

Bridging Customary and Statutory Land Systems: Policy Pathways for Effective Land Use Planning and Economic Development in Rural Zambia: Evidence from Masuku, Choma District

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ABSTRACT

In Africa, land is generally categorized into two forms, traditionally owned land, which is managed by customary authorities, and state-owned land, which is governed by statutory laws. These dual land tenure systems play a crucial role in shaping land use planning and economic development, particularly in rural areas where secure land rights influence agricultural productivity and investment. This study examined the effects of land tenure systems on land use planning and economic development in Masuku, Choma District, using a mixed-methods design. The findings indicated that secure land tenure promotes effective planning and long-term investments. However, the predominance of customary tenure, limited formal documentation, and weak integration with statutory frameworks constrain both planning and economic opportunities. Challenges identified include unresolved land disputes, inadequate infrastructure, limited stakeholder coordination, and low community awareness of land use planning initiatives. To address these issues, the study recommends formalized agreements between traditional leaders and local authorities supported by the Ministry of Local Government, to harmonize customary and statutory systems, strengthen tenure security, and to promote inclusive and sustainable economic development.

Keywords: Land Tenure Systems, Customary and Statutory Land, Land Use Planning, Economic Development, Secure Land Rights, Stakeholder Collaboration

INTRODUCTION

Land tenure systems vary widely across the globe, encompassing customary, communal, leasehold, freehold, and state-controlled models. In many high-income countries, formal statutory land administration ensures legally recognized ownership and facilitates investment and land market efficiency [1]. In contrast, in much of Sub-Saharan Africa, legal pluralism, where customary, religious, and statutory frameworks coexist adds complexity to land governance [2][3]. While customary systems provide social cohesion, community management, and culturally rooted allocation mechanisms, they often lack formal recognition, creating challenges for land transactions, access to finance, and long-term investment [4]. Studies from Africa, Asia, and Latin America have highlighted that unclear tenure rights often exacerbate poverty, limit agricultural productivity, and hinder sustainable development [5][6].

Land tenure insecurity is a major barrier to rural development in Zambia, particularly in communities dominated by customary land [7]. It is deeply rooted in the colonial legacy [8]. During the colonial regime, land was divided into Crown Land and native reserves. At this time, only the Europeans had the exclusive legal right to own land under the freehold and leasehold tenure systems where British Statutory Laws applied [9]. Here, leasehold tenure was valid for 99 years for ordinary property and 999 years in agricultural lands respectively. The natives on the other hand were ineligible to own land and were thus relegated to rural areas

were the customary land tenure system under the wielded control of the Native Authority applied [10]. This laid the foundation of the dual land tenure system in Zambia [7].

However, long before the exclusionary and hegemonic colonial regime, the indigenous knowledge systems and practices ordered the geo-cultural environment and the organic use of land in customary areas. Here, traditional leaders like chiefs and village headmen were the custodians of the land and ensured that the communally owned land was acquired, managed and used in the best interest of the community [10].

According to [9], the acquisition of land in customary areas was generally undertaken in several ways with some areas holding unique customs. The role of the traditional leaders, across the seventy three tribes in Zambia, was varied with regards to the 'interests of control' and 'the interest of benefit' [9:4] of the customary land [7]. As such, land was acquired primarily through: 'clearing of virgin bush, as a gift, sale of (improvements on the) land, transfer of land in exchange for goods, transfer of land in exchange of services and marriage [11: 33-41]. A stranger to the area need[ed] the chief's permission to settle in the area before acquiring a piece of land. Similarly a chief [could] prohibit an individual from cultivating in a grazing area [12].

Furthermore, the acquired land was recorded either in writing or orally passed on from one generation to the next [7][13]. The use of natural landmarks such as rivers, mountains and unique landscapes, historical hunting routes or places where an event occurred (e.g., an agreement or battle) were used to demarcate the full extent of the customary territory or special sites such as scared sites, communal grazing and agricultural land [14]. The knowledge of the extent of the customary land was held by traditional elders.

In some cultures, land was historically documented in writing and vested in the patrilineal system managed by the male head of the households as is akin with the *Ba Lozi* people of the Western Province [7][8]. According to [15] (cited in [8: 78]) 'Western Province has a land administration system where Land Ownership Certificates (LOCs) [were] issued as a proof of customary land ownership.' Inasmuch as *de facto* land rights based on local customs were documented in the land administration system in the Province, the LOC were ironically not legally recognized as secure tenure nor was the customary land records meticulously or systematically documented [8]. In contrast, in other customary areas land was recorded using oral records and ledgers and managed in trust under the matrilineal system as is the case in the Bemba Kingdom of Northern Province [7]. These variegated cultures affected the management and administration of customary areas. This is because there was arguably no blue print or prescribed way to secure land in customary areas with different cultures [7][15]. As a corollary, the plurality of customary laws in Zambia contribute to the complexity of its application and the lack of the '...required legal standard [to claim] ... ownership rights' [7:100].

In recent times, enclaves of state land emerging from the conversion of customary land into state land following the Chief's consent to has taken centre stage in customary areas. These new developments consistent with the Land Act Cap 184 of the Laws of Zambia have resulted the displacement of indigenous people from communal land. The internal or development induced displacement of indigenous people from their land to facilitate new developments such as commercial farms, investments or mining activities has significantly affected the natives who fear involuntary evictions due to limited security of tenure. According to Section (8) part (3) of the Land Act 'Except for a right which may arise under any other law in Zambia, no title, other than a right to the use and occupation of any land under customary tenure claimed by a person, shall be valid unless it has been confirmed by the chief, and a lease granted by, the President' [7]. This implies that the legislation limits a person who owns land in a customary area to occupancy only. This makes land ownership in customary areas insecure, in terms of the state of legal protection of holding ownership [7][13]. It is also subject to land disputes and dispossession due to its insecure nature. It also creates legal and practical uncertainties and distrust in customary land in terms of land administration and documentation because it does not guarantee protection from forced removal [7]. This could be due to the fact that customary areas only have real relationships in terms of custodianship and land use held in customary trust and not real transferable rights.

According to [14] 'in most chiefdoms there are few records kept on land allocation to subjects, on land management rules or decrees, or on rulings from land disputes.' Aside from this, the traditional belief systems

and political structures in customary areas are undermined and often overridden by statutory tenure requirements upon conversion [10].

