit with customary tenures;
- Designs and laws are adapted from Western countries with all the underlying assumptions of their systems, including sufficient trained personnel, financial capacity and citizen demand for individual titles;
- They do not take into account the needs of the poor, who are the majority in these areas;

In regard to the last point, technical people often see land titling as neutral, and this could well be interpreted in the Moderator's closing remarks. This neutrality is a misleading notion. Because of colonial legacies, many African land titling systems are not pro-poor and instead support the needs of investors and the elites. Many role players who have identified this problem have often gone on to argue that land titling should not be instituted at all, especially in rural areas. These same people perhaps forget that many countries already have some form of land registration system in place from their colonial past, and that investors and the elites continue to use the system for their own purposes, which directly impacts the rural poor. Mozambique is a classic example of this, where up till a few years ago investors were often being allocated rural land that was already occupied 1/because the land titling system allowed it to happen and 2/because there was no information/evidence about the rights of these occupants. As the Moderator indicates, to go forward Mozambique had to change its regulatory framework for titling to prevent this happening and develop a land titling approach for investors that simultaneously protected the poor.

That is, whatever pro-poor system is put in place for rural tenure security, it has to be linked with, and take into account the existing land titling system, which means the development of a new regulatory framework. It is not possible to design a local system in isolation from the national system (provincial system in federations), where a national system is already in place. The designing of such new systems is extremely complex and Mozambique, Namibia and Uganda can testify to this. It can only be done if the different types of role players create these approaches together and in a rigorous fashion.

Using stereotypes and drawing from my observations, people trained in the land surveying field are not generally trained to undertake critical reviews or reflect. The epistemological development in the discipline is embryonic outside of technical issues. They are instead trained to do the job. On the other hand, the strength of social scientists is in being reflective and critical, but they are not trained to deliver tangible products, such as buildings or survey diagrams or plans. Experience has shown that land surveyors and others can be trained to reflect and re-think their systems, and that social scientists can learn to develop practical steps for implementation. However, the shortcomings of the different role players need to be worked at, as it is a leitmotif in both the poor technical designs I have evaluated, as well as in the impractical land policy I have seen. It is impractical because the technical (legal) tools do not exist at present to deliver on some of the land policy approaches being developed, such as for example:-

- Creating certain records for group rights in situations where the group is not cohesive, and recording rights which are not of equal status, such as primary and putative rights;
- Being able to register a large variety of tenures covering any and/or all social tenure types, and as they evolve over time;
- Creating a de jure land registration system that matches the de facto social land tenure system;
- Creating a coherent land information system for both accurately surveyed parcels and sketch plans, where both centralised registered freehold and less accurately 'surveyed' occupants individual/family rights have to be on the same system;
- Community based approaches which are difficult to scale up to national level;

The Moderator has detailed some of the existing tools and suggested some new approaches for Africa using modern technology such as GPS, digital mapping methods etc. These options need to be developed even further, as the land administration toolbox is not big enough yet for African requirements.

My conclusion is that firstly, land policy development, to be capable of being implemented, needs to take place within the context of what is practical and doable, in terms of the present toolbox, and the limitations of the technical (legal) tool box need to be known to all role players. If land policy requires the pioneering of new tools at country level, this decision needs to be taken with the technical (legal) people, with appropriate risk identification analysis and time horizon estimates. Experience has shown that it is only where these issues are worked out robustly over long time periods, in joint forums, such as in Mozambique and Namibia, that the technical (legal) design ends up as pro-poor and practical.

Secondly, many of the new tools required may well be of generic use in Africa, and other developing world countries (and could be adapted). A research agenda as a focal point, as suggested by the World Bank, is critically important. An international research programme should be managed in a structured way to develop Best Practices through work undertaken within different countries.

2. DEFINING LAND ADMINISTRATION WITHIN AN AFRICAN CONTEXT

One of the more fruitful areas where research involving all role players could and should take place is in defining 'what is land administration in the African context'. While the Moderator rightly has moved away to some extent from the conventional European-centric definition of land administration, by also including possessory rights, I would argue that we need to go even further.

