Land Tenure in 21st Century Africa – The Contested Cultural Heritage of Our Ancestors

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ABSTRACT

Land in Africa has never been merely an economic asset. In most African societies it is the dwelling place of the ancestors, the site of graves and shrines, the basis of lineage identity and the medium through which belonging, authority and the obligations of the living to the dead are expressed. The article draws on secondary data analysis of peer-reviewed journal articles, books and policy documents, with particular reference to southern Africa and east Africa to examine how this cultural heritage has come into contention in the twenty-first century. Afrocentricity provides the theoretical lens of the article. The analysis reveals four themes: colonial dispossession and the invention of customary tenure; post-colonial land reform and the politics of ancestral return; titling, land markets and the twenty-first-century land rush; and contested custodianship involving chiefs, women and youth. Sociological and anthropological readings show that land struggles are struggles over heritage, belonging and authority as much as over property. The article argues that the dominant policy dichotomy between 'customary' and 'modern' tenure misrepresents both, since customary tenure is neither timeless nor an obstacle to be dissolved into markets. It concludes by recommending legal recognition of customary rights as property rights, democratic community land governance, protection of women's and youth rights, protection of graves and sacred sites, and free, prior and informed consent for large-scale land acquisitions.

Keywords: Land tenure; customary land; ancestors; land reform; land grabbing; Afrocentricity; Africa

INTRODUCTION AND BACKGROUND

Land is among the most contested resources in twenty-first-century Africa. Rapid population growth, urban expansion, climate change, foreign investment and the unfinished business of colonial dispossession have combined to make access to and control over land central to politics, development and identity (Peters 2004, Boone 2014). Governments, donors, investors, chiefs, farmers, pastoralists, women's organisations and social movements advance competing claims about who should own land, on what terms and for what purposes (Moyo and Yeros 2005, Hall *et al.* 2015). Zimbabwe's Fast Track Land Reform Programme, South Africa's contested debates over expropriation and the Ingonyama Trust, and Kenya's recognition of community land in its 2010 Constitution illustrate how central these questions have become in the region (Scoones *et al.* 2010, Ntsebeza and Hall 2007).

Much of this debate is conducted in the language of economics and law: tenure security, property rights, investment, productivity and titling (De Soto 2000, Deininger 2003). These concerns matter, but they capture only part of what land means in Africa. For many communities, land is where the ancestors are buried, where shrines and sacred sites are located, where lineages trace their origins and where the living fulfil obligations to the dead and to generations yet unborn (Mbiti 1969, Shipton and Goheen 1992). Shipton (2009) captures this sensibility in the title of his study of the Luo of Kenya, *Mortgaging the Ancestors*: to pledge land as collateral is, for many, to place the ancestors themselves at risk. Land is, in this sense, a cultural heritage that links past, present and future (Fontein 2006, 2011).

The article examines how cultural heritage has come into contention. It asks how cultural meanings of land interact with the economic and political pressures now bearing upon it, and what this implies for land policy.

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The argument is that contemporary land struggles are struggles over heritage as much as over property, and that approaches treating land solely as an economic asset misunderstand the stakes (Okoth-Ogendo 2008, Cousins 2007). The article reviews the literature, presents Afrocentricity (Asante 2003) and secondary data methodology (Johnston 2014), discusses four themes and then offers sociological and anthropological underpinnings, implications, conclusions and recommendations.