In addition, the piecemeal conversion of customary land into state land over time has arguably increased from 6% in 1964 to the current 40% [16]. In terms of the shrinkage of customary land coverage, over 34% has been converted to state land. This alarming trend presents nuanced concerns and is indicative of the un-coordinated and ad hoc conversion of customary land and the leap frog application of land use planning interventions in customary areas. The lack of coordination arguably fuels haphazard and unregulated developments often with conflicting landuses marred with encumbered or outdated land records. These are characterized by limited documentation of ownership, rudimentary survey records and recognition [17][8]. As a consequence, there is an unclear divide in the day-to-day management and administration of land use particularly in customary areas. These overlapping systems and implementation gaps disproportionately affect rural populations, often hindering investment in land-based productive activities and sustainable economic development [17].

Furthermore, compartmentalized custodianship of land in customary areas significantly contributes to overlapping interests and mandates. For instance, [14] contends that ‘customary law dominates land allocation in rural areas for agriculture, but all forest and wildlife resources on the same land are managed by the Forest Department and Department of National Parks and Wildlife, while sub-surface resources are managed by the Ministry of Mines. These overlapping responsibilities have resulted in an environment of distrust where customary authorities and communities experience limited benefits from the resources on their land, and the state is often unable to fulfill its obligations to deliver services to these customary areas. At the same time customary leaders and local communities fear that their customary rights interests may be overpowered by other actors or private investors.’

This situation coupled with the dual land tenure system results in circumstances where land uses are arguably not planned based on the highest and best use but on individual activities related to rural and underground land, gazetted forests, national parks and game management areas which are approved by different state departments. This includes water abstraction from rivers, lakes subterranean water. As a consequence, the overlays in custodianship and mandates results in fragmented, incremental, sporadic and, in certain instances, conflicting land uses in customary areas [7].

It can be argued that the disconnect between development in customary areas and land use planning stems from the myopic, rigid and universalizing perception of planning which is rooted in Eurocentric planning inherited from the colonial past [10]. The style of customary settlement making, organization and governance based on traditional norms, customs and values which preceded Eurocentric land use planning was supplanted with hegemonic and domineering foreign ideologies on what was considered to be appropriate and acceptable planning [7][9][10]. According to [18:40-41], ‘assumptions of what constitutes good land management and planning were enshrined in national planning laws of the colonizing countries and these laws were in turn applied in the colonies. The British Colonial Office developed a model town and country planning law, drawing on both the 1932 and 1947 British Town and Country Planning Acts, for general application in the colonies, although they were implemented differently across territories and at different times.’

This arguably shaped and concretized the disconnect between the two tenure systems in Zambia where the *locus standi* and application of planning in customary areas is still limited [18][19][20]. The application and effect of land use planning in customary areas in Zambia is restricted to land which was previously under customary land and has since been converted to state land [14]. Additionally, the new planning legislation expands land use planning in customary areas, which are broadly included in national, regional and provincial planning to include areas where a planning agreement with the chief of the area have been finalized [14]. In instances where there is no accord in the planning agreement, the local authority cannot proceed to implement land use plans in customary areas. In the event that the customary land in question is in national interest, the Minister of Local Government and Rural Development may sign the agreement which would ultimately bind the chief and the local authority[8][14]. It is ironic that even after the law reform, land use planning praxis and law is only applicable and restricted to the marginal spatial space economy in state land yet the bulk of the land mass which is largely undocumented and insecure is under customary tenure [21].

In lieu of this backdrop, the study unpacked evidence from Masuku Ward in Choma District on bridging of customary and statutory land systems for effective land use planning and economic development. By situating the analysis within Zambia's geo-policy environment and broader African and global contexts, the research provides insights into effective strategies for promoting inclusive, secure, and development-oriented land use management. The first part of the paper provides a brief on the experiences of the dual land tenure system in Zambia and how this binary has shaped land tenure insecurity and rural development in Masuku Ward in Choma rural. It also highlights the legal and regulatory bottlenecks which limit and restrict land use planning interventions in customary areas. The second part presents and justifies the research method used to unpack the land tenure issues in Musuku Ward. Thirdly, the paper provides the research findings and discussion on the land use planning experiences in the customary area and how economic development is affected by the dual tenure system. The latter part of the paper concludes with recommendations on how the dual tenure system can be bridged.

Study area - State of Customary Tenure in Masuku Ward

Masuku Ward is a customary area located 17°13'60" south of the equator and 27°6'0" east of Greenwich Prime Meridian in the Southern Province of Zambia [22]. It is situated in Choma South in Namuswa Constituency (See figure 1 for details). The area covers 641.1 km² and features plains and undulating terrains. Agriculture is central to the local economy.