The conventional definition is based on the guidelines developed for the United Nations Economic Commission for Europe (UNECE 1996), which defines the term 'land administration' as "the processes of determining, recording and disseminating information about ownership, value and use of land when implementing land management policies" (UNECE 1996:91). However, this definition is not helpful given the reality of the developing world in general and Africa in particular. In the African context a range of other issues need to be taken into account in defining land administration namely:-

- Governance and institutional aspects;
- Non formal and informal land administration systems;
- Separating rights ('who' and 'what') from boundaries ('where');
- As indicated by the Moderator, possessory/occupancy rights;
- The role of a land administration infrastructure and/or Spatial Data Infrastructure (SDI), which includes both cadastral and non cadastral spatial units;
- Whether the boundary/spatial information is an infrastructure for the Public Good, rather than primarily being legal evidence of individual/group rights;
- Matters raised when land administration systems are reviewed within a pro-poor and decentralised framework;
- Matters raised when making land administration systems simultaneously useful to investors, the poor, customary areas and formal land markets;

A key problem with the European-centric definition is that firstly, it is cadastral parcel based. Secondly, this definition excludes the governance and institutional issues which are critical to land administration in Africa, where institutional restructuring and decentralisation are common approaches, because of the weakness of the central state and to improve good governance. Thirdly, an exclusive focus on the cadastre automatically excludes those areas outside the cadastre, such as informal settlements and customary

areas.

The Moderator refers to the fact that only about 2-10 percent of the area in a country is usually covered by the cadastre. In addition to this, Habitat estimates that 20-80 percent of urban growth in the developing world takes place informally. In rural areas in Africa most parcels have not been mapped/surveyed and the administrative units of the country remain the most commonly used geo-spatial reference, even though the socio-territorial units of chiefs, clans etc. undertake the majority of land administration decisions.

As early as 1999 the Federation of International Surveyors and the United Nations (Bathurst Declaration) concluded that Africa, together with other developing country areas, had a different experience and the term 'cadastral infrastructure' was replaced by the term 'land administration infrastructure', to accommodate the developing world (where there is only about 30% land title coverage). The reason why it is termed 'infrastructure' is because it is used by other systems, and in this way can be compared to roads, electricity and/or telecommunications systems.

Cadastral information is often used as the basis for other systems such as:- spatial planning, land use management/controls including natural resource management, service delivery, valuations, the rating of properties, cost recovery on services, land tax, raising financial capital, dispute resolution and conflict management. Therefore, often where the cadastre does not exist (including a fiscal/tax cadastre which can serve as a substitute), there is also no formal planning, sustainable land use/natural resource management, valuation, rates/tax, and cost recovery on services, at scale (applicable country wide). For this reason, a systems analysis of all the systems that form part of land registration and/or rely on the system, including informal land administration systems and informal versions of the formal system, should be integral to any land policy development.

The idea is that 1/some form of appropriate land administration infrastructure and spatial unit is necessary so that these other systems can be put in place 2/alternatives to the cadastral parcel information need to be developed such as sketch plans, geo-codes etc. for this purpose 3/that an integrated spatial information system would include both/all of these different spatial units. The Federation of International Surveyors, in a recent African conference (2001), have moved to strengthen this definition of land administration infrastructure, through expanding its technical aspects to include telecommunications infrastructure etc., but the thorny issue of a robust alternative spatial unit has still to be tackled and needs to be researched.

From another angle, for African purposes, land titling needs to be further unpacked to get to a more useful definition of land administration. Land titling in many formerly colonised countries consists of two separate aspects, creation of documentation about 'who' holds 'what' rights, and the cadastral survey producing evidence about 'where' the rights can be found. Turning to the rights, or 'who', 'what', aspect. There has been a long debate about whether 'titles' or 'rights' should be the preferred approach. This debate has taken place largely outside of the land titling industry and the Moderator, by introducing possessory rights as an option, alongside 'sporadic' titling (not systematic titling programmes), is taking a bold step which I completely support.

