Jorgen Eskemose Andersen, Paul Jenkins and Morten Nielsen

Who plans the African city? A case study of Maputo: part 1 — the structural context

Urbanisation in sub-Saharan Africa constitutes a radically different context from that in the Global North, in terms of scale and pace of urban change and the nature of political and economic structures where state capacities are limited and non-state action dominates. However, the nature of urban planning generally implemented tends to be based on northern norms and methods, but without significant impact. This article draws on recent empirical research examining state and non-state activities on urban land development in Maputo, Mozambique. Here, whereas land-use planning based on state control has limited practical impact, urban land is physically structured and planned by urban dwellers aspiring to establish legitimate and viable forms of socioculturally informed physical order. Even where such 'ordered' land-use practices are not implemented (whether by state or non-state actors), collective forms of sociocultural organisation still orientate and guide land-use practices in many 'unplanned' areas, and this remains the dominant form of land development. This leads to the query: who actually 'plans' the African city?

Keywords: physical planning, rapid urbanisation, Mozambique, land development, urban change, social agency, tenure systems, informal urbanisation

The objective and structure

The main objective of this article is to critically examine and possibly transcend dominant modes of land-use planning in the face of contemporary urbanisation with scarce investment resources in sub-Saharan African cities. The article draws on four decades of experience of working and researching in this context, as well as the recent extensive empirical research in Maputo that is presented as an in-depth case study. While conversant with wider literature on African planning which predominantly critiques from a theoretical base, this article draws primarily on extensive practice-based research and 'grounds' some of the general statements that are often made about African urban spaces. This article suggests the need for a different approach to land-use planning that focuses mainly on these sociocultural practices, as opposed to physical order. The role of the state in land-use planning in this context thus shifts

Jorgen Eskemose Andersen is Head of the Department of Human Settlement, Philip de Langes Alle 10 DK-1435, Copenhagen DK-1435, Denmark; email: jorgen.eskemose@kadk.dk. Paul Jenkins is a professor and Head of School of Architecture and Planning, University of Witwatersrand, Johannesburg, South Africa; email paul.jenkins@wits. ac.za. Morten Nielsen is associate professor in the Department of Anthropology, Aarhus University, Denmark; email: etnomn@cas.au.dk

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from limited impact 'control' to 'guidance' mode, which seeks to understand and work with actual sociocultural and political economic praxis.

Given the comprehensive scope of the recent research, this article is conceived as one of two linked papers, focusing here on the structural dynamics in the urban region, which also provides context for a subsequent article focusing on the nature of agency in actual land-use development. The subsequent article (to be published in the next issue of *IDPR*) discusses the evolving governance context that has underpinned what happens at local level within the state, and then examines what happens in terms of land-use development at the interface between the state and society in detailed case studies. It also examines the changes over time of housing provision and sociocultural endeavour within this context, and the importance of this form of urban development in social, cultural, economic and political terms. This leads the second article back to underpin the conclusions of this first article, in that, given the weakness of the state (and the 'formal' private sector) in land-use development, these processes of rapid urbanisation need to be understood and engaged with positively, and this implies new approaches to planning praxis.

The first section of this article seeks to contextualise and query what we conceive of as 'land-use planning' as a basis for a critical examination of its limitations in very different contexts. It briefly charts the historical development of such planning in the north as the main conceptual base, and also as the basis for its transfer to the south, with a focus on sub-Saharan Africa. It argues that the assumption of planning as a state-based activity has limited relevance where the state is weak and where non-state actors carry out different forms of land-use planning projects, both individually and as part of concerted operations. This overview introduces the wider context for the case study of Maputo's urban development and the simultaneous, albeit paradoxical, situation of failed state control and various forms of versatile and dynamic non-state forms of planning.

The article describes the historic basis for urban development in Mozambique, before proceeding to identify the nature of urban development in the capital of Maputo, including a more detailed analysis of the recent urban expansion. This is followed by a section describing land laws and planning in the post-Independence period and the recent physical plans for the city.