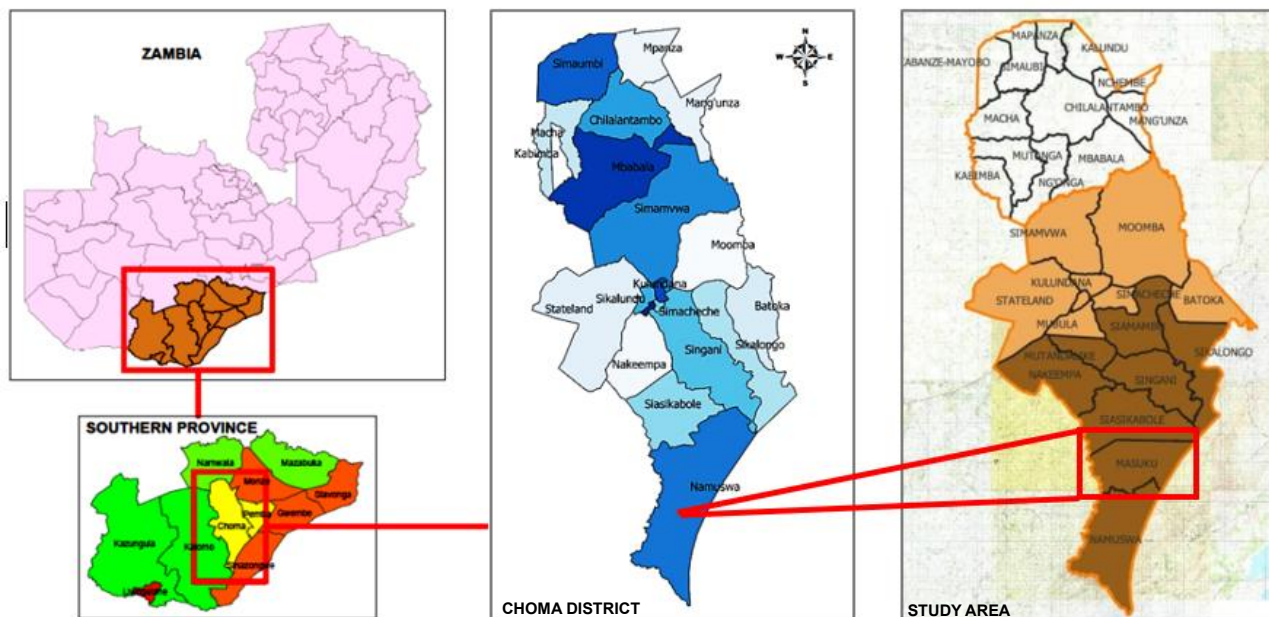


Figure 1. Location of Study Area

Source: Choma Municipal Council, p. 2 & 10 2021

Masuku Ward in Choma District provides a microcosm of Zambia's broader Customary tenure dynamics. While culturally significant, the area lacks formal legal recognition and integration with statutory land frameworks [8][17]. This ambiguity in ownership limits access to credit and markets, discourages long-term investments, and increases the risk of land-related disputes. Many residents have minimal participation in land use planning and low awareness of development initiatives, further constraining economic opportunities. Weak enforcement of planning regulations, outdated land records, and poor coordination between traditional authorities and local government exacerbate these challenges. Weak governance structures and limited accountability mechanisms have implications for policy implementation, including land management and rural development initiatives [23].

Planning laws such as the Urban and Regional Planning Act no.3 of 2015 have been ineffective in addressing these challenges due to the dual system's weak integration with statutory land use planning frameworks,

particularly in customary areas where statutory mechanisms are not fully operationalized and community participation in planning is relatively low [7]. This is further compounded by inadequate infrastructure, limited community awareness of land use planning initiatives, and weak institutional coordination which have constrained sustainable land management, especially in rural districts where land administration capacity is limited [22].

However, unclear ownership, weak legal integration, and limited participation in land-use planning exacerbate tenure insecurity, constraining investment and income-generating opportunities [21][24].

Zambia has implemented several policies to address land governance and rural development. The [25] recognizes customary land rights but primarily focuses on formalizing land registration without fully addressing broader development concerns. The [26] legally recognizes both state and customary land tenure and facilitates land transactions, yet it does not provide a comprehensive framework for linking tenure security with rural development. The Urban and Regional Planning Act No. 3 of 2015 represents a significant policy advancement, integrating rural and urban planning, promoting inclusive land use strategies, and involving traditional leaders and local communities in decision-making. By emphasizing sustainable land-use planning, stakeholder collaboration, and infrastructure development, the Act creates opportunities to improve tenure security and support economic growth in rural communities.

Despite these legal frameworks, practical challenges persist. Weak enforcement of planning regulations, limited infrastructure, gaps in data availability, and insufficient community engagement hinder the effective implementation of land policies [27]. In Masuku, these challenges are compounded by the dominance of customary land, unresolved disputes, and low awareness of planning initiatives [22]. Understanding the interactions between land tenure insecurity, land-use planning, and rural development at the local level is therefore essential for informing policy reforms that are both culturally sensitive and economically enabling.

METHODOLOGY

The study employed a mixed-methods approach, combining both qualitative and quantitative data collection. It uses a stratified random sampling method for the survey, with a sample size of 112 from a population of 3,839, and purposive sampling for the key informants i.e., the community leaders and experts from the Ministry of Agriculture. Qualitative data was gathered through in-depth interviews and focus group discussions, while quantitative data focuses on land tenure security and economic indicators. The data is analyzed using both statistical techniques and thematic analysis to ensure reliability and validity through triangulation.

Ethical considerations, such as informed consent and confidentiality, are emphasized, with findings shared with the community to foster transparency. This approach provides a comprehensive understanding of the effects of land tenure on land use and economic development in Masuku, offering policy-relevant insights tailored to the region's unique context.

RESULTS

The findings of this empirical research study presents the evidence of the interplay between customary and statutory land tenure systems in Makusu Ward in Choma vis-à-vis land use planning and economic development.

Basic Socio Economic Data of Masuku Ward Respondents

The findings revealed that of the 112 Masuku Ward residents who were sampled, males constituted about 59.8% (n=67) whereas females accounted for 40.2% (n=45). This shows that there is a slightly higher participation level among men as opposed to women in Masuku area.

In terms of the age of the respondents, the data from the survey also showed that 76% of the respondents were aged between 35 and 64 years. The other cohorts were aged 34 years and below or 65 years and above.

The findings on land ownership and tenure status among respondents in the study area revealed that the vast majority of the respondents, 75% (n=84), own their land in accordance with the customary tenure system. In contrast, 25% (n=28) of respondents do not own the land but merely occupy it, which affects their long-term security and planning. Despite three quarters of the respondents possessing customary rights in the area, they still do not have secure security of tenure nor legal documentation of ownership. As a consequence, the residents of Masuku Ward are potentially subject to threat of internal displacement or forced evictions.

Occupation of the respondents

The occupation of respondents is vital for understanding how land tenure systems affect livelihoods and economic activities in Masuku. According to the study, the occupational distribution of respondents in Masuku area revealed a predominantly agricultural community, with 82.1% (n=92) of the population engaged in farming. This indicates a strong reliance on agriculture as the primary source of livelihood.

A small portion of the population, 3.6% (n=4), is employed in various sectors, which include roles in local businesses, educational institutions and healthcare facilities. This segment contributes to the economic diversity and supports essential services within the community. However, unemployment affects 14.3% (n=16) of the respondents, indicating a need for economic development and the creation of job opportunities beyond agriculture. Addressing this unemployment rate is crucial for the socio-economic development of Masuku area.

Current Land Tenure System's Security and Effectiveness

According to the findings, 53.6% of respondents described the land tenure system as secure and effective for land use. This indicates that a slight majority feel confident in their land rights and the system's ability to support effective land use practices. Conversely, 46.4% of respondents view the system as uncertain and ineffective for land use, highlighting concerns about the reliability and functionality of the current land tenure arrangements.

Furthermore, the perception of the current land tenure system's security in the Masuku area reveals a community divided in its views. When asked if the system provides security for land ownership, 53.6% of respondents affirmed that it does, indicating a slight majority who feel assured about their land ownership under the existing system. However, 46.4% of respondents believe that the system lacks security for land ownership, reflecting significant concerns about the reliability and protection of their land rights. This nearly even split in perceptions underscores the need for potential improvements and interventions to enhance the system's overall security and effectiveness. Additionally, it suggests a need for addressing the factors contributing to the perceived insecurity and enhancing the land tenure system to ensure broader confidence among the residents.