Given the cost of land titling, and its well documented lack of success to date in Africa, the majority of rural people's tenure security should be catered for outside of the central land registration system. That is, a range of other options to improve tenure security should be utilised such as:- anti-eviction rights, adverse possession (possessory/occupancy/use rights), local level forms of registration/recordal.

While it is clear that centralised land registration systems, run out of the capital city by land professionals working for the commercial sector and elites, is not a system which can be extended to the majority, working models of decentralised land registries exist in Africa (e.g. in Namibia). This registry demonstrates that the majority of people in an area can benefit from decentralised land titling, in terms of an improvement of their asset base, good governance and service delivery. Therefore, land titling per se cannot yet be ruled out when land policies are developed. Rather, it needs to be investigated in terms of other issues, such as the decentralisation of land services and capacity to deliver at these levels, and the cost of their provision to the state and to the citizen.

The role of land professionals, and the design of a regulatory framework in this situation, would be to 1/make it possible to title those who could afford it and were prepared to pay 2/protect those who cannot afford it from losing their land during a land titling exercise 3/develop approaches which allow simple forms of evidence to be used to protect these 'untitled' rights and/or to develop decentralised land titling systems.

Turning to the 'where' side of the rights description, often referred to as the cadastre, and its accompanying spatial information. The Moderator takes a bold step and indicates that spatial information systems in their own right, and not only linked to a highly accurate cadastre, should be developed for a range of uses and include "flexible and non traditional approaches to content." I totally support this approach, which in my reading means that, non cadastral information should be integrated into spatial information systems, alongside the cadastral information. The high accuracies and expensive professional expertise associated with the cadastre, and the systems linked to it, has meant that there is too little cadastral coverage in Africa to supply the necessary spatial information for these other purposes. Yet, as already indicated, this spatial information is needed for a variety of other tasks such as planning, service

delivery, cost recovery and sustainable natural resource management.

To overcome this lack of spatial information, some countries have generated some spatial information but this is not stored or shared in a systematic manner and is spread among a range of institutions/organisations. This limits the country's ability to set up a systematic infrastructure for land administration and use by a range of systems. Other countries, especially for rural areas, have not developed any alternative to cadastral information, and there is therefore a void that directly affects a range of key decisions linked to quality of life. The role of the land professionals should be to 1/develop appropriate less accurate spatial information 2/store it in a Spatial Data Infrastructure appropriate to Africa, to ensure it is systematised and sustainable 3/ develop this infrastructure as a Public Good for a range of purposes. The definition of land administration would need to be reviewed in the light of these approaches.

In regard to poverty issues and land titling, while the Moderator obviously takes this into account judging by the types of approaches and technical ideas he puts forward, he does not explicitly address this issue. Given that many regulatory frameworks for land can be shown to be anti-poor, land administration systems in countries need to be assessed in terms of pro-poor conceptual frameworks. This in turn should contribute to a redefinition of land administration for Africa.

It is suggested that using the sustainable livelihoods approach would make it possible to establish a rigorous link between poverty alleviation and land administration. Such an investigation should focus on assessing the impact of land registration/cadastral reform/decentralised recordal policies on the assets of the poor with respect to:

- Land, their access to it and tenure security, within and outside of the land registration and cadastral system;
- Their access to natural resources, within the framework of land use planning/natural resource management, if implemented through the cadastral surveying system and/or linked systems;
- Social capital, in terms of their de facto land tenure systems, which supplies them with a safety net, family rights, land rights for women etc. The fit between statutory law and customary/informal laws and norms would have to be carefully assessed;
- Institutional capital. Often the poor are left outside of the formal land administration system. The World Bank has indicated that access to institutional and social capital, i.e. accountable institutions and mechanisms to enforce existing laws, is increasingly recognized as being as important as physical, human and natural capital. The way in which land rights are administered assumes critical importance in this respect;
- Information capital, generally the poor have no access to statutory/technical (legal) information about land and land use, and about the technical procedures relating to land. This in turn limits good governance (e.g. transparency, accountability of officials) and encourages land theft;

The Moderator indicates that new land policy design is on the agenda of several countries. It is suggested that this should be accompanied by an analysis of its potential contribution to poverty alleviation by using a sustainable livelihoods approach. This approach is considered as probably the most appropriate, with respect to the range of poverty analysis frameworks available, for the assessment of land administration systems in the narrow technical (legal) sense. This is because of their broadly shared analytical criteria such as 1/physical scale (macro country level and micro parcel level), 2/multi-sectoral (e.g. includes forestry, human settlement, agricultural reform, water management, tax, etc.), and 3/ time scale (longevity, over time, sustainable).