LITERATURE REVIEW

Land, ancestors and belonging

Across sub-Saharan Africa, land has been understood as a trust held by the living on behalf of the dead and the unborn rather than as a commodity (Okoth-Ogendo 1989, Shipton and Goheen 1992). Mbiti (1969) emphasised that land is bound to the ancestors who are buried in it, so that graves anchor lineages to particular places and the act of burial is simultaneously an act of claiming land. Fontein (2011) develops this point through the concept of proximity, arguing that graves and ancestral remains create relationships of belonging that are at once material and spiritual. Among the Shona of Zimbabwe, territorial spirits known as *mhondoro* are regarded as guardians of the land, controlling rain and fertility and punishing violations of the rules governing land use (Bourdillon 1987, Lan 1985). Schoffeleers (1979) showed that such territorial cults across Central Africa linked ecological management, political authority and religious belief. Lan (1985) demonstrated how guerrillas and spirit mediums mobilised the authority of the *mhondoro* during Zimbabwe's liberation war to legitimate the recovery of land lost to settlers, while Fontein (2006) showed that heritage sites such as Great Zimbabwe carry multiple, contested meanings combining national symbolism with local histories of ancestral occupation. Ranger (1999) adds that the Matopos Hills remained saturated with religious and historical meaning for communities displaced from them. The dispossession of land therefore entails the severance of relationships with the ancestors, the desecration of graves and the disruption of histories through which communities understand themselves.

Nature of customary tenure

Colonial administrators and early development economists described customary tenure as communal ownership, implying that individuals had no secure rights. Okoth-Ogendo (1989, 2008) argued that this was mistaken: African tenure systems involve a layering of rights, in which different individuals and groups hold claims to cultivate, graze, gather, pass through or bury on the same land, vested in them by membership of a social group. What was absent was not individual rights but the concept of land as a commodity alienable outside the community. Cousins (2007) describes communal tenure in South Africa as combining household rights to residential and arable land with shared rights to grazing and water, embedded in social relationships and subject to negotiation. Berry (1993) emphasised the negotiability of rights, showing that people invest in relationships of kinship, patronage and ritual in order to secure access, while Peters (2004, 2009) warned that the emphasis on negotiability had obscured growing inequality and conflict as land became scarce. Bassett and Crummey (1993) and Bruce and Migot-Adholla (1994) brought together studies showing that customary systems often provide considerable security and adaptability. Chimhowu and Woodhouse (2006) document 'vernacular' land markets in which customary land is sold and rented under local rules, revealing that the boundary between custom and market is itself in flux.

Colonial and post-colonial land policy

A third strand traces policy. Palmer (1977) documented the Land Apportionment Act of 1930 in Southern Rhodesia, which allocated the most fertile land to settlers and confined Africans to sandy infertile, hot inhabitable reserves. Ntsebeza and Hall (2007) the legacy of South Africa's Natives Land Act of 1913. Mamdani (1996) described colonial indirect rule through chiefs as 'decentralised despotism', and Chanock (1991) and Ranger (1983) showed that customary law was substantially a colonial construction. Post-colonial studies examine Zimbabwe's Fast Track Land Reform Programme (Scoones *et al.* 2010, Moyo 2011), South Africa's restitution, redistribution and tenure reform (Ntsebeza 2005, Claassens and Cousins 2008) and the global land rush after 2007 (Borras *et al.* 2011, Cotula 2013, Hall *et al.* 2015).

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Gaps in the literature

The literature is sharply divided between economic and legal analyses of tenure (Deininger 2003), historical

studies of dispossession (Palmer 1977) and ethnographies of land and belonging (Shipton 2009, Fontein 2011). Few studies treat land explicitly as ancestral heritage across these domains, and fewer analyse its contention through an African-centred theoretical lens combined with sociological and anthropological perspectives. There is also limited integration of gender and generational analysis with the cultural meanings of land, and the internal commodification of customary land through vernacular markets is rarely connected to debates about heritage. This article addresses these gaps through a secondary analysis of the existing literature.