"I feel secure about my land, and the current system supports my farming activities well. However, some of my neighbours are worried about the future due to the influx of mining investors who have bought parts of their land from the traditional leadership. This has created a lot of uncertainty, and it seems clear that we could really use some improvements to address these concerns and make everyone feel as confident as I do." 60 year old resident of Masuku

"Honestly, I'm not sure how well the land system works. I've heard too many stories about people having problems with land disputes, and some even got caught up in witchcraft accusations. It seems like the system really needs fixing so everyone can trust it and avoid these kinds of issues." 37 year old resident of Masuku

"The ineffectiveness of our land tenure system is largely due to poor record management, especially in customary areas where no formal land records exist. This lack of documentation leads to disputes over boundaries and ownership, creating significant insecurity for landholders. Without records, customary landholders struggle to prove ownership, limiting their ability to invest or use their land as collateral for loans." Key Informant

Familiarity with, and Opinions on Land Use Planning Initiatives and Regulations

The relevance of familiarity with, and opinions on land use planning initiatives and regulations in the study lies in the critical role these initiatives play in shaping how land is managed, allocated, and utilized, particularly in rural communities like Masuku. Effective land use planning relies on clear regulations and community awareness to ensure sustainable development, minimize disputes, and optimize land productivity.

In the context of Masuku, where land tenure systems are tied to traditional practices and external pressures (e.g., investment interests), understanding the community's knowledge and perception of planning initiatives provides insight into how well these frameworks align with local needs. If residents are unfamiliar with or distrust these regulations, it can lead to ineffective land management, underutilization of resources, and resistance to development projects. Conversely, strong familiarity and positive opinions indicate a system that supports orderly growth, attracts investment, and promotes economic development. Thus, this aspect bridges the gap between tenure security and the practical implementation of land use strategies essential for the community's progress.

While some residents feel confident in the system, others cite disputes and governance issues, highlighting a divide that undermines trust and discourages investment. Addressing these concerns through stronger governance, transparent land transactions, and better awareness of planning initiatives is essential for fostering sustainable development and economic growth in the area.

Data from the survey showed a significant disparity in the familiarity of Masuku residents with land use planning initiatives in the study area. Only 14% (n=16) of respondents are aware of such initiatives, due to their involvement in community planning and exposure to land use regulations. Conversely, a substantial 86% (n=96) are unfamiliar with any initiatives, indicating limited access to information or inadequate communication channels. This lack of awareness is a critical concern, as effective land use planning is essential for sustainable development, resource management, and equitable land use within the community.

The findings underscore a significant gap in awareness and knowledge about land use planning in the Masuku community, emphasizing the urgent need for enhanced communication, education, and outreach. Strategies such as community meetings, workshops, educational materials, and local media campaigns could empower residents by increasing their understanding and involvement in planning processes, ultimately improving the effectiveness of land use initiatives.

Regarding the perceived effectiveness of current land use planning measures, the study yielded varied responses. The data revealed that 39.3% (n=44) of respondents considered the initiatives ineffective, reflecting dissatisfaction and highlighting challenges in addressing community needs. On the other hand, 50% (n=56) found the initiatives fairly effective, indicating some positive impact but also room for improvement. This suggests that while progress has been made, further efforts are needed to meet the community's expectations fully and optimize land management practices. In contrast, approximately 11% (n=12) of respondents viewed the initiatives as effective. This smaller segment of the population believes that the current land use planning measures are working well and achieving their intended goals. Their positive perception has been noted as being due to specific local successes and benefits that they have personally experienced and observed through the implementation of farmer support programs that some farmers have greatly benefited from. These results suggest that while there is some recognition of the effectiveness of current land use planning initiatives, a significant portion of the community feels that there is substantial room for improvement. To enhance overall effectiveness, it is crucial to address the concerns and expectations of the 39% who find the initiatives ineffective and to build on the feedback from those who see them as fairly effective. This could involve reassessing current strategies, increasing community involvement in the planning process, and implementing targeted improvements to better meet the needs and expectations of the Masuku area residents.

"The biggest challenge we face with land use planning in Masuku is the lack of awareness among residents. Most people are unfamiliar with the regulations and initiatives in place, which leads to mistrust and resistance. To address this, we need enhanced synergies between traditional leadership, local authorities, and the Ministry of Agriculture. By working together, these stakeholders can ensure that planning initiatives are

not only communicated effectively but also aligned with the community's agricultural priorities. Involving residents in the process, fostering transparency, and demonstrating the benefits of these systems will build trust and encourage active participation, ultimately leading to better land management and sustainable development." Key Informant

Mr. Hantumbu, a Senior Land Husbandry Officer from the Ministry of Agriculture, highlighted several challenges contributing to the ineffectiveness of land use planning initiatives in customary areas like Masuku. He pointed out that the absence of proper land records, coupled with weak synergies among key stakeholders—such as traditional leadership, the Ministry of Agriculture, and local authorities—hinders effective land management. Additionally, he emphasized that the lack of updated capability assessments and real-time data further complicates land use planning, making it difficult to address the community's evolving needs. These challenges contribute to inefficient land use and undermine efforts to implement sustainable and equitable land management strategies, reflecting the broader concerns regarding the community's limited familiarity with and trust in existing planning initiatives. As Mr. Hantumbu observed, overcoming these obstacles will require stronger coordination, better data systems, and a more inclusive approach to land governance.

Influence of Land Tenure Status on Decision-Making

The influence of land tenure status on decision-making is crucial in shaping how individuals and communities approach land use, investment, and economic activities. Land tenure security often determines an individual's ability to make long-term decisions about land use, such as investing in agriculture, infrastructure, or sustainable resource management. Those with secure tenure are more likely to make decisions that foster long-term development, as they have confidence in their right to the land. In contrast, individuals with uncertain or insecure tenure may hesitate to invest or improve their land, fearing loss of ownership or rights. This insecurity can limit decision-making capacity, stifle entrepreneurial activities, and prevent efficient land use planning, ultimately affecting overall community development. Therefore, enhancing tenure security is essential to empowering landholders to make informed, confident decisions that drive economic growth and sustainability.

The data also showed clearly that a significant majority of respondents 71.4% (n=80) believe that land tenure status plays a crucial role in decision-making processes related to land use planning initiatives in Masuku. This indicates that land tenure security is a key factor that influences how people plan and utilize their land.