The sustainable livelihoods approach would make it possible to:-

- Assess how poor people's options and constraints would be impacted by a new land policy and the envisaged design of the new land registration and/or recordal and/or cadastral system;
- Evaluate how it would enhance the overall level and sustainability of livelihoods, and suggest alterations to policy and regulatory framework design, to improve the fit between the intervention and sustainable livelihoods;
- Identify whether it would enhance their asset base specifically;
- Keep the focus on the poor. Because of the multiple stakeholders involved in land registration/cadastral reform, the needs of the poor are often left out, or downscaled;
- Assess what poor users are prepared to pay for land services -land titling, land rights, the transfer of a registered right and/or spatial information;
- Undertake a rigorous assessment of how far land services have to be decentralised to be useful to the poor;

This type of investigation may well contribute to facilitating the further integration of land-related issues (in the form of coherent programmes) into PRSPs and/or strategies for poverty reduction and economic growth. For example, such an analysis may well lead to an integrated programme involving peri-urban and/or ribbon development land readjustment projects, where the deliverables would be for example:- improved tenure security for the poor occupants leading to increased agricultural productivity, the development of roads and off farm jobs through improved access to town, reduction in conflict between landowners and occupants and/or traditional leaders and city authorities leading to reconciliation, and improved land markets on the urban periphery .

Finally, we need to come back to the question of what is an appropriate definition of land administration in Africa, and re-examine it in terms of the issues identified above.

3. CUSTOMARY TENURES AND LAND MARKETS

As indicated by the Moderator, customary tenures and land markets have often been seen as separate and opposing systems. This has been done largely to support the defence of customary tenure from land titling schemes in rural areas. As indicated, expensive, centralised and systematic land titling schemes do not have a role to play to improve the asset base for the rural poor in Africa, except in so far as they gain from the titling of commercial investors in rural areas. Instead other approaches need to be adopted such as decentralised land titling, strengthening occupancy/use rights etc. and/or relying on customary tenures to supply tenure security on their own, where there is no formal land market to undermine this security.

However, to go forward countries need to begin to create appropriate regulatory frameworks which integrate both land titling systems and customary tenure systems and take into account the evolution of customary tenure areas over time, as indicated by the Moderator. To undertake this a number of areas should be investigated. Firstly, customary areas and land tenures are not static but evolve over time, also with respect to external conditions. A taxonomy of types and geographic areas per country should be identified, where cohesive social land tenures are no longer supplying tenure security and natural resource management, and which require other forms of intervention, such as an appropriate land titling approaches. Such areas are likely to include informal settlements, cash cropping areas, ribbon development, peri-urban areas. Best Practices for these different interventions should then be found.

Secondly, while the evidence requirements of land registration/ record systems need certainty of description about 'who' holds 'what' rights 'where,' customary tenure rules change over time and are ambiguous. For these reasons, the rules cannot be codified. For example, whether children are born of a formal or informal union is often negotiable, because the process of defining formality is tied to a series of ceremonies over time. This impacts the inheritance of land rights. Research in Namibia has shown that it is not possible to turn social land tenure systems into matching decentralised registered rights, largely because the registration systems require certainty. For these, and other, reasons land policy designs which allow for an infinite variety of social land tenure types to be brought into the land titling system, can increase tenure insecurity instead of improving it. Best practices need to be identified and approaches developed that will facilitate the transformation of de facto land tenure systems into de jure systems, including land titling systems. Co-management approaches linked to local witnesses and deeds systems (not title systems) are potential areas for further investigation.