Theoretical framework: Afrocentricity

The article is rooted in Afrocentricity framework, a paradigm associated principally with Molefi Kete Asante. Asante (2003) defines Afrocentricity as a mode of thought and action in which African interests, values and perspectives predominate and in which Africans are treated as subjects and agents of their own history rather than as objects on the margins of European experience. Mazama (2001) describes the paradigm as placing African experience at the centre of analysis and rejecting the assumption that European standards constitute a universal measure of value. Central to the paradigm is the concept of location, the cultural and historical place from which a phenomenon is viewed. From an Afrocentric standpoint, the problem with much land policy is that African land relations have been analysed from a dislocated position, using categories such as ‘ownership’, ‘title’ and ‘property’ derived from European law (Okoth-Ogendo 1989, Asante 2003).

Afrocentricity resonates with wider African decolonial thought. Wa Thiong’o (1986) argued that colonialism colonised the mind, teaching Africans to devalue their own languages, cultures and knowledge. Ndlovu-Gatsheni (2013) argues that the coloniality of power and knowledge persists in post-colonial Africa, shaping what counts as legitimate knowledge in policy and development practice. Mkabela (2005) and Chilisa (2020) translate these insights into methodological principles, arguing that research on African culture should be grounded in African worldviews and contribute to the well-being of communities. Mapara (2009) applies similar reasoning to indigenous knowledge systems in Zimbabwe, showing that they were deliberately marginalised by colonial education.

Afrocentricity is appropriate for this article for three reasons. First, it explains why the meanings of land as ancestral heritage have been sidelined in policy: they were treated as superstition rather than knowledge. Second, its emphasis on agency foregrounds communities as custodians of their land rather than as passive recipients of tenure reform. Third, its orientation towards cultural renewal aligns with the African Union’s call for land policies that recognise indigenous rights (AU, AfDB and UNECA 2010). Afrocentricity has been criticised for essentialising African cultures and romanticising the past. These concerns are relevant to land, since custom may privilege chiefs, men and elders (Whitehead and Tsikata 2003, Peters 2004). The article applies Afrocentricity critically, centring African knowledge and agency while attending to inequalities within African societies.

RESEARCH METHODOLOGY

Research design

The article adopted a qualitative approach based on secondary data analysis, which involves analysing data collected by others for different purposes (Johnston 2014). Heaton (2008) notes that secondary analysis allows researchers to address new questions, synthesise findings across settings and study phenomena that would be difficult or costly to investigate through fieldwork. It is particularly useful for land, a politically sensitive subject on which primary research in Zimbabwe and elsewhere can expose participants to risk. The approach suited an article that integrates scholarship from anthropology, history, law and political economy across a

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wide region and a long period, and it aligns with Afrocentric methodology, which encourages re-reading existing knowledge from an African-centred location (Mkabela 2005).

Data sources and selection

Data were drawn from peer-reviewed journal articles, scholarly books and book chapters, and policy documents such as the African Union's Framework and Guidelines on Land Policy, identified through Taylor & Francis Online, JSTOR, African Journals Online and Google Scholar. Search terms included 'customary tenure', 'land reform Zimbabwe', 'communal land South Africa', 'land grabbing Africa' and 'graves and belonging'. Sources were included if they addressed the cultural, political or economic dimensions of land in sub-Saharan Africa and were published by recognised outlets. Classic works were retained where foundational (Palmer 1977, Okoth-Ogendo 1989).

Data analysis

Documents were analysed using document analysis (Bowen 2009) and thematic analysis following the six phases of Braun and Clarke (2006): familiarisation, coding, searching for themes, reviewing, defining and naming, and writing up. Codes such as 'graves', 'invention of custom', 'fast track', 'titling', 'chiefs' and 'widows' were generated inductively and interpreted through Afrocentricity, producing four themes presented with their discussion below.

Trustworthiness and limitations

Trustworthiness was enhanced by triangulating multiple types of sources and prioritising peer-reviewed and institutional material (Lincoln and Guba 1985, Bowen 2009). The study depended on the questions and interpretations of the original authors, and colonial-era sources reflect perspectives that the article interrogates. The literature is concentrated in Southern and Eastern Africa. Because no human participants were involved, ethical clearance was not necessary.

