

Money, power and the complexities of urban land corruption in Zimbabwe

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Abstract

Urban land in Zimbabwe is a lucrative economic and thus political asset. Increased demand for urban land across the country has been driven by multiple factors including high rates of urbanization, increased rural-urban migration, urban population growth and serious challenges in housing provision post-independence. This paper uses desk research to map out the actors and contestations over land. It highlights case studies from Harare and Chitungwiza that show how political power leads to primitive accumulation in which politicians and politically connected individuals use land as an economic and political asset. Some of these individuals are popularly known as land barons who use corruption to swindle home seekers of their money. There are multiple cases of people who have lost millions of dollars to these illicit land dealers. The paper also focuses on peri urban areas where land has emerged as a political tool to control and amass votes for the ruling ZANU PF. People have illegally settled on land and use political affiliation to ensure their continued occupancy. The political complexities involved in land corruption make difficult to combat the problem. Politicians and bureaucrats with responsibility to fight corruption are also entangled in the web of corrupt dealings which make is difficult to end the problem.

Introduction

Urban land provides spaces for understanding the intersection of politics, money and corruption in post-colonial Zimbabwe. In this paper I trace the political economy of accumulation in which political power is used by various actors claim a stake in the lucrative urban land markets. Urban land in Zimbabwe is a lucrative economic and thus political asset. Increased demand for urban land across the country has been driven by multiple factors including high rates of urbanization, increased rural-urban migration, urban population growth and serious challenges in housing provision post-independence. With increased demand for land, Zimbabwe has witnessed multiple cases of corruption in which various actors in the land sector have used various forms of power to accumulate primitively. This paper uses desk research to map out the actors and contestations over land. It highlights case studies from Harare and Chitungwiza that show how political power leads to primitive accumulation in which politicians and

politically connected individuals use land as an economic and political asset. Some of these individuals are popularly known as land barons who use corruption to swindle home seekers of their money. There are multiple cases of people who have lost millions of dollars to these illicit land dealers.

The paper also focuses on peri urban areas where land has emerged as a political tool to control and amass votes for the ruling ZANU PF. People have illegally settled on land and use political affiliation to ensure their continued occupancy. The political complexities involved in land corruption make difficult to combat the problem. Politicians and bureaucrats with responsibility to fight corruption are also entangled in the web of corrupt dealings which make it difficult to end the problem. In Zimbabwe, urban land has become a tool for political patronage used by the ruling elite to ensure reproduction of political power, amidst a growing population of urban dwellers. Urbanization, city planning and land use policies in the Zimbabwean case study is dictated by politics instead of the more natural and technical issues. The Harare case study brings to fore evidence on the ruling party virtually creates and inserts cities and towns for political purposes in defiance to the principle of responsible and sustainable city planning. The result of this has been the mushrooming of informal and uncoordinated informal settlements, rise in urban poverty and unemployment as well as poor social service delivery.

According to the Ministry of National Housing and Special Amenities, there are approximately 1.2 million people on the government's national housing waiting list, although the exact figure is not known because most local authorities do not collect the necessary data. The post 2000 scenario is complicated by an emergent 'Zimbabwean Crisis' characterized by political violence, massive inflation, widespread suffering, food shortage, international isolation and a general decline of standards of living. Urban housing was almost impossible to access for the poor and squatter camps, back yard shacks and renting out of rooms increased. The crisis for urban land in such a context was highly political as corrupt tendencies became institutionalized. The situation was further worsened by a government programme in 2005 dubbed Operation Murambatsvina/Clean-up which sought to bring 'order' to urban centres by destroying illegal housing structures. According to the UN, Operation Murambatsvina left more than 700,000 people homeless across the country and a further 2 million indirectly affected through the loss of their livelihoods. Increased corruption and primitive accumulation amongst the political elite has exacerbated pressure for land in urban spaces. 2000 – 2010 in many ways represents a lost

decade for Zimbabwe as services and government expenditure regressed in all sectors. It is within this period that cooperatives and land developers emerged to cover the gap left by government and this also saw the increase in land related fraud in urban areas.