As one local put it,

"If you don't have clear ownership of your land, you can't make any real plans for the future. You don't know if you can put money into improving it, like building a house or growing crops that take time to grow. There's always the worry that someone, even a family member might come and take it away from you. Without that security, you're stuck, not able to invest in your land or your future because you're not sure if it'll even be yours tomorrow." 38 year old resident of Masuku.

This highlights the importance of secure land tenure in fostering confidence among landholders to make long-term investments and decisions. Conversely, the 28.6% (n=32) who believe that land tenure status has minimal influence on decision-making suggest that other factors, such as immediate economic needs or personal preferences, may also play a role.

On the other hand, another local mentioned,

"For some of us, these land tenure issues don't really matter. We have lived on these lands since we were born and we make our decisions based on our needs, without having to worry about them. We make decisions based on what we need right now. We've never had to worry about official land ownership or paperwork. Our focus is on what we can grow or do with the land today, not whether someone might come and say it's no longer ours." Key Informant

Primary Use of Land

Identifying the primary use of land is essential to understanding how land tenure systems and planning impact livelihoods and economic activities in Masuku. An overwhelming majority of respondents, 96.43% (n=108), use their land primarily for agriculture, indicating that farming is the predominant land use in Masuku. Additionally, 50% (n=56) of respondents also engage in gardening, suggesting that small-scale horticulture is a common supplementary activity.

"We rely on our land for farming. It's our main source of food and income, and what we depend on to survive. For us, it's not just about growing crops; it's how we feed our families and pay for what we need. Without the land, we wouldn't have a way to make a living. Everything we do is tied to the land, and having a secure place to farm is really important for us to keep going." Key Informant

The minimal use of land for renting 3.57% (n=4), and the absence of responses for building homes, setting up shops, or selling land highlight a potential lack of diversification in land use. This could be due to cultural practices, economic constraints, or regulatory limitations.

"Gardening helps us supplement our food supply and earn a little extra money though it is quite difficult due to inadequate water supply, especially this year when most of our wells have run dry." 46 year old resident of Masuku.

Relationship Between Land Tenure Systems and Economic Development

The relationship between land tenure systems and economic development is crucial, as secure and well-defined land tenure encourages investment, productivity, and sustainable resource management. In Masuku, land tenure systems that provide clear ownership and usage rights can stimulate agricultural growth, enhance market access, and attract both local and external investments. Insecure tenure, on the other hand, leads to uncertainty, discouraging long-term investments and entrepreneurial activities. It can also limit access to credit, as land cannot be used as collateral. Thus, a well-functioning land tenure system is foundational for economic development, as it provides the stability and confidence necessary for individuals and businesses to plan, invest, and thrive.

A substantial proportion of respondents, 61.7% (n=68), believed that the current land tenure system does allow for investments, indicating a high degree of confidence in the system's ability to support economic activities. This suggests a perception that customary tenure is secure and can create an enabling environment for investments. While the remaining 39.3% (n=44) of respondents who opposed this view highlighted ongoing challenges to investment within the current system, stating that it does not allow for investment.

"With my current tenure (customary), I've been able to invest more in my farm and my income has been slowly going up. The growth is slow, of course, due to financial constraints, but there's noticeable progress. I'm more confident in investing in my land." Key informant

"The system hasn't really changed things for me. I still struggle to make ends meet and I still find it difficult to get loans for investment because the banks don't give investment loans for farms that are not on title. Which makes it difficult for people like me that have no other valuable assets that can be listed as surety to get an investment loan. Yes, I am doing far much better than my parents did before me, but I strongly believe that there's potential for things to get far much better than they are now." 39 year old Masuku resident

Furthermore, data from the fieldwork survey highlight critical sentiments and challenges faced by landholders in selling their land to investors and for commercial purposes. The findings on the sale of land to investors showed that while land can be sold to investors, it is often at an unfair price, as indicated by 89.3% (n=100) of respondents. This overwhelming dissatisfaction suggests significant issues with the current valuation processes and market conditions for land sales.

"In this village, land sales are set up to take advantage of us. The prices offered for our land are so low that it's clear we are being tricked into selling something valuable for almost nothing. The buyers come in with offers that sound tempting but don't really give fair value for the land. These deals rarely help us because we end up losing out because we aren't getting the proper benefits or better terms that would help us in the long run. Instead, we end up feeling like our land is being exploited for the gain of others. That's why we usually only sale when we have serious financial emergencies." 42 year old Masuku resident

This perception of exploitation and undervaluation by investors is a major deterrent for landholders considering such transactions. Additionally, 10.7% (n=12) of respondents believe that land cannot be sold to investors at all, suggesting the presence of legal and regulatory obstacles. These insights underscore the necessity for fair and transparent land valuation and sales processes to protect landholders' interests and promote equitable transactions.

Limitations of the Current Land Tenure System

The limitations of the current land tenure system in Masuku are significant barriers to sustainable land use and economic development. The coexistence of customary and statutory systems often leads to confusion, overlapping jurisdictions, and disputes over land ownership and usage rights. This creates insecurity, as individuals may not have clear or legally recognized rights to the land they cultivate. Additionally, the lack of awareness about land tenure processes, such as converting customary land to leasehold, limits access to important opportunities for landholders. The absence of standardized land valuation and limited access to credit further restricts economic potential. These limitations hinder investment, discourage long-term planning, and perpetuate inequality, particularly among women and marginalized groups who often face additional challenges in accessing and controlling land. Addressing these limitations through reforms and improved governance is essential for fostering a more secure and inclusive land tenure system that supports sustainable economic development.

Respondents identified two main limitations of the current land tenure system in Masuku: restricted flexibility in land use 57.1% (n=64) and increased tenure insecurity 64.3% (n=72). These issues are seen as major barriers to landholders' ability to adapt to changing economic or environmental conditions, which could improve productivity and sustainability. The lack of flexibility limits landholders' capacity to adjust land use, while tenure insecurity creates uncertainty, discouraging long-term planning and investment. This hampers potential land improvements and entrepreneurial activities, ultimately hindering economic growth.

Another notable concern is the restriction on access to credit for investment 77.6% (n=87). This limitation is critical because it affects landholders' ability to obtain the necessary financial resources for enhancing their land's productivity, developing infrastructure, and pursuing other investment opportunities that could improve their livelihoods. Additionally, the prevention of land sales for desired purposes 39.3% (n=44) is a significant issue. This restriction prevents landholders from realizing the full economic potential of their land assets, whether for personal financial gain or broader economic development initiatives.