FINDINGS AND DISCUSSION

The analysis generated four interrelated themes, each presented below and interpreted through Afrocentricity.

Colonial dispossession and the invention of customary tenure

In the settler colonies of Southern and Eastern Africa, colonial states expropriated vast areas for European settlement and confined Africans to reserves. South Africa's Natives Land Act of 1913 restricted African ownership to a small fraction of the country (Ntsebeza and Hall 2007), Southern Rhodesia's Land Apportionment Act of 1930 formalised racial division of land (Palmer 1977), and in Kenya the alienation of the highlands dispossessed the Kikuyu and fuelled the Mau Mau rebellion. Dispossession severed communities from ancestral land: families were removed from places where their ancestors were buried, shrines were abandoned and graves were left on settler farms. Ranger (1999) shows how the creation of a national park in the Matopos displaced communities from a sacred landscape, while they continued to assert claims through memory and ritual. In Southern Rhodesia, the Native Land Husbandry Act of 1951 sought to impose individual allocations and destocking within the reserves; it disregarded customary principles, provoked widespread resistance and helped build rural support for nationalism before being abandoned. These policies were justified by a colonial discourse that portrayed African land use as wasteful and unscientific, and African attachment to ancestral land as superstition standing in the way of progress (Palmer 1977, Ranger 1999). The persistence of graves on alienated land kept memories of dispossession alive across generations, and descendants continued to visit them, sometimes clandestinely, to perform rituals (Fontein 2011). Such practices ensured that ancestral claims survived colonial rule and resurfaced powerfully in later land struggles (Lan 1985).

Colonial rule also transformed customary tenure itself. Governing through chiefs, colonial officials codified customary law in collaboration with elders who had their own interests (Mamdani 1996). Chanock (1991) showed that the resulting law was less a record of pre-colonial practice than a colonial construction. Ranger

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(1983) described the process as the invention of tradition, fixing customs that had been flexible and contested. Codification enhanced chiefly power over allocation, weakened women's rights by entrenching patrilineal norms and created a dual legal order in which statutory law governed settler and state land and customary law governed the reserves (Okoth-Ogendo 1989, Whitehead and Tsikata 2003). From an Afrocentric perspective, this theme shows that both the loss of ancestral land and the distortion of custom resulted from the dislocation of African land relations by colonial categories (Asante 2003, wa Thiong'o 1986).

Post-colonial land reform and the politics of ancestral return

Black majority independence in many afrcan states promised restoration, but outcomes have been uneven. In Zimbabwe, land was central to the liberation struggle (Lan 1985, Moyo and Yeros 2005), yet the Lancaster House settlement of 1979 constrained reform for a decade through a willing-seller, willing-buyer principle. The Fast Track Land Reform Programme of 2000 transferred most white-owned commercial farms to smallholders and medium-scale farmers. It was condemned for violence and associated with economic collapse. However, Scoones *et al.* (2010) found in Masvingo that many beneficiaries were ordinary rural and urban people who invested and produced, and Moyo (2011) situated it within three decades of agrarian reform as a radical, if flawed, redistribution. Land occupations were often framed through ancestral return, with spirit mediums and chiefs legitimating claims, and descendants sought to reclaim land on the basis of graves. Fontein (2015) shows how land reform around Lake Mutirikwi became entangled with histories of eviction, belonging and the meanings of water and land.