Concepts and approaches to planning

Land-use planning, as implemented during the past century, initially developed in the Global North, due to the need to physically control rapidly growing urban areas, especially during the state-dominated and resource-strained context of two world wars in the twentieth century (Hall, 2002). The main focus of such planning was an increasing role for the state in controlling land and natural resource use, and in

the process, regulating individual and corporate activity in terms of access to these resources (McAuslan, 1975). To implement this strategy, land and other natural resources needed to be identified, measured and registered, and mechanisms for control needed to be established, including laws, regulations, institutional structures and technical and administrative/managerial capacities (Scott, 1993). The main instruments that emerged in this process were:

- · new legislation on land rights;
- state-based land cadastres and property registers;
- forms of physical plans of proposed future use promoted by the state;
 and
- mechanisms for ongoing decision-making by the state, constraining individual/ corporate interests in development and/or exploitation.

These state-led functions were developed in the Global North during a period of widening state activity and power, and changing relations between central and local governance structures with the relative strengthening of the former. Consequently, a wide range of mechanisms for land-use planning exists, but all maintain the above-mentioned four main instruments in one form or other. These instruments were transferred to other so-called 'developed countries' in the same period and subsequently also to the so-called 'developing countries'.

In all cases of the transfer of land-use planning concepts and praxis across other 'developed countries', overall state control of land and environmental resources was established and state capacity for legislative and regulatory control of land was created with considerable investment in education and government institutions. Key to this was the professionalisation of public administration and expansion of its remit and capacity. However, these prior existing conditions for 'land-use planning' - of state control and executive capacities - were not well embedded in 'developing country' contexts, especially in sub-Saharan Africa. Here, the limitations of the European colonial states in controlling land, and especially in executive governmental capacities, often led to a two-tier system operating where so-called 'traditional' systems of governance and resource control were permitted to operate (with or without official sanction), clearly subordinated to 'modern' state interests (later identified as 'formal') - the dual governance regime of most sub-Saharan African colonies (McAuslan, 2003; Rakodi, 2007; Watson, 2007). In terms of land and related resource use, these 'traditional' systems reflected rights to use, more than rights to 'ownership'.

The twentieth century world wars undermined direct colonial political power in sub-Saharan Africa and led to decolonisation from the 1950s onwards in a context of development of neocolonial political regimes to underpin continued economic dominance. In this process, the reduction of state control of population movement and the growth in physical concentration of many 'modern' economic and social

activities led to the beginning of rapid urbanisation. However, after the initial neocolonial investment boom of the 1960s, the 1970's global economic downturn limited this form of development in many countries of the region. The scarcity of economic resources for land-use planning gave rise to the rapid growth of a third system of land access, in addition to the 'formal'/'modern' and 'semi-formal'/'traditional', especially in urban areas, which is the so-called 'informal' settlement. The inherently negative terminology for this type of land use – due to the prior assumption of state control (de jure if not de facto) - reflected that land use that was not sanctioned by the state was more or less universally seen as an aberration to be removed or at least 'formalised'. To this end, various approaches were instituted by post-colonial states, closely related to the emerging field of development theory, policy and praxis. These approaches included comprehensive 'formal' redevelopment of 'informal' areas in the 1960s (linked to modernisation), slum/informal settlement upgrading in the 1970s and 1980s (linked to basic needs and redistribution), 'enabling markets' (neo-liberal structural adjustment) in the 1990s, and a return to forms of social welfare in poverty alleviation in the 2000s - e.g. Millennium Development Goals (MDGs) (Jenkins et al., 2007).

All of these approaches imply a continued dominant role of the state in controlling land and resource use, even when political and economic systems in sub-Saharan Africa have continued to weaken during the complicated transition phase towards national independence (1956 to 1980). In the post-Independence period, highly centralised nation states initially flourished and economies briefly boomed, before collapsing by the end of the 1970s, leading to internationally imposed structural adjustment programmes targeted at integrating the political economies into a global capitalist world order. In the new century, the resulting legacy of widespread structural poverty and political weakness became the focus for international attention through the definition of MDGs (2000 to 2015) and continued pressure by the international community for widespread 'democratisation', often focusing on government decentralisation as the basis for 'good governance'. As part of this approach, from the 1990s, international and bilateral agencies emphasised the need for what is sometimes seen as a 'third paradigm of planning' (Jenkins and Smith, 2001, 102), accepting limits to state capacity and roles, as well as emphasising strategic and participatory planning. This, however, has had very limited impact and has not 'filtered down into practice' from aid-funded projects (as intended). This is primarily due to the wider context of narrow governance, as planning is essentially an applied form of governance over land and other natural resource use. These attempts to embed collaborative planning approaches, however, have, in fact, largely been eclipsed during the most recent period, as new external investment has started to flow into the region again. Albeit limited in its impact regarding employment creation, this new foreign direct investment has led some states to achieve enhanced levels of macro-economic growth and greater