Furthermore, a significant portion of respondents (90.2%) indicated that inadequate infrastructure support for land use is a major challenge under the current land tenure system. This is closely followed by 87.5% who cited limited access to resources for land development. Additionally, 35.71% of respondents mentioned a lack of clarity in land tenure regulations, and 28.57% reported disputes over land ownership as challenges.

When probed further, respondents elaborated on the challenges they face in Masuku regarding land tenure and infrastructure, highlighting the significant issue of inadequate infrastructure support for land use. They pointed out that without proper infrastructure such as roads, irrigation systems, and storage facilities, their ability to effectively utilize their land for agriculture or other purposes is severely hampered. They explained that without sufficient access to resources like capital for investment, technology for modern farming practices, and support for sustainable land management, their efforts to improve productivity and livelihoods are constrained.

"I don't know how we are supposed to make a living from our land when we don't even have proper roads or storage for our crops," said one 49 year old farmer of Masuku. *"Most of us are struggling because we can't get*

the money or tools we need to improve our farms. It's really tough to move forward when we don't have the basics in place. The new dawn government must step in and address these issues. We need better infrastructure, like roads and irrigation systems, and more support for getting the resources we need to develop our land. If the government can help us with these things, it would make a huge difference in our lives and help our community thrive."

"There is a lack of clarity in land tenure regulations that is making everything worse for us. Sometimes the chief can sell land to an investor and we are forced to vacate the land. To make matters worse, there are no maps that show our exact boundaries, which cause a lot of fighting over who owns what piece of land. Without clear guidelines, it feels like we're always at risk of losing our land or getting into disputes with our neighbors. It's a big problem that needs to be fixed so we can have some peace and security in our community. Maybe one day we'll be able to get loans for investment just like those with title deeds." Key informant

These findings underscore several critical areas requiring urgent intervention to enhance the effectiveness and efficiency of the current land tenure system. The overwhelming concern regarding infrastructure suggests that many areas lack essential facilities such as roads, irrigation systems, and utilities. This inadequacy hampers the ability to fully utilize the land for agricultural or developmental purposes, limiting economic opportunities and growth potential. Additionally, the high percentage of respondents facing limited access to resources highlights a significant barrier to land development. This includes access to financial resources, technical assistance, and agricultural inputs. Without these resources, landholders are unable to make necessary improvements or investments, stifling economic progress.

Furthermore, unclear and ambiguous land tenure regulations create confusion and uncertainty among landholders. This lack of clarity leads to mismanagement, legal disputes, inefficiencies in land use and increased disputes over land ownership. Ownership disputes are a significant issue that undermines the security and stability of customary land tenure systems. These disputes can arise from historical claims, boundary issues, or legal ambiguities. Resolving ownership disputes through transparent and fair legal processes is vital for ensuring that landholders have secure tenure, which in turn encourages investment and development Masuku.

In light of the above findings, the research further probed to establish if there were any observed disparities in economic opportunities based on land tenure systems. The research findings also revealed that a notable 78.6% of the respondents observed disparities in economic opportunities based on land tenure systems, indicating a significant concern within the community. These disparities reflect underlying inequities in how land tenure systems are structured and implemented, resulting in unequal access to resources, opportunities, and economic benefits. Respondents highlighted that those with secure land tenure (titled land) tend to have better access to financial services, investment opportunities, and support infrastructure, whereas those with insecure or unclear tenure face significant barriers. This disparity creates a divide where some individuals and groups are able to thrive and prosper, while others are left struggling to make the most of their land resources.

Community perceptions of the importance of land tenure systems on land use

Community perceptions of the importance of land tenure systems on land use are vital in understanding how land is managed and utilized in Masuku. The study revealed that a majority of respondents view secure land tenure as essential for effective land use, as it provides confidence in making long-term decisions, such as investing in agriculture or developing infrastructure. However, a significant portion of the community expresses concerns about the insecurity of tenure, especially within the customary system, which can lead to disputes and hinder productive land use. These perceptions underscore the need for a land tenure system that is both secure and clearly understood by all community members, as it directly affects their willingness to invest in land improvements and sustainable land management practices. Ensuring that communities recognize the importance of secure land tenure can help foster more efficient and sustainable land use, ultimately supporting economic development.