South Africa adopted restitution, redistribution and tenure reform (Ntsebeza and Hall 2007). Restitution claims have often been settled through cash rather than return of land, raising the question whether money can substitute for ancestral places, and redistribution has transferred a modest share of farmland. Kenya pursued individual titling after independence, but its 2010 Constitution recognised community land, and the Community Land Act of 2016 provided for registration of customary rights. Mozambique's Land Law of 1997, Tanzania's Village Land Act of 1999 and Uganda's Land Act of 1998 also recognise customary rights to varying degrees (Alden Wily 2011). From an Afrocentric perspective, these reforms reveal a slow and contested relocation of policy towards African understandings of land, while the Zimbabwean case shows how claims of ancestral return can also be captured by political elites (Ndlovu-Gatsheni 2013). Reports of multiple farm ownership by politically connected beneficiaries, the insecurity of tenure on resettlement land held under state permits and offer letters, and the displacement of former farm workers, many of them of foreign descent, indicate that land reform created new inequalities even as it addressed old ones (Scoones *et al.* 2010, Moyo 2011). The question of whose ancestors are honoured by redistribution therefore remains contested, and Afrocentricity, applied critically, requires attention to those excluded from the narrative of return (Mazama 2001).

Titling, land markets and the twenty-first-century land rush

For much of the post-colonial period, mainstream development thinking regarded customary tenure as an obstacle. Drawing on what Platteau (1996) termed the evolutionary theory of land rights, economists argued that tenure would evolve towards private property and that titling would increase security, investment and credit. De Soto (2000) popularised the idea that untitled land is 'dead capital' awaiting formalisation. Evidence proved more complicated: Platteau (1996) found that titling often failed to raise investment and risked dispossessing women and secondary right-holders, Bruce and Migot-Adholla (1994) that customary systems frequently provided sufficient security. Deininger (2003) moved World Bank thinking towards building on existing arrangements. From the perspective of heritage, titling converts an ancestral trust into a mortgageable commodity, which Shipton (2009) shows the Luo experienced as a spiritual danger.

The most dramatic pressure has been the wave of large-scale acquisitions after the food, fuel and financial crises of 2007 and 2008, as foreign governments, agribusiness, investment funds and domestic elites sought land for food, biofuels and speculation (Borras *et al.* 2011, Cotula 2013, Hall *et al.* 2015). Alden Wily (2011) argues that African land law has been a principal cause of vulnerability, since unregistered customary land, especially forests, rangelands and wetlands, is often treated as state land available for allocation. Communities have lost farmland, grazing and water, and graves and sacred sites have been enclosed or destroyed.

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Vernacular markets add internal pressure, as peri-urban customary land is sold for housing and graves are built over (Chimhowu and Woodhouse 2006, Berry 2002). Interpreted through Afrocentricity, the land rush represents a renewed dislocation in which African land is valued only for its market price, echoing colonial dispossession in the language of investment.

The pressures are not only external. Around Harare and other cities, the expansion of urban settlement into communal areas has generated disputes over the allocation of land by traditional leaders and the displacement of families whose ancestors are buried there. Chimhowu and Woodhouse (2006) note that those who sell customary land often try to preserve its cultural meanings by framing sales as gifts or by excluding graves, while Berry (2002) observes that commercialisation intensifies struggles over the meaning of custom itself. Pastoral rangelands, forests and wetlands face further pressure from conservation schemes, mining, carbon-offset projects and climate change, which intensify competition for water and grazing (Alden Wily 2011, Hall *et al.* 2015). The custodians of ancestral land are thus themselves participants in its commodification, sometimes by choice, sometimes by necessity and sometimes through abuse of authority. Families that sell plots to pay school fees, young men who sell inheritance to finance migration and chiefs who sell to developers are all converting heritage into money, a pattern that complicates any simple opposition between external threats and internal guardians (Peters 2009, Lund 2008).

Contested custodianship: chiefs, women and youth

The recognition of customary tenure raises the question of who speaks for custom. Boone (2014) shows that neo-customary regimes give traditional authorities considerable power, and Lund (2008) that property and authority are mutually constituted. In South Africa, Ntsebeza (2005) argued that recognition of traditional leaders compromised democracy in the former homelands. The Communal Land Rights Act of 2004, which vested control of communal land in traditional councils was challenged by rural communities and declared unconstitutional in 2010. Claassens and Cousins (2008) showed that it threatened ordinary residents, especially women. The Ingonyama Trust in KwaZulu-Natal has been criticised for converting customary rights into leases. In the name of protecting heritage, chiefs may become agents of its commodification.