Theoretical framework

The term land corruption is a new term in both policy and academic literature (Kakai 2012). Corruption in the land sector is the abuse of power and authority by those in charge of land administration for their own gain or benefit (Mutondoro and Ncube, 2013). Land corruption often involves two parties namely an individual and or group with interest in land as a resource or other benefits that come along with owning or controlling it and on the other hand those with authority and power to decide who can own, use and access land. Often land corruption is an outcome of the colluding interest between these two parties. Such a collusion is possible when those with power and control over land, abuse such power and authority in parceling out or allowing control, use and ownership over land. Kakai (2012) argues that, in the sphere of land corruption, power is both an exploited resource and the aim of the action undertaken. It is important to note that land corruption is a global problem that has been motivated by poor land governance in most countries. A 2011 study by TI highlights that corruption in land governance is often symptomatic of the breakdown of a country's overall governance. Poor governance, therefore, increases the probability of corruption in the land systems and land administration and intensifies the impact of pressure on the use of the land (FAO 2012).

Land corruption has also been fueled by policies that are riddled with opportunities for corruption and rent-seeking behaviour. Some of these policies include Land Reform, Energy, Housing and Infrastructure development policies. In a number of cases, these policies have opened the floodgates for domestic and international capital to invest in such projects as biofuels production, mining, carbon trade, housing and property development. In a number of cases, these capital investments in land has resulted in the proliferation of land corruption manifesting through bribes, kickbacks, and political patronage. Such investment which are normally non-transparent, have also resulted in numerous cases of land grabbing, dispossession, homelessness and housing demolitions. Land corruption in African countries has also been made possible by the politicization of land and urban spaces as well as the land tenure regime in most countries. In Zimbabwe, for instance, urban land has been critical in determining the outcome of elections. The ruling party has abused its power by creating new constituencies to house and accommodate its supporters. Often those who support the

opposition party have been displaced as their properties are demolished in various state-sponsored operations.

It is also important to provide a rights based analysis of urban land corruption. Africa is rapidly urbanising and urban land has emerged as a frontier for contestation with many cases of land corruption emerging which have negatively impacted the poor. In some cases, people have lost money through illicit land deals and this directly affects access to housing and shelter in the urban areas. Housing however is a recognised human right and its fulfilment is directly linked to land access. Article 25 of the Universal Declaration of Human Rights recognises the right to housing as part of the right to an adequate standard of living. It states that:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) also guarantees the right to housing as part of the right to an adequate standard of living. Urban land corruption is directly impeding the fulfilment of these fundamental human rights. As a result of land corruption again, individuals have been denied access to land because of lack of money required in land bribery transactions involving. In some cases, access to and ownership of land has been determined not by market forces or pro-poor policies but systems of political patronage and clientelism where only those willing to pay the *political and economic rent* are guaranteed of access to and control over land. Land has therefore been used as a tool to ensure that the political actors get more political votes through parceling out land on a patronage basis.

Methodological approach

This paper is based on document analysis. According to Altricher et al (2008:147), “document analysis is the systematic examination of documents in order to identify needs and challenges”. The focus of the analysis should be critical examination, rather than a mere description, of the documents. Document analysis worked best when the purpose was to recognise patterns. O’Donoghue and Punch (2003), defined document analysis as a social research method, an important research tool in its own right and is an invaluable part of most schemes of triangulation. The document analysis will be conducted through a systematic review.

Systematic review is appropriate in identifying, appraising and synthesizing research-based evidence and presenting it in an accessible format (Mulrow 1994). According to the Cochrane Handbook (2003) 'A systematic review attempts to collate all empirical evidence that fits pre-specified eligibility criteria in order to answer a specific research question.' It uses explicit, systematic methods that are selected with a view to minimizing bias, thus providing more reliable findings from which conclusions can be drawn and decisions made. The review will include the following types of literature: Academic work including journal papers, conference proceedings, books, research monographs, policy briefs; Student theses at Masters, PhD and DPhil theses; Non-governmental organisations reports, evaluations, briefs; Grey material, newspapers and magazines.

