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Acquisition of Land Ownership Documents: A Case of Chipata District, Zambia

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ABSTRACT: The general objective of the study was to establish the acquisition of land ownership documents in District of Zambia and, also, to answer the general research question on: How was the acquisition of land ownership documents in District of Zambia? Zambia got independent in 1964, hitherto, only has about 200,000 registered titles in the formal land registry. The number of assets in the land registration system at different phases of titling is approximately 600,000. This is in spite of the truth that Zambia has a population of more than 16 million stretched over a perimeter of 752,614 square kilometers. It is approximated that 70% of the entire country is not titled and much of land is under unlawful settlement. Pragmatism was the philosophical approach that informed the mixed research approach of the study whose strategic type was convergence parallel. The target population was citizens eligible to acquire land ownership documents and the sample size was 59, selected by purposive sampling method. Data were collected by a questionnaire. Qualitative data were analyzed by compiling related themes while quantitative data were analyzed using relevant descriptive statistical parameters. The findings were that the majority understood land classification; similarly, an equal proportion of respondents understood the system of land tenure or did not understand. Further, the majority understood the procedure of land acquisition and transfer. Subsequently, the majority did not understand the requirements for the acquisition of land ownership documents. Benefits of acquiring land ownership documents included less dislocation, economic growth, interior protection, and guarantee of tenure. Challenges of acquiring land ownership documents were centralized service, discrimination, inadequate human resource and institution capacity, long process, high fees and charges, and gender exclusiveness.

KEYWORDS: Land classification, Land ownership documents, Land registration system, Titling

I. INTRODUCTION

The general objective of the study was to establish the acquisition of land ownership documents in District of Zambia and, also, to answer the general research question on: How was the acquisition of land ownership documents in District of Zambia? Globally, land is the most significant natural asset for the country. The ease of use of land and its utility are an important part of human being. Land records, therefore, are of grand concern to every country's Government, in addition to individuals that possess, inhabit, utilize or have an attraction in a parcel of land (Hull *et al.*, 2019; Mandhu, 2014).

Obtaining of land ownership documents provides assurance of the guarantee of tenure; lessens dislocations, endorses internal protection and boosts the revenue establishment and assets in the country, thereby adding to socio-economic growth. (Hull *et al.*, 2019; Mulowa *et al.*, 2016; Ng'ombe *et al.*, 2014). Zambia got independent in 1964, hitherto, only has about 200,000 registered titles in the formal land registry (Tembo, *et al.*, 2019). The number of assets in the land registration system, at different phases of titling is approximately 600,000 (ibid). This is in spite of the truth Zambia has a population of over 16 million stretched over a perimeter of 752,614 square kilometers (World Bank, 2019). It is approximated that 70% of the entire country is not titled and much of land is under unlawful settlement (Hall, *et al.*, 2017; Honig & Mulenga, 2017).

There are only two categories of tenure in the Republic of Zambia. These are leasehold and customary tenure (Ministry of Lands and Natural Resources, 2020). The country has no freehold tenure system. The leasehold tenure is for 99 years and is renewable for a further 99 years. Further, renewal is likely if there is no violation of the circumstances in the prevailing covenant. Land in the customary area can be changed to leasehold, thus letting it to be used as guarantee (Zambia Land Alliance, 2017). Obtaining land in an area assigned as state land needs permission of the pertinent district council. Land that does not fall within the authority of any council can be alienated upon direct application to the Commissioner of Lands (ibid).



II. METHODOLOGY

Pragmatism was the philosophical approach that informed the mixed research approach of the study whose strategic type was convergence parallel. The target population was citizens eligible to acquire land ownership documents and the sample size was 59, selected by purposive sampling method. Data were collected by a questionnaire. Qualitative data were analyzed by compiling related themes while quantitative data were analyzed using relevant descriptive statistical parameters.

III. FINDINGS AND DISCUSSION

The findings and discussion are informed by providing the answers to the following research questions.

i. How was citizens’ understanding of the process to acquire land ownership documents?

Pertaining to answering the first research question, the following variables of interest were preferred to inform the findings and discussion.

- **Understanding of Land Classification in Zambia**

Table 1 indicates respondents understanding of land classifications in Zambia. Results show that the majority of the respondents, 67.8 percent, understood the classification of land in Zambia while 23.7 percent did not understand. A proportion of 8.5 percent were undecided. Those that understood the classification of land in Zambia indicated that land was classified as either customary or state land. Those who did not know indicated that they needed sensitization on the matter.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	2	3.4	3.4	3.4
	Disagree	12	20.3	20.3	23.7
	Neutral	5	8.5	8.5	32.2
	Agree	29	49.2	49.2	81.4
	Strongly Agree	11	18.6	18.6	100.0
	Total	59	100.0	100.0	