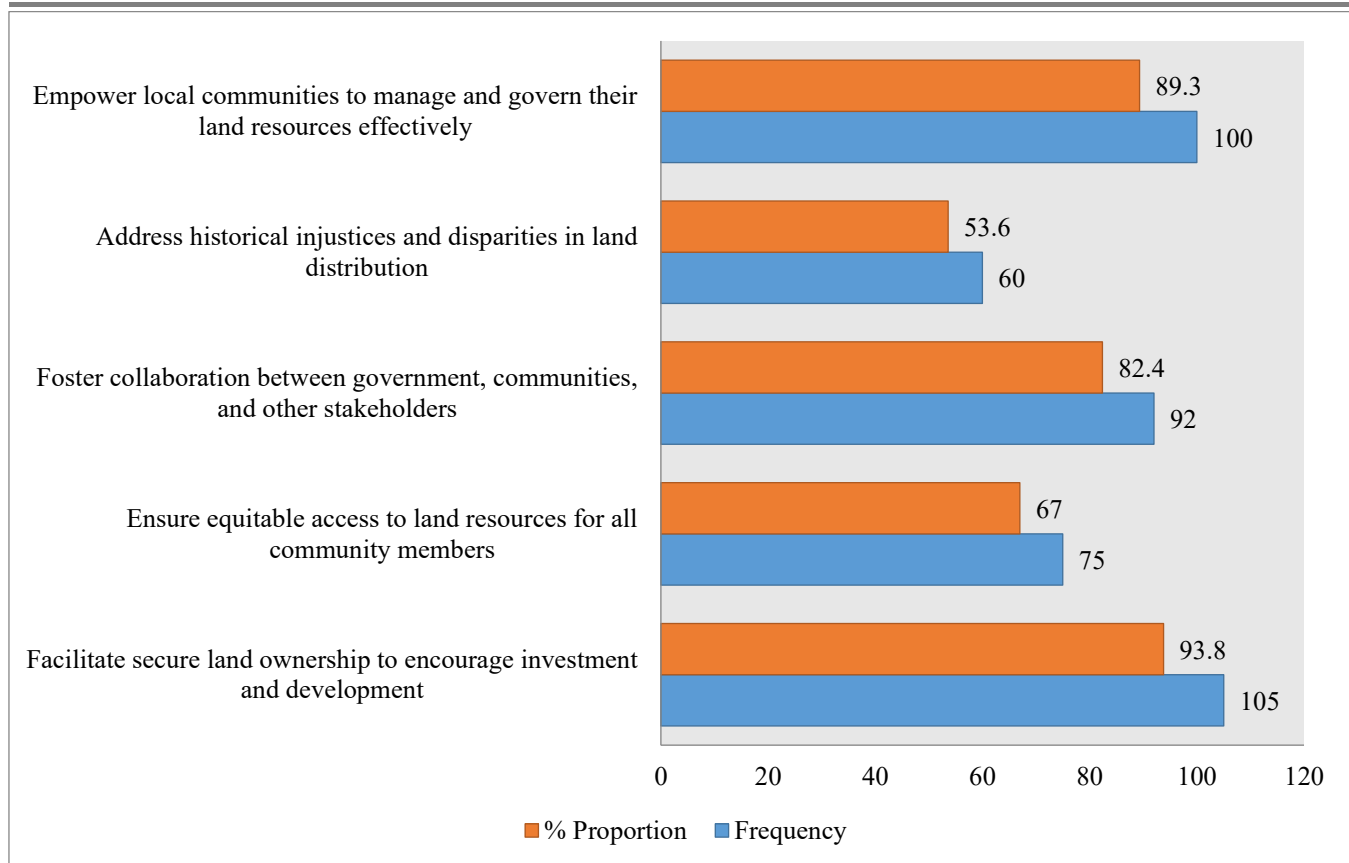


Figure 2. The role that land tenure systems play in promoting land use planning and economic development

Source: Fieldwork Survey (2024)

As shown in Figure 2 above, there is a near-unanimous agreement 93.8% (105) among respondents that land tenure systems should facilitate secure land ownership to encourage investment and development. Secure land tenure is seen as a foundational element that boosts confidence among investors and landowners, leading to increased economic activities and development initiatives. Additionally, 89.3% (n=100) believe in empowering local communities to manage and govern their land resources effectively, emphasizing the importance of community autonomy and participatory governance. Another significant role identified is fostering collaboration between government, communities, and other stakeholders, supported by 82.1% (n=92) of respondents. This collaboration is crucial for integrated and cohesive land use planning and economic development strategies. Ensuring equitable access to land resources for all community members is also seen as vital, with 67% (n=75) of respondents highlighting this role to promote fairness and inclusivity. While addressing historical injustices and disparities in land distribution is important to 53.6% (n=60) of respondents, reflecting a need to rectify past inequities and ensure a just and equitable land tenure system.

Furthermore, as displayed in **Figure 3** below, the strong support for community-driven land tenure reforms 92.9% (n=104) indicates a clear preference for policies that prioritize local needs and aspirations, ensuring that land management strategies are tailored to the specific context of Masuku. The same percentage of respondents advocates for strengthening the enforcement of existing land laws and regulations to prevent land grabbing and encroachment, which is essential for maintaining order and fairness in land transactions. Investing in infrastructure and services in rural areas is highlighted by 89.3% (n=100) of respondents as a key recommendation, recognizing the potential of agricultural land and the need for adequate support to unlock this potential. Promoting sustainable land management practices to mitigate environmental degradation and promote resilience to climate change is another critical recommendation, supported by 92.9% (n=104) of respondents, indicating a holistic approach to land use that balances economic development with environmental sustainability.

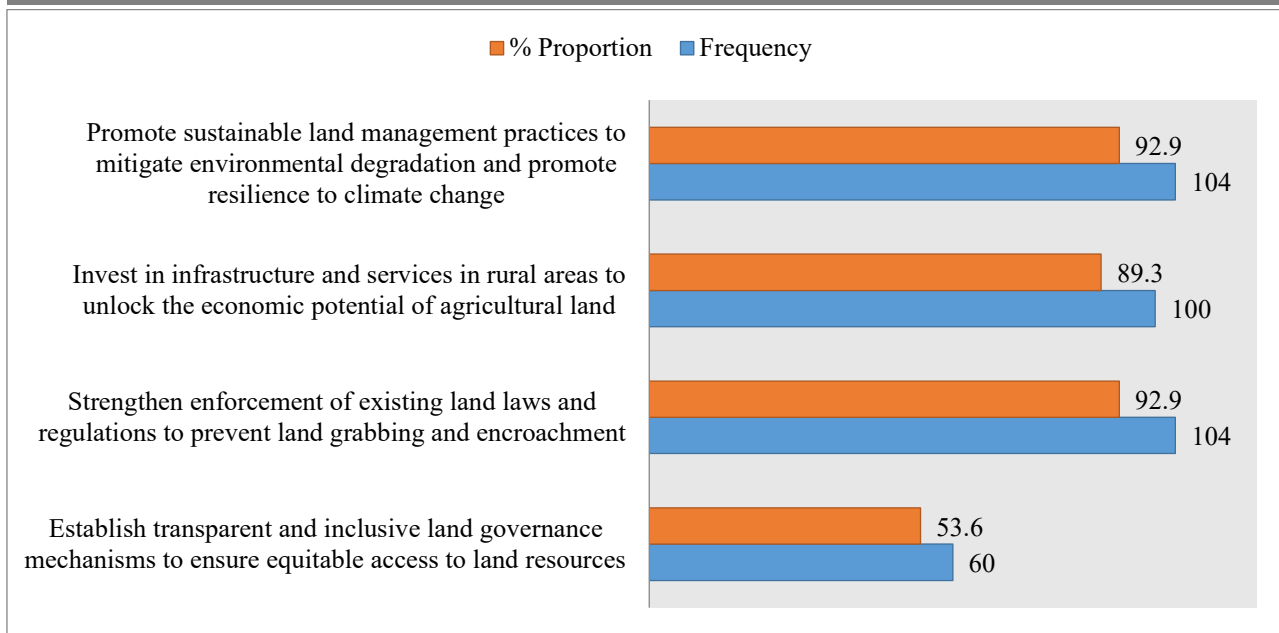


Figure 3. Recommendations for addressing land tenure related challenges

Source: Fieldwork Survey (2024)

The overwhelming consensus on the need for secure land ownership highlights its critical role in driving investment and development. Secure tenure provides the confidence necessary for landowners and investors to make long-term commitments, enhancing economic growth and stability. The emphasis on collaboration and equity underscores the community's desire for a more inclusive and just land tenure system, where all members have a stake in the planning and development processes. These findings and recommendations therefore reflect a comprehensive approach to addressing land tenure challenges. Emphasizing community involvement, transparency, and sustainability indicates a holistic strategy aimed at ensuring long-term economic and environmental health in Masuku. By implementing these recommendations, Masuku can create a more dynamic, inclusive, and prosperous economic landscape, where secure land tenure supports robust investment, sustainable development, and social equity.