Thirdly, the linking of group and family rights to land titling is still not a solved problem in regard to land record systems, and requires further technical and legal research. To protect people's rights, a description of 'who' has 'what rights' needs to be made even in group situations, because all members of a group/family are not equal in customary areas. This is especially important in relation to the non formal land market. Land markets exist in customary areas, but often the land is only 'sold' within certain categories of relationships (relatives marrying into the family, patron client relationship). Also rental agreements are widespread and often these become defined as 'sales' over time. These land transactions may include cash, but they are not based exclusively on cash. All the permutations around these issues, and the conditions for the admittance of what are known as 'strangers' into customary areas, needs to be further investigated in relation to land markets and land titling in rural Africa and appropriate record systems developed, especially for group/family rights.

Fourthly, with respect to the urban areas, the Moderator refers to customary tenure surrounding cities and the role played by traditional leaders in these areas. Land readjustment is the only viable strategy for the extension of cities under these conditions and the spatial information and adjudication aspects of land readjustment (part of land administration) within an African context, needs to be further researched. Best Practices are under development in Lesotho. The research needs to be done also in terms of the governance context, as customary tenure includes both governance and 'ownership' aspects.

Finally, for economic growth investors require land titles in rural areas that will give them sufficient tenure security to undertake commercial developments. Land titling systems need to cater for this demand, while simultaneously taking into account that these areas are already occupied, often in terms of customary tenures. Approaches such as that under development in Mozambique, mentioned by the Moderator, need to be investigated.

4. SPATIAL DATA INFRASTRUCTURES (SDI) AND OCCUPANCY/USE RIGHTS

As indicated by the Moderator, a modern analysis of land administration focuses not only on tenure security issues, but also on the benefits arising from the use of the land records as a source of spatial information. This spatial information can be used to plan the delivery of economic and social services, target programmes for the poor, monitor the environment, increase agricultural productivity, design cost-recovery schemes for utilities, and many other things. Any analysis of the major economic benefits of land titling in regard to PRSPs should therefore take into account both the narrow focus of increased tenure security, as well as the broader focus arising from the use of the spatial information created as part of the titling process. If adjudication and titling is undertaken systematically for the poor in appropriate areas, the spatial information created can be used for these other purposes (adjudication needs to be systematic,

titling of adjudicated parcels does not).

This should be done in terms of a number of frameworks namely:- by firstly identifying the benefits of decentralised land titling for poverty alleviation, when accompanied by the simultaneous creation of an appropriate Spatial Data Infrastructure (SDI) as a Public Good for other purposes. Secondly, by identifying what other non cadastral spatial information systems are part of the land administration infrastructure and bringing them into the SDI, that is, as indicated by the Moderator, placing cadastral and non cadastral parcels on the same system. For example, there are many such systems associated with natural resource management in Africa. Thirdly, through the creation of an appropriate SDI, make it possible over time to also have evidence about non titled rights on the system. For example, occupancy/use rights are sometimes proven through information on electricity bills and/or the evidence created by land use planning schemes, and should be part of the SDI.

If this spatial information was the product of a SDI it is more likely to be routinely available, consistent, have useful temporal dimensions, and be supported by knowledgeable officials, all of which are important for the courts. In this way the cadastre and associated SDI could be adapted to give the poor both increased tenure security, by supplying evidence for use by the courts and other dispute resolution fora, to protect the land rights of people in terms of anti-eviction and adverse possession laws, and increase access to spatial information for general decision making for the delivery of services. Conventional approaches to land registration have often been seen as having no place in poverty alleviation programmes because of their cost and because the poor cannot afford land titles. I am arguing that an adapted form of the system, linked to spatial information, can be critical for poverty alleviation.

However, the creation of such an appropriate SDI for Africa requires extensive research. Working with van der Molen (incoming chair of the Federation of International Surveyors Commission 7 on the cadastre and land management) and Groot (ITC- the largest organisation training African Surveyor Generals' staff), a research agenda has been created, in regard to this issue, for publication as a forthcoming paper (Fourie, van der Molen and Groot). Key issues raised in this paper are identified below.