Source: Field Data

- **Systems of Tenure**

Table 2 presents respondents’ knowledge about systems of land tenure in Zambia. The study reveals that an equal proportion of respondents, 45.8 percent, understood the system of land tenure or did not understand. Those who understood the systems could not mention the systems but merely indicated that land was administered by district councils. Those who did not understand indicated that they had no idea and needed education on the systems of land tenure. Further, 8.5 percent were undecided.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	5	8.5	8.5	8.5
	Disagree	22	37.3	37.3	45.8
	Neutral	5	8.5	8.5	54.2
	Agree	25	42.4	42.4	96.6
	Strongly Agree	2	3.4	3.4	100.0
	Total	59	100.0	100.0	

Source: Field Data

- **Land acquisition and Transfer**

Table 3 shows respondents’ opinion on understanding land acquisition and transfer. Results indicate that majority of the respondents, 76.2 percent, understood land acquisition and transfer while 23.7 percent did not understand and 6.8 percent were undecided. Those who understood indicated that land can be acquired from the district council, buy from



someone who already has land, or inherit it or buy from section chairpersons. Those who indicated that they did not understand explained that the Government had not provided clear information on how land could be acquired.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	10	16.9	16.9	16.9
	Neutral	4	6.8	6.8	23.7
	Agree	30	50.8	50.8	74.6
	Strongly Agree	15	25.4	25.4	100.0
	Total	59	100.0	100.0	

Source: Field Data

- **Requirements for Acquisition of Land Ownership Documents**

Table 4 presents respondents opinions on understanding the requirements needed for obtaining land ownership documents. The study reveals that the majority of the respondents, 45.7 percent, did not understand the requirements while 44.1 percent understood and 10.2 percent were neutral. Those who did not understand the requirements for obtaining land ownership documents indicated that there was inadequate information about the requirements. Those who understood indicated that information was only provided by the district council and only when need on land issues arose.

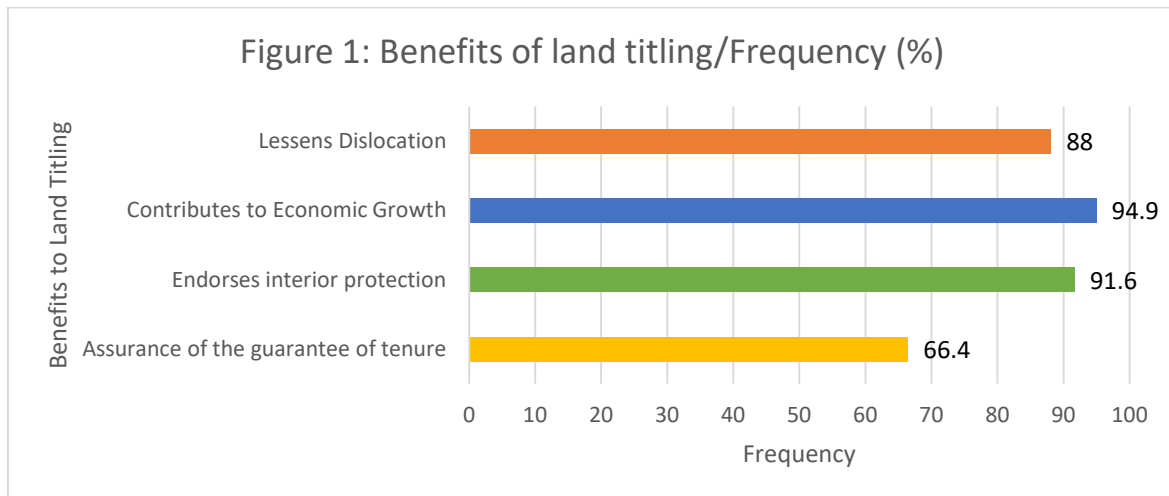
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	11	18.6	18.6	18.6
	Disagree	16	27.1	27.1	45.8
	Neutral	6	10.2	10.2	55.9
	Agree	22	37.3	37.3	93.2
	Strongly Agree	4	6.8	6.8	100.0
	Total	59	100.0	100.0	

Source: Field Data

ii. What were citizens’ benefits of acquiring land ownership documents?

In the quest of answering the second research question, the following variables of interest were decided on to inform the findings and discussion. Figure 1 shows the benefits of acquiring land ownership documents and level of agreements to each benefit. Results indicate that on lessening displacement or dislocation, the majority of the respondents, 88 percent, indicated agreement that land ownership documents lessened dislocation. It was explained that without land ownership documents an occupant can become a victim of displacement at any time when the state or traditional leader wanted to utilize the land use.

Regarding contribution to economic growth, the study reveals that the majority of the respondents, 94.9 percent, indicated agreement that acquiring land ownership documents contributed to economic growth. It was explained that fees and charges boosted Government’s revenue. It was also mentioned that land was an asset and has economic value like any other asset. Those who owned land and had documentation of ownership could transfer their land to the next owner for money. Further, the majority of the respondents, 91.6 percent, indicated agreement that land ownership documents endorses interior protection. It was explained that certificate of land title provides legal right to own a particular parcel of land. Regarding assurance of tenure, 66 percent of the respondents indicated agreement that land ownership documents guaranteed security of tenure. It was explained that since a certificate of title has a specified time of ownership, investments on land is secured.