Gender and generation sharpen these contests. Lastarria-Cornhiel (1997) showed that privatisation often weakened women's access, as titles were registered to male household heads, and Whitehead and Tsikata (2003) cautioned against both romanticising custom and assuming that statutory law protects women. When land is understood as patrilineal heritage, women who marry out may be treated as outsiders, widows may be evicted and daughters excluded from inheritance, although women also claim land through ancestral connection and labour. Oyěwùmí (1997) and Amadiume (1987) caution that Western gender categories may misrepresent African social organisation, in which seniority and lineage position have often mattered as much as sex, and that colonial rule frequently entrenched male authority that had previously been balanced by women's roles. Their work suggests that a return to custom need not mean a return to male control, provided that communities themselves reinterpret custom in ways that recognise the claims of women, widows and daughters as full members of the lineage. Population growth has shrunk holdings, so young people may be unable to inherit, delaying marriage and pushing migration, while elders use control over allocation to accumulate resources (Peters 2004). Afrocentricity, applied critically, requires recognising these internal inequalities, since a heritage that excludes women and youth cannot fully embody African values of communal belonging (Mazama 2001, Chilisa 2020).

Sociological underpinnings

Sociologically, the findings show that land is a social institution that both expresses and reproduces collective life. Durkheim (1957) argued that the right of property originated in the sacred character attributed to land, which was protected by religious prohibitions before it was protected by law. The African understanding of land as an ancestral trust guarded by taboos and territorial spirits illustrates this insight with unusual clarity (Mbiti 1969, Lan 1985). Durkheim (1995) also showed that sacred things are set apart and forbidden, much as graves and shrines are excluded from sale in many African communities (Fontein 2011). Tönnies (2001) contrasted community based on kinship and place with society based on contract, and the shift from customary tenure to titled property can be read as a movement from the former to the latter (Shipton 2009). Marx (1976)

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described primitive accumulation as the forcible separation of producers from the land, a process visible in colonial dispossession across Southern Africa (Palmer 1977), and Harvey (2003) extends the concept as 'accumulation by dispossession' to explain contemporary land grabbing (Borras *et al.* 2011, Hall *et al.* 2015). Polanyi (2001) argued that treating land as a commodity tears the fabric of society and provokes counter-movements. This helps explain resistance to titling and land deals in Africa. Lefebvre (1991) showed that space is socially produced, so that the reserve, the commercial farm and the resettlement scheme are each products of particular relations of power (Moyo 2011).

A sociological reading directs attention to power, inequality and social change. Weber (1978) distinguished class, status and party as dimensions of power, and control over land in Africa confers all three: economic security, social honour and political leverage (Boone 2014). Bourdieu (1977, 1986) showed that symbolic capital legitimates domination, and chiefs who claim custodianship of ancestral land convert this symbolic capital into control over allocation and revenue (Ntsebeza 2005, Lund 2008). Ekeh (1975) argued that colonialism produced two publics, a moral primordial public and an amoral civic public, which helps explain why communities trust lineage institutions over state land agencies while elites may exploit state office to acquire land (Mamdani 1996). Scott (1998) showed how states simplify complex local arrangements to make them legible, and titling and registration programmes are prime examples of such simplification, erasing layered rights (Okoth-Ogendo 1989, Platteau 1996). Scott (1985) documented the everyday resistance of peasants, visible in land occupations, boundary disputes and the persistence of vernacular markets (Chimhowu and Woodhouse 2006). Hyden's (1980) 'economy of affection' captures the reciprocal ties through which access to land is negotiated, and intersectional analysis inspired by Crenshaw (1989) and Oyěwùmí (1997) reveals how gender, age and class compound one another in determining who benefits (Whitehead and Tsikata 2003). Giddens (1984) reminds us that structures are reproduced through practice, so that each sale, allocation or burial either sustains or reshapes the norms of tenure, while Bourdieu's (1977) concept of habitus explains why rural people continue to experience land as ancestral even after titling has formally transformed it into property. Berger and Luckmann (1966) add that institutions such as customary tenure are social constructions that confront individuals as objective realities, which is why reform has to engage with shared meanings rather than legal texts alone. These sociological underpinnings complement Afrocentricity by showing that the contention over ancestral land is socially produced and can be reshaped through deliberate collective action.