"In Masuku, land is everything. Having secure land rights gives us the confidence to invest in farming and even think about improving our homes. But without proper documents or clear boundaries, there's always fear of losing what we've worked so hard to build. Many of us would want to access loans or even try new farming techniques, but we're held back because we don't have proof of ownership. For women especially, the challenge is even greater because some traditions still make it hard for us to inherit or control land. If the system could support us better, we could achieve so much more." 48year old resident of Masuku

"The current land tenure systems in Masuku strike a delicate balance between tradition and formalization. On one hand, customary systems provide a sense of belonging and community cohesion, but they also limit individuals' ability to access credit and engage in land markets due to the lack of legal recognition. For sustainable development, we need a system that builds on the strengths of tradition while introducing formal measures, like issuing certificates of ownership or lease agreements, to empower the people. Gender equity is another critical issue—empowering women and youth with access to land will unlock untapped potential for economic growth. Collaborative efforts between government, traditional leaders, and the community are vital to address these challenges and create a land tenure system that supports long-term planning and development." Key Informant

DISCUSSION

The relationship between land tenure insecurity and rural development has long been recognized as a critical factor influencing investment, agricultural productivity, and economic growth. This study in Masuku

Community, Choma District, demonstrates that the coexistence of customary and statutory land tenure systems creates both opportunities and constraints for rural economic development. By examining how tenure insecurity affects land use planning, access to resources, and livelihood strategies, the study highlights the nuanced ways in which local governance and policy frameworks shape economic outcomes.

Customary land tenure remains the dominant system in Masuku, reflecting broader trends across Sub-Saharan Africa [28]. While rooted in community norms and flexible governance, customary tenure often lacks formal recognition, creating insecurity that limits investment, particularly for marginalized groups such as women. This insecurity constrains agricultural productivity, access to credit, and market participation, echoing findings by several scholars [29a][29b][30]. The absence of clear mechanisms to resolve disputes further discourages both local and external investment, stifling the potential for economic growth [31a][31b].

Statutory land tenure frameworks under laws such as the [26], offer formal mechanisms for recognition and investment. However, the study finds that implementation in Masuku is inconsistent. Slow registration processes, high costs of titling, and the disconnect between statutory laws and customary practices limit uptake. Many community members continue to prefer customary arrangements, highlighting the challenge of harmonizing formal legal systems with local practices [33].

Tenure insecurity in Masuku significantly affects agricultural productivity and broader economic development. Farmers are reluctant to invest in soil conservation, irrigation infrastructure, or improved farming techniques when land rights are uncertain, reinforcing the link between tenure security and economic growth [28][30]. Gender disparities further exacerbate these challenges, as women often have limited access to, and control over, land resources under customary arrangements, reducing their ability to participate fully in economic activities.

Effective land use planning is essential for addressing these challenges. In Masuku, fragmented land governance and weak coordination between statutory and customary systems result in inefficient land allocation and underutilization. Inclusive planning that engages traditional leaders, local authorities, and community members is necessary to harmonize customary practices with formal regulations and optimize land for economic development [34][35]. Climate change also compounds these issues, as land degradation and erratic weather patterns threaten agricultural productivity, highlighting the need for climate-resilient planning [36].

Overall, the findings demonstrate that tenure insecurity limits investment, constrains economic opportunities, and undermines rural development in Masuku. Addressing these challenges requires integrated policies that strengthen tenure security, harmonize customary and statutory systems, and promote inclusive, sustainable, and climate-smart land use planning.

CONCLUSION

This study highlights that land tenure insecurity is a critical barrier to rural development in Masuku Community, Choma District. Customary tenure, while culturally embedded and socially cohesive, fosters ambiguity in land ownership and limits investment in agriculture and economic activities. Statutory frameworks, such as the [26], offer formal recognition, yet implementation challenges and limited community uptake reduce their effectiveness.

The fragmentation of tenure systems complicates land use planning, resulting in inefficient land allocation and underutilization of resources. Gender disparities in land rights further exacerbate these challenges, restricting women's participation in agriculture and broader economic development. Climate variability adds another layer of vulnerability, making it imperative that land governance systems integrate resilience and sustainability considerations.

Ultimately, securing land tenure, harmonizing customary and statutory frameworks, and implementing inclusive, climate-smart land use planning are essential for fostering sustainable rural development. The study

reinforces that policy interventions must be context-specific, community-driven, and inclusive to unlock the economic potential of rural communities in Zambia and across Sub-Saharan Africa.

RECOMMENDATIONS

Based on the study findings, the following policy-oriented recommendations are proposed to strengthen land tenure security and promote ordered land use planning and rural economic development in Masuku Ward and similar communities:

1. **Establish Collaborative Planning Agreements:** Develop formal agreements between local authorities and traditional leadership under the oversight of the Ministry of Local Government. These agreements should clearly define roles, responsibilities, and conflict resolution mechanisms, ensuring that customary practices and statutory requirements are harmonized.
2. **Formal Recognition of Customary Land Rights:** Develop legal mechanisms to formally document and recognize customary land rights without undermining traditional authorities. Introduce simple and affordable processes for rural households to secure certificates of customary ownership, enhancing tenure security and access to credit (Phiri, 2022). In addition, customary records offices could be established in District Councils to document copies of customary land transactions. This
3. **Integration of Customary Tenure into Land Use Planning:** Ensure that local and regional land use plans explicitly consider customary land areas and practices. Encourage participatory planning approaches that involve traditional leaders, local communities, and statutory authorities to harmonize land allocation and usage (Nzara, 2018).
4. **Strengthen customary tenure integration for productivity gains:** Harmonizing statutory and customary land systems can enhance agricultural productivity by giving farmers secure, long-term access to land for investment and cultivation (Kombe et al., 2024).
5. **Enhance participatory governance and institutional coordination:** Policy frameworks should promote collaboration between traditional leaders, local government, and communities to strengthen planning, oversight, and dispute resolution (Siamabele & Munalula, 2019).

Ethical Approval

Ethical clearance was sought before this research was undertaken.

Data Availability

The data is available upon request.

Conflicts of Interest

There was no conflict of interest whilst conducting this research.

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