Source: Field Data

iii. What were citizens’ challenges in acquiring land ownership documents?

Relating to answering the third research question, the variables of interest were selected to inform the findings and discussion as follows:

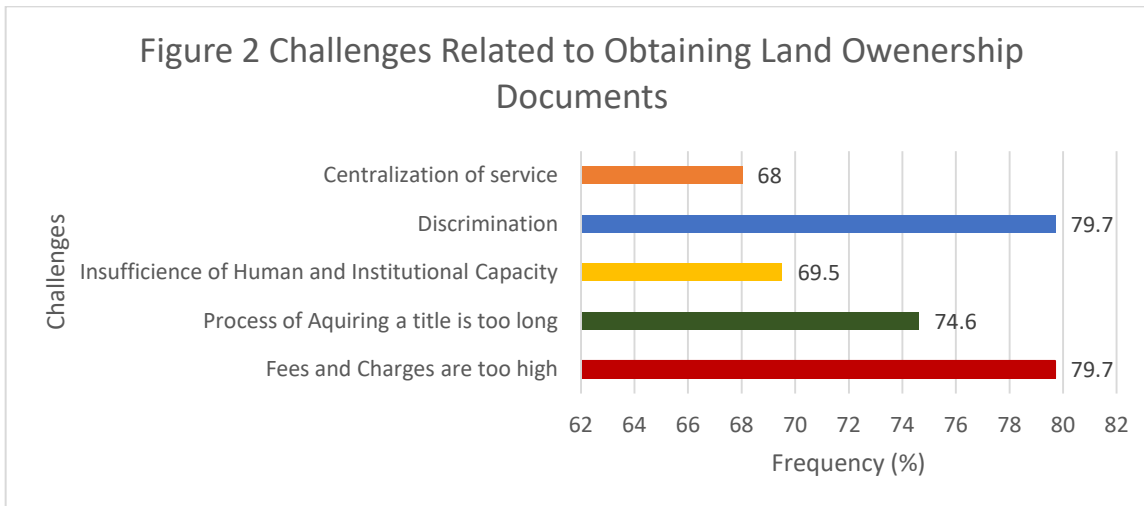
Figure 2 shows various challenges encountered by the citizens when acquiring land ownership documents as follows:

- **Centralization of Service**
 Results show that the majority of the respondents, 68 percent, indicated agreement that the land title registration system in Zambia is centralized and out of reach to many. It was explained that in the whole region of Eastern province there was no office to process certificates of title deeds. It was further explained that even though offices that start the process of titling were present the actual certificate was processed in Lusaka, the capital city of Zambia.
- **Discrimination**
 The study reveals that the majority of the respondents, 79.7 percent, indicated agreement that the process of acquiring land ownership documents is discriminatory, favoring the rich and powerful and excluding the poor and less powerful.
- **Challenge of Human Resource and Institutional Capacity**
 Results show that the majority of the respondents (69.5 percent) indicated agreement that the process of acquiring land ownership documents faces the challenge of insufficiency in human and institutional capacity. The inadequacy of human resource for surveys and geo information resource base has over the years affected negatively on delivery of service. It was explained that this had led to the service to be too expensive for the poor and prolong the process.
- **The process of acquiring a certificate takes too long**
 Results show that the majority of the respondents, 74.6 percent, indicated agreement that the process of acquiring land ownership documents is considerable too long. It was explained that management and harmonization among various departments, particularly regarding to the titling process, did not bring about quick processing of titles. The use of Local authorities as agent institution, in an attempt to decentralize the process and bring the service close to the people had made the process longer, complicated and expensive. It was explained that the duality of system of land tenure did not give security to those occupying traditional land.
- **High fees and charges**
 The study revealed that the majority of the respondents, 79.7 percent, indicated agreement that the cost of land services such as surveying, valuation, registration and land connected fees and prices are prohibitive to the majority of the people, which made it difficult for citizen to access land ownership documents.



- **Gender exclusiveness**

On gender inclusiveness, results present that the majority of the respondents, 55.9 percent, were undecided. However, 33.9 percent indicated that the process of acquiring land ownership documents was not gender inclusive. It was explained that in spite of laws mandating gender equality, women excessively experienced tenure uncertainty and conflicts that were inheritance-related.



Source Field Data

IV. CONCLUSION

The majority understood land classification; similarly, an equal proportion of respondents understood the system of land tenure or did not understand. Further, the majority understood the procedure of land acquisition and transfer. Subsequently, the majority did not understand the requirements for the acquisition of title deed. Benefits of acquiring land ownership documents included less dislocation, economic growth, interior protection, and guarantee of tenure. Challenges of acquiring land ownership documents were centralized service, discrimination, inadequate human resource and institution capacity, long process, high fees and charges, and gender exclusiveness.

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