Findings and discussion

Dynamics of urban land corruption

Demand and shortages of land in Zimbabwe is not a function of land scarcity but rather poor urban planning and a stalled national housing project due to economic problem. This desperation for housing has led to the emergence of politically connected and corrupt individuals, infamously known as 'land barons'. These politically powerful individuals are subverting laid down regulations and procedures to acquire land. Chiweshe narrates how urban land corruption has become an endemic problem within the Chitungwiza Municipality. He argues:

The Movement for Democratic Change in 2010 carried out an audit on the conduct of their elected councillors in Chitungwiza after serious allegations of corruption. In its report the committee noted that: '...It was reported that there were 26 commercial stands at Chitungwiza Town Centre. Only six of the stands were sold through the proper procedure. The other 20 were allegedly sold clandestinely by former mayor Marange and the Town Clerk. Our findings are that our own councillors are generally corrupt and are heavily involved in underhand land allocation deals, receiving of bribes...' These allegations point to a situation of rampant abuse of power where councillors are using their positions to amass property and solicit bribes for land. Observations on the ground in Chitungwiza indicate the mushrooming of residential stands in protected wetlands which is environmentally wrong.

Within the context of economic crisis in Zimbabwe, land has emerged as an important asset for those in positions of power to amass wealth. Chitungwiza has emerged as an important site for the playing out of political corruption and networks. As people continue to struggle to find

housing in urban centres, corruption will deepen. The impact is that ordinary residents lose hard earned savings to unscrupulous land developers. Newspapers have many cases including when Energy Mutodi, a singer cum land developer aligned to ZANU PF defrauded civil servants in Mutare on the promise of developing stands and collecting monthly payments from the people. In 2018 he was named as a deputy minister. His case forgotten and the people lost their savings forever. The continued scandals over urban land which allegedly led to the loss of over US\$57 million at one site in Harare, led to the then Minister of Local Government, Savior Kasukuwere to halt the operations of housing cooperative schemes.

Urban land in Zimbabwe is increasingly becoming a lucrative economic and thus political asset. Increased demand for urban land across the country has been driven by multiple factors including high rates of urbanization, increased rural-urban migration, urban population growth and serious challenges in housing provision post- independence. With increased demand for land, Zimbabwe has witnessed multiple cases of corruption in which various actors in the land sector have used various forms of power to accumulate primitively. In Harare and Chitungwiza, there are many reported cases of corruption involving land and in some of the cases ordinary citizens have lost millions of dollars to politically connected, unscrupulous land developers. It is however within councils that most corruption persists. ZANU PF has also over the years used urban land as a tool for winning elections. Chirisa et al (2015:12) argue that:

ZANU PF has encouraged those who want land to build to get into the cooperatives. Once in the cooperatives, members must adhere to the requirements of the *musangano* (ZANU PF) and pledge their allegiance to vote for it without which the cooperatives risk losing their land. Such is the housing and the political landscape that has characterized Harare especially in the run-up to July 31, 2013, Harmonized Elections in which ZANU PF won.

Study by Dube and Makaye (2013) also state that in the 2013 Harmonized elections gerrymandering can be seen in the case of Harare South constituency that has components of Harare urban as well peri-urban areas where there was land settlement by ZANU-PF party loyalists. ZANU PF virtually created an urban seat through creation of new unregularised suburbs where people do not have legal ownership of the land. Their continued occupation is thus based on political patronage and thus come election time they repay through voting for the ruling party.

Actors in urban land corruption

When discussing controversial land deals in urban Zimbabwe, political players remain prominent. Political power is intertwined with access to land in urban areas. Access to and control over local government structures ensures influence over decisions on land allocation. In Zimbabwe politics is engraved within land administration structures. Political decisions determine one's access to urban land. There are however individuals who have emerged with many alleged cases of fraudulent practices. While it is difficult proving key political actors in urban land scams, there are examples from city documents and newspaper report discussed below. Marongwe et al (2011) states that:

'...Special Investigations Committee's report of the City of Harare Land Sales, Leases and Exchanges has exposed allegations relating to the gross manipulation of the operation of urban land markets. The report makes reference to cases relating to land swaps between the City of Harare and some political elites, unprocedural sale of public land which violated section 152 of the Urban Councils Act, unprocedural change of reservation of land, unprocedural disposal of council houses and the no adherence to council policy on the allocation of stand.'

Box 3 is an excerpt from a special report by the City of Harare which narrates a case in Council provided a swap deal on land with prominent businessman and politician Phillip Chiyangwa without proper authorization. The case shows how political elites are involved in accumulating land for speculative purposes at below market prices. Increased demand for urban land in the context of a government that has no capacity to meet such demands opens way for corruption. In 2015, the Harare Municipality started demolishing houses they claimed were built illegally in high density areas yet there are cooperatives that had operated and collected people's money for years.