Anthropological underpinnings

Anthropologically, the findings indicate that land should be understood through culturally specific systems of meaning. Bohannan (1963) warned that the English words 'land' and 'tenure' impose a Western model of property on African relations that are better understood as relations between people with respect to land, and Gluckman (1965) showed in his study of Barotse jurisprudence that rights in land were 'estates of administration' tied to social status and obligation. Okoth-Ogendo (1989) built on this tradition in describing layered rights. Evans-Pritchard (1940) showed among the Nuer, and Fortes (1945) among the Tallensi, that lineage and territory are mutually constitutive, so that to belong to a lineage is to belong to a place. Goody (1962) demonstrated that mortuary rites redistribute property, linking land to the ancestors, and Kopytoff (1971) argued that African ancestors are elders who continue to hold authority. The anthropology of landscape deepens this understanding. Ingold (2000) argued that landscapes are formed through the 'dwelling' of people who live in and move through them, Tilley (1994) that places accumulate meaning through memory and practice, and Basso (1996) that 'wisdom sits in places' as moral lessons attached to named sites. Fontein (2006, 2015) and Ranger (1999) apply them to Zimbabwean landscapes in which graves, ruins and sacred hills carry ancestral presence.

Anthropology ought to be examined critically for the discipline was implicated in colonial land policy. Colonial administrators drew on ethnographers to identify 'tribes', 'chiefs' and 'customs' that could be codified, contributing to the rigid customary law that Chanock (1991) and Moore (1986) have analysed. Moore (1986) showed on Kilimanjaro that 'customary' law was a set of social facts and fabrications produced through interaction between colonial courts and local actors. Later scholarship has emphasised the historical dynamism of land relations: Berry (1993) showed that access depends on ongoing negotiation, Shipton (2009) that attachments to land are ideologies that shift with credit, migration and religion, and Comaroff and Comaroff (1991) that colonial encounters reshaped African conceptions of property and personhood. These debates

encourage collaborative research in which communities act as co-interpreters of their own land relations, consistent with Chilisa (2020) and Mkabela (2005). Douglas (1966) showed that boundaries between pure and impure are maintained through prohibitions. Taboos surrounding graves, sacred groves and pools serve to mark certain land as set apart from ordinary use (Bourdillon, 1987). Turner (1969) described the ritual processes through which communities renew themselves. Rain ceremonies conducted under the authority of *mhondoro* mediums are occasions on which the relationship between people, land and ancestors is periodically reaffirmed (Lan 1985, Schoffeleers 1979). The anthropological underpinning therefore combines appreciation of land as a meaningful cultural system with critical awareness of how knowledge about African land has been produced, used and contested.

Implications for African cultural values

The findings carry important implications for African cultural values. Land embodies the values of *unhu/ubuntu*, emphasising respect, sharing and communal responsibility (Samkange and Samkange 1980, Ramose 1999). The custodial view of land as belonging to the dead, the living and the unborn expresses an intergenerational ethic of stewardship that stands in contrast to the short-term logic of speculation (Shipton 2009). Graves, shrines and sacred hills teach reverence for ancestors and for the land itself (Mbiti 1969, Ranger 1999). When ancestral land is sold, enclosed or flooded, the loss is not only economic; it weakens the values through which communities have defined responsible conduct towards one another and towards the environment.