"The most important research issue is the creation of a common geo-spatial framework that can accommodate a range of land management/administration organisations, not all of which use cadastral parcels and co-ordinates. This is not yet a solved problem, but could well be solved in terms of new technology that takes into account positional uncertainty. One possible approach for such a common geo-spatial framework, discussed for Africa, is the creation of a framework based on visualisation (UNECA). Another possible approach could be based on grids that are simultaneously useful to a range of organisations, and measurement and non-measurement experts. However, other frameworks might well be more appropriate.

..We need to develop a range of spatial units, including but going beyond cadastral parcels, that simultaneously allows land ..administration to continue across (a) range of organisations, but which facilitates increased inter-operability over time between these organisations. The research challenge is to identify what the characteristics of those spatial units should be, and to work out which spatial units or common identifiers will facilitate and encourage this inter-operability. ..Part of the research should also include an investigation of what already exists in different countries, in terms of the range of different spatial units being used for land ...administration."

In regard to the critical issue of cadastral parcel accuracy, the Moderator indicates that a range of appropriate accuracies should be adopted, especially in relation to spatial information. The implications of this daring and controversial statement are already being investigated within the industry. Fourie, van der Molen and Groot state that the research questions which need to be asked in regard to this issue are, "...can core data, and a common infrastructure, only be created by using high accuracy co-ordinates? ..can we create infrastructures that accommodate systems that lack co-ordinates? ..The extent to which co-ordinates (accurate or not) are affordable should be assessed. This should be done taking into account issues such as fitness for purpose; short term investments using quick and dirty approaches; low versus high value investments; project versus programme based approaches often funded by donors; a common focus on set up costs rather than on maintenance and sustainability; and medium to long term investment options.

A range of identifiers which allow common cross referencing should also be investigated, such as geo-codes rather than only parcels, fuzzy polygons, administrative units, roads, people's names and/or addresses (including house numbers), prominent local institutions, imagery, sketch plans, and occupancy data. Finally, the role of the paper map as a spatial unit that facilitates common cross referencing for non-measurement experts should also be re-examined. Such an investigation should supply the foundation on which to undertake additional research relating to issues such as, firstly the role of the legal and regulatory framework in regard to ..geo-spatial data. Although some countries have a current land policy, it is likely that many do not have a coherent geo-spatial data management policy. The question needs to be explored as to whether it is possible, and under what conditions, to share data if there is no legal and regulatory framework for ..geo-spatial data? Also, ..to what extent are current multiple local initiatives autonomous sub systems outside of the legal and/or information framework of the country? And to what extent these sub systems operate sustainably? Also, what is an appropriate policy and legal and regulatory framework for developing countries for (S)DI development, in relation to land ..administration? Finally, under these conditions how is capacity built in regard to relevant regulatory frameworks, to increase inter-operability at local level but also across the nation, to improve land.. administration?"(Fourie, van der Molen and Groot:

forthcoming).

While the above research is critical to feed into poverty alleviation initiatives, it also vital for countries to be able to manage land titling systems which cater both for commercial investors and for the poor and/or customary areas. These issues, for example, are of central importance in Uganda and Mozambique. As indicated by the Moderator, these countries are African pioneers in the land titling field.

5. TORRENS TITLE/TITLE SYSTEMS

The Moderator rightly identifies that the Torrens titling system has limited application within the African context. Also, titling systems that alter the evidence requirements from that of human witnesses (deeds system) to that of official documents (title system), alter the transparency/governance balance and can force reliance on poor records, instead of good memories. A land registration system using evidence linked to witnesses is more likely to fit with social tenure forms of evidence creation in Africa. Best Practices in regard to land registration systems per se needs to be investigated.

6. GENDER ISSUES

The Moderator indicates that while legal reform has been undertaken to improve the rights of women in relation to land, that it has not had sufficient impact on the ground. This has also been my experience. Why gender policies and laws are not having the necessary impact and how this can be addressed should be investigated.

7. ISLAM AND LAND ADMINISTRATION

The Moderator raises issues about the statutory systems in North Africa and the Middle East. This does not go far enough, as Muslim religious practices have enormous impact on land administration in these countries in regard to land use allocation, inheritance and deceased estates, pro-poor policies, gender etc, and this needs to be further investigated.

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