political stability. However, most nation states in sub-Saharan Africa remain economically fragile and politically weak in terms of democratic accountability and executive capacity, which is reflected in the continued emphasis on state-based land-use planning practice (now strongly influenced by major investors).

Throughout the post-colonial period, the state's 'formal' control of urban land use in most sub-Saharan African countries has remained limited, with 'traditional' forms of governance and resource control becoming increasingly superseded and fused into so-called 'informal' systems of access and use (Colson, 1971; Jenkins, 2013). This is particularly the case in and around the rapidly growing peri-urban areas, where different kinds of 'informal' systems dominate (e.g. Nnkya, 2008; Pieterse, 2008; Rakodi, 2007). This 'informality', in fact, pervades the 'formal'/'modern', as well as the 'semiformal'/'traditional' systems in most places (Blundo and Olivier de Sardan, 2006; Chabal and Daloz, 1999; Nielsen, 2007; 2011; Coquery-Vidrovitch, 1991; Jenkins, 2001a; Kamete and Lindell, 2010), and directly reflects the limits on state control and capacity. This article is less concerned with the debate on the unsuitability of an essential binary definition of what is formal and informal, although the authors have contributed to critiques of the label 'informal' as subordinating the action of the majority in contexts of limited state capacity. Instead, the article focuses on how urban residents actually perceive their roles and implement praxis in relation to urban development, with or without the state. In so doing, the article produces a predominantly practice-based critique of the widely held assumption that urban development that is not 'formal' (and hence not 'modern') is an unwanted aberration. We argue that 'informal urban development' is, in fact, often what is economically viable, socially legitimate and culturally embedded and that this results in the dominant form of both physically ordered and non-ordered land use in many African cities. Consequently, these seemingly informal forms of urban development de facto represent the basis for urban realpolitik, albeit a form of real local politics that is largely hidden and subaltern.

On the basis of the above-mentioned historical reality of the significant limitations in state capacity for realising viable urban land-use planning in sub-Saharan Africa, this article argues that a better understanding of actual non-state capacities and interests in urban development is needed as the basis for a nuanced and pragmatic form of land-use planning that will meet the critical challenges of intensified urbanisation processes. The paper consequently calls for a reconsideration of the widely held assumption that urban development is not appropriate unless initiated or dominated by the state. In so doing, the authors in no way advocate that the state abdicates its responsibilities. Instead, we suggest that state involvement is primarily a question of guiding and facilitating, rather than controlling, urban development.

Urban development in Mozambique and Maputo

In contrast to many other sub-Saharan nation states, Mozambique has a relatively long history of urban settlement with coastal trading towns developed by Arab, Indian and, later, Portuguese traders, who mainly exported gold, ivory and slaves from the ninth century until the latter part of the nineteenth century. Today, several coastal settlements are based on these previous urban hubs. However, the main expansion of urban settlements occurred as a direct effect of Portuguese colonial rule. Initially, administrative and agricultural plantation service centres were established by private companies that administered and exploited large areas of the colonial territory under licence during the late nineteenth and early twentieth centuries. In the pre-World War II period, urban areas for military and administrative control multiplied, as the existing ports became focal points for macro-regional trade prompted by the countries in the hinterland stepping up their colonial exploitation. This was most acutely noticeable in the country's new capital, Lourenço Marques (Maputo), which was the nearest port serving the Witwatersrand area in South Africa, with its late nineteenth-century gold rush and associated economic development in the early part of the twentieth century.