A second implication concerns honesty about values. A commitment to *ubuntu* cannot be reconciled with the eviction of widows, the exclusion of daughters or the sale of communal land by chiefs for personal gain (Whitehead and Tsikata 2003, Claassens and Cousins 2008). Wa Thiong'o (1986) argued that a people taught to despise their culture lose confidence in defining themselves, and land policy that dismisses customary meanings perpetuates such a loss. Reclaiming land as heritage, while ensuring that all members of the community share in it, would affirm the Afrocentric principle that Africans must view their institutions from their own location (Asante 2003). Families, chiefs, churches and schools have a role in teaching young people the meanings of ancestral land.

A third implication concerns the environment and future generations. The custodial ethic embedded in ancestral land, which prohibits the destruction of sacred groves and the pollution of water sources, embodies a value of environmental stewardship that is urgently needed in an era of climate change and land degradation (Ranger 1999, Mapara 2009). When land is reduced to a commodity, these values are weakened, and short-term gains may be pursued at the expense of the unborn. Remembering that land belongs to the dead, the living and the unborn is not nostalgia but a resource for sustainable development grounded in African values (Mbiti 1969, Shipton 2009).

Synthesis

The four themes show that ancestral land in Africa has been contested through colonial dispossession and the invention of custom (Chanock 1991), uneven post-colonial reform (Moyo 2011), titling and the land rush (Cotula 2013), and contests over custodianship (Ntsebeza 2005). Interpreted through Afrocentricity and through sociological and anthropological perspectives, these struggles reveal that land is heritage, belonging and authority as well as property. They also show that the threats to ancestral land come from within as well as from outside African communities, and that the defence of heritage must therefore be accompanied by a commitment to fairness in how land is held, allocated and inherited.

CONCLUSION

This article examined land tenure in twenty-first-century Africa as the cultural heritage of the ancestors in contention, drawing on secondary data. It showed that colonial categories dislocated African land relations, that reform has been slow and uneven, and that markets and land deals threaten graves, shrines and the custodial ethic, while chiefs, men and elders may monopolise custom (Peters 2004, Cotula 2013). The article makes two contributions. First, it brings legal, historical and ethnographic scholarship on land into a single

frame centred on heritage. Second, by applying Afrocentricity critically, it argues that secure tenure requires recognising land as a social, spiritual and historical relationship while addressing inequalities within customary systems. Policy approaches that treat land solely as an economic asset will continue to provoke resistance and cause cultural as well as material harm, while approaches that romanticise custom risk entrenching inequality (Peters 2004, Whitehead and Tsikata 2003). Between these extremes lies the difficult work of building institutions that are accountable to communities, that protect graves and sacred places, and that distribute land fairly among women, youth, migrants and the landless. Since the article relies on secondary data, future research should include fieldwork with communities, chiefs, women and youth in Zimbabwe and the wider region.

RECOMMENDATIONS

Drawing on the findings, the article makes the following recommendations.

1. **Recognise customary rights as property rights.** Legal frameworks should treat customary rights as enforceable against the state and investors rather than as permissive occupation (Alden Wily 2011, AU, AfDB and UNECA 2010).

2. **Democratise community land governance.** Land decisions should be made by community assemblies rather than solely by traditional authorities (Ntsebeza 2005, Claassens and Cousins 2008).

3. **Protect women's and youth rights.** Inheritance, access and participation in land governance should be guaranteed for women and young people within customary systems (Whitehead and Tsikata 2003).

4. **Protect graves and sacred sites.** Land-use planning should map and protect graves, shrines and sacred places, with community consent required for any development (Fontein 2011).

5. **Require free, prior and informed consent.** Large-scale acquisitions should be subject to community consent, transparent contracts and enforceable obligations (Cotula 2013, Hall *et al.* 2015).

6. **Promote heritage education and research.** Schools and universities should teach the meanings of ancestral land and undertake participatory research with communities (Mapara 2009, Chilisa 2020).

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