

Growing Land Hunger in Botswana?

A commentary by SARPN on issues framed in a SARPN-funded workshop in Botswana organised by BOCONGO and FONSAG.

Botswana has one of the most progressive and successful land policies in Southern Africa. Part of this owes to the fact that upon independence Botswana did not inherit the same kinds of problems that South Africa, Zimbabwe and Namibia did, notably the massive land ownership inequalities owing to dispossession of African populations by European settlers.

However, the success of Botswana's land policy also stems from its innovative features and its decidedly pro-poor bearing. The latter is nowhere more obvious than in the official principle that each and every Botswana has a right to land for residential *and* agricultural purposes. Within customary tenure areas, which comprise 79% of all land and which are controlled through a decentralised system of locally elected Land Boards, land is allocated for free.

However, this is not to say that Botswana has no land problems. Indeed it does, and they are becoming more acute. Among the more serious of these problems is that associated with peri-urban areas. In 1991 the government of Botswana appointed the Presidential Commission into Land Problems in Mogoditshane and other Peri-Urban Areas. Mogoditshane is the largest peri-urban settlement around Gaborone, by far the largest city in Botswana. The purpose of the Commission was to try to identify the causes of the growing squatter problem in the vicinity of Gaborone and other cities, as well as to recommend a course of action that would resolve the problem.

Why was this happening, despite the country's relatively small population, a vast amount of land, and the government's visible commitment to making sure the land got to the people?

The Commission found, not surprisingly, two processes at work. On the one hand, the drift of people out of the agricultural sector was contributing to rapid rural-to-urban migration. On the other hand, government's various administrative systems were not able to keep pace with the demand for urban and peri-urban plots, not to mention housing.

Whatever the extent of the problem was in the early 1990s when the Commission started its work, it is more serious today. Over the past 10 years, the population of Gaborone proper has increased by 39%, whereas the population of the peri-urban areas surrounding Gaborone has increased by a phenomenal 90%, i.e. it has almost doubled. Presently, about one third of the population of greater Gaborone resides in the peri-urban fringe.

Despite the abundance of land in the country as a whole, intense land scarcity has emerged in those few areas where people perceive there to be job prospects, particularly in and around Gaborone. Consequently, in contradiction to the policy of free land allocations in communal areas, a market has developed for land in those areas that happen to abut city boundaries. It is largely an illegal market.

One typical type of illegal transaction is where a person holding an agricultural plot in the peri-urban fringe divides it up and sells the sub-divisions for residential purposes. By law, land holders in customary areas do not own the land, but rather hold it in terms of customary rights. These rights can be transferred from one person to another, but in principle all that can be *sold* are the developments on the land and not the land itself.

The land, after all, is the common heritage of all Batswana, which is why it is allocated for free in the first place. However, those holding agricultural plots in the peri-urban fringe increasingly recognise the market value of the land itself because of its location, and prefer to sell it illegally to those in need of residential sites rather than accept the relatively meagre compensation offered by the Land Boards. They are assisted in this by a growing number of estate agents who each month openly advertise plots for sale in Mogoditshane and other peri-urban villages in *The Trader*. What is evidenced by the evolution of these land markets, is not only a clash of principles – between government administered allocation and control on the one hand, and open market allocation on the other hand – but also a shift in people's thinking about what it means to 'own' land.

One consequence of these illegal sales is that government is unhappy with the pattern of settlement that is being established. Indeed, there are causes for concern. One issue is that haphazard settlement complicates the provision of services, e.g. electricity, water, and sewerage. Another issue is that haphazard settlement may not be optimally spaced. Towards the late 1990s, attention became focused on some 5000 'illegal squatter' households in Mogoditshane, principally people who had moved onto what had been formally designated as agricultural land. According to government officials, the space occupied by these 5000 households would have been sufficient to accommodate 20 000 to 25 000 households had it been settled according to a rational plan.

However, according to research conducted by the Botswana Council of Non-Governmental Organisation (BOCONGO) and the Botswana Christian Council (BCC), most of these households have pending applications for land with the local Land Board, and most of these were submitted years ago. It must also be pointed out that these 5000 households represent between one third and one half of all of the households in Mogoditshane, and about 6% of all households in the greater Gaborone area.

In 2001 the government commenced with demolitions of the homes of these squatters. Thus far, about half of the 5000 squatters' homes have been demolished. There has been widespread criticism of government, not only for the sometimes callous and arbitrary manner in which the demolitions were undertaken, but for the inadequacies of the land allocation system that contributed to the squatter problem in the first place. Under the umbrella of BOCONGO and the Forum on Sustainable Agriculture (FONSAG), funded by the Southern African Regional Poverty Network, a symposium was held recently in Gaborone to discuss the demolitions and to improve the dialogue generally between civil society and government in respect of land policy.

In fact, there was a surprising amount of common ground: it is important to maintain the rule of law; it is necessary to create mechanisms to better accommodate low-income households needing access to land for residential purposes close to urban areas; and to the extent squatters exist already, they will probably have to be removed, albeit in a humane way. What was far less clear was exactly *how* the country's land policy should be amended in order to manage land pressures more successfully. In particular, there was no way forward identified to resolve the clash of principles, i.e. between government control over allocation on the one hand, and market forces on the other.

In comparison with South Africa, the scale of Botswana's peri-urban land problems are small, almost minute. But apart from scale, and some important aspects of tenure systems, the problems are much the same. As we approach the one-year anniversary of the Bredell land invasion on the outskirts of Johannesburg, South Africa has yet to resolve its own version of these very issues. For example, how can land policy which was fundamentally designed with rural agricultural systems in mind, better accommodate the acute shortage of land for urban and peri-urban settlement? Second, what do we really mean by "homelessness", and to what extent is it feasible to ensure that all households are land owners? (Interestingly, in the case of Bredell, as with the squatters in Mogoditshane, a large number of the people involved had previously been renters in nearby

communities; the impetus to squat/invoke was largely driven by the desire to no longer pay rent and to have more space.) And third, what is a viable land/housing policy in the context of wide scale unemployment and destitution?

For further information on the workshop please contact: fonsag@global.bw.

SARPN will carry a post conference report as soon as it has been received from FONSAG.