Chiyangwa issue

Council (Item 8 Finance Committee meeting dated 12th December 2007) resolved for a land swap of Stand 389 Derbyshire measuring 17, 6ha (from Kilima Investments) with City of Harare's Stand 19345 GunHill measuring 10,23ha but on implementation Chiyangwa's company (Kilima Investments) was given 17.6 hectares contrary to the resolution of Council. Officials did not follow the resolution (26 June, 2008) that had rescinded the decision on the Kilima's land swap deal but took it upon themselves in collaboration with P. Chiyangwa (Director of Kilima) to allocate alternative land to Chiyangwa's Kilima Investments with neither authority from Council nor a report of their decision to Council.

In the now infamous divorce case between former Minister of Local Government Chombo and his wife, the Herald ran a story in which the wife was claiming property. The listed properties she was claiming included 97 real estate properties including houses and stands across the country. This was however refuted by Minister Chombo's lawyers. It is rather baffling how a public official accrues such vast wealth without raising suspicions of illegality and enquiries from parliament, Lands Committee, the Public Accounts Committee and the Auditor and Controller General among others. To show the pattern of allegations of corruption, Box below provides an excerpt from a special report by the City of Harare accusing the minister of using his position to acquire vast amounts of land in Harare.

Example two of illicit land deals

Multiple Property Ownership by the Minister of Local Government Honourable I.M.C. Chombo (MP) Contrary to Council policy that an individual must not get more than one residential property from the Council, the Minister acquired vast tracts of land within Greater Harare and registered them in companies associated with him. It remains disturbing to note that the Minister (Dr Chombo) would identify pieces of land in the City, influence Council Officials to apply to him (Chombo) for Change of land use, and then sit over the same applications and approve the changes. He would then write to Council officials asking to buy the same stands and obviously get them. Land reserved for recreational activities would end up having Title Deeds in his company's name. A case in point is Stand 61 Hellensvale Harare, measuring almost 20 hectares. According to the Advice of Payment the Minister paid US\$2 300 for this stand, obviously understated value.

All these examples are a breach of Section 152 (2) which states that “Before selling, exchanging, leasing, donating or otherwise disposing of or permitting the use of any land owned by council; council shall, by notice published in two issues of a newspaper and posted at the office of council, give notice: a) of its intention to do so, describing the land concerned and stating the object, terms and conditions of the proposed sale, exchange, lease, donation, disposition or grant of permission; and b) that a copy of the proposal is open for inspection at the office of the council and c) that any person who objects to the proposal may lodge this objection with the town clerk...” (Government of Zimbabwe,1996:558). No action has however been taken to remedy the issues outlined in the report. The Movement for Democratic Change

in 2010 carried out an audit on the conduct of their elected councillors' in Chitungwiza after serious allegations of corruption. These allegations point to a situation of rampant abuse of power where councillors are using their positions to amass property and solicit bribes for land. Observations on the ground in Chitungwiza indicate the mushrooming of residential stands in protected wetlands which is environmentally wrong. The Land Audit Report by Government of Zimbabwe on land management and allocation in Chitungwiza also gives interesting insights on the extent of land corruption especially on the part of Chitungwiza. Some of the key findings from this report have been summarized by Muchadenyika (2015) are that: of illegal allocation of 15,604 housing stands by ZANU(PF)-linked land barons, youths, housing co-operatives, council officials and councillors; uncoordinated incremental development (without any development plans); non-approval of housing co-operative plans; sub-standard buildings; flouting of town planning regulations and procedures, and high incidence of contravention of safety and health standards (due to stands allocated in wetlands, and electricity, roads and sewerage servitudes).

Land developers and corrupt cooperatives in Zimbabwe

Government's failure to provide housing in urban areas has opened the way for the emergence of controversial land developers and cooperatives that according to many reports have been behind scams to steal money from helpless homes seekers. They pretend to be helping home seekers yet depriving them of their hard earned cash. Various newspapers report on bogus land developers and housing cooperatives pointing to an endemic problem within the urban land sector. The huge demand for land encourages endemic corrupt practices in which hard working families are losing money to con artists. Initially cooperatives and land developers managed to provide thousands of homes but over the years have several housing co-operative members have appeared in court on charges of converting funds to personal use, fraud and other related crimes. Caledonia Farm in Harare provides a good example of how cooperatives can become predatory. There are over 40 cooperatives authorized to develop housing at the farm but many people have lost money through double or multiple allocations and selling of fictitious stands. There is a lot of fraud involved and many at the farm question how most of the cooperatives were given land and permission to operate. Some of these cases include:

- Wellington Masiwa (27), Ishmael Kafura (24) and Loveness Kambari (37), are said to have connived and registered Teurai Ropa Housing Co-operative - \$179000.

- One junior land baron in Caledonia, to the east of Harare, reportedly sold more than 300 stands which, at an average price of US\$5 000, could have earned him a cool US\$1,5 million.
- Caledonia and Eastview development consortium is alleged to have pocketed \$3 million dollars from illegal land sales

Housing cooperatives in Zimbabwe have exponentially increased post 2000. A huge number of these Housing Cooperatives have key distinguishing features. Political symbols and names are associated with such cooperatives as a form of political capital intended to protect the often illegal settlements. Examples of such names include: Graceland Housing Cooperatives (named after the former 1st Lady Grace Mugabe); Gushungo Housing Cooperative (Gushungo is the totem of the former President Robert Mugabe); Chitepo Housing Cooperative- (named after the former liberation hero Herbert Chitepo; and Joshua Nkomo Housing Cooperative (named after the late Vice President and Father Zimbabwe Joshua Nkomo). Chirisa (2015) notes that in the absence of state capacity to provide for housing, housing cooperatives have emerged and controlled largely by patronage. Chirisa et al (2015) underscores that the political elites and ZANU PF in particular have taken advantage of the state 's lack of capacity to provide housing as an advantage for them to practice some distributive politics over the scarce resource of urban land for housing. Muchadenyika highlights how land (rural and urban land) has been the main tool used by the ruling Zimbabwe African National Union (Patriotic Front) (ZANU[PF]). Muchadenyika (2015) highlights how ZANU PF has used peri-urban farms to bolster its waning support in the urban constituencies. Through ZANU(PF)-aligned co-operatives and land barons, the party became a major player in deciding who had access to land for housing.

Impacts of urban land corruption

There is a high human cost to continued urban land corruption in Zimbabwe. The impact of corruption in the context of urban housing also needs to be understood from the perspective of the poor homeless citizens, many of whom have fallen prey to the party affiliated and illegal housing cooperatives. Poor home seekers have increasingly been swindled of their money by a number of housing cooperatives that are illegal but yet enjoy the protection of ZANU PF party. Transparency International Zimbabwe highlights a case in Mutare related to 760 families under the Zimbabwe Homeless Peoples' Federation. Working as a group, they paid for land since 1996 and Mutare City Council gave them a piece of land in Dangamvura in 1999 ¹. This

¹ <https://www.youtube.com/watch?v=bcQC1shUUd0&t=74s>

group however lost their piece of land to another illegitimate group of occupants who claimed to have the political backing and support of the then Minister of Local Government, Rural Development and National Housing Saviour Kasukuwere. Another story in the *Newsday* of 9 June 2017 shows evidence from a Government Land Audit for Chitungwiza which indicated that Mabamba, through his United We Stand Housing Co-operative, was considered as the “chief land baron” in a scam involving the sale of more than 14 000 housing stands to desperate home seekers. Operation Murambatsvina (clean up) in 2005 led to the destruction of many ‘illegal homes’ where people had paid money to bogus land developers². Mawonde (2015) notes that these demolitions of houses built on illegal land has continued since 2005 and only reduced in intensity when the courts in Zimbabwe demanded that the state required a court order before any demolitions could be undertaken.

Conclusion

The paper provides analysis of how urban land corruption have evolved in Zimbabwe showing how political patronage is at the root of this problem. Using examples from Harare and Chitungwiza the paper shows that those with political power (both ruling ZANU PF and opposition MDC in charge of urban councils) use their political positions to amass wealth through illegal sale of urban land. The political economy of land corruption in Zimbabwe also highlights how urban land has been utilised by ZANU PF as a political asset especially around election periods where illegally settled urban residents are coerced to vote for the party as a means to protect their land claims. The rise of politically connected ‘land barons’ has led to a loss of hard earned cash by desperate home seekers. Some of these home seekers have lost twice firstly the money paid to these bogus land developers and secondly when the homes are demolished by the state they lose their investment.

² <https://reliefweb.int/report/zimbabwe/zimbabwe-operation-murambatsvina-overview-and-summary>

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