The next phase of intense urban development occurred during the post-World War II period, when Portugal developed some industrial capacity, drawing on its colonies for raw material and also boosting the economic growth of Mozambique's neighbouring countries' exports/imports through its ports. Despite some attempts at population control, the Portuguese colonial state had a relatively laissez-faire attitude to urban in-migration of indigenous Mozambicans, who constituted a much-needed labour force, albeit without rights of urban citizenship. In this period, urban areas in Mozambique grew swiftly compared to colonial states where stricter migratory control was exercised – e.g. in apartheid South Africa. From the 1960s, urban growth gained further impetus caused by changes in Portuguese development policy for their 'colonies' regarding stimulating foreign investment. Despite this impetus for growth, land-use planning of urban areas remained weak.

Notwithstanding a significant exodus of the settler population, urban demographic growth accelerated considerably from the late 1960s and up to, and immediately after, Independence in 1975. The newly independent Frelimo Government adopted a proto-socialist orientation and, while not totally ignoring urban areas, favoured rural development, as it continues to do today (Dinerman, 2006; Trindade, 2006; Nielsen, 2011). Resources for improving urban conditions were restricted, and there was even an abortive attempt to forcibly depopulate urban areas in the 1980s. During the so-called 'Operation Production', the ruling Frelimo Party attempted to remove the 'parasitic' urban population by forcibly transferring people without full residency rights to the northern, under-developed territories (Jenkins, 2006). Despite the lack of any overall urban policy, urban areas continued to grow rapidly in the 1980s and later to consolidate, due to the impact of the civil war, which lasted from

the mid-1980s up until the 1992 General Peace Agreement, at which time the country was reoriented to a liberal, democratic political and economic regime. Orchestrated as a process of internationally sponsored decentralisation, the change of political rationality took some time to stabilise and resulted in the creation of politically, but not economically, autonomous local authorities in many urban areas in 1998.

Despite the fact that urban areas have become increasingly more important in demographic, economic and political terms, they have continued to be a low priority for the central government. It might even be argued that the most recent wave of foreign investment has reverted to a rather neocolonial position of exploitation of natural resources – energy, mineral and agricultural – usually by foreign direct investors, including the emerging industrial countries (Brazil, India and China), and does not focus on urban areas explicitly (Nielsen, 2012; 2013). Although highly significant in macro-economic terms, these recent investments have not created many new employment opportunities, and so the continuing growth in urban populations increasingly operates in a world of work, housing and services that has limited 'formal' private sector or state engagement. To take one apt example, the intensified presence of Chinese agents is increasingly affecting the physical layout of both rural and urban environments. According to the Ministry of Planning and Development, the Chinese Government is currently financing twelve major infrastructure projects totalling nearly US\$1 billion, the most visible being the high-profile construction of a new national stadium on the outskirts of Maputo, which was inaugurated in April 2011 (Ministry of Planning, 2009). Not all construction projects are realised through intergovernment agreements, however, and the more than thirty Chinese companies active in Mozambique also work for municipalities, international donor organisations and private enterprises (Jansson and Kiala, 2009). Despite the increasing economic involvement from external agents, responses have been ambiguous, and led to series of political tensions, which have manifested in popular protests, with the government being increasingly concerned about the social, economic and political reverberations across the country's increasingly urban domains (Jenkins, 2011). Not only are the construction projects defined and realised through centralised decision-making processes, but the built housing units are generally seen by Mozambicans to be of a very poor quality and only accessed by privileged and elite social segments.

Urban development in Maputo – towards a quantitative understanding

In general, Mozambique's current urban system still follows the principles of the colonial period, implying a lack of any overall urban development policy. New forms of 'not urban'/'not rural' settlements (e.g. linear villages, 'informal' mining settlements and especially peri-urban areas, as identified in Jenkins, 2003) are on the rise all over the country. After the initial decentralisation legislation in 1997, the first local govern-

ment elections took place in 1998 in thirty-three urban areas, and these were followed by a second set of local elections in 2003. By the time a third round of local elections were held in 2008, the number of new, autonomous municipalities had expanded to forty-three, and, given the stated official intention of gradually permitting all 106 urban areas to possess municipal status, this number will continue to increase. The forty-three municipalities represent the main urban areas of Mozambique, with the provincial capitals representing 48 per cent of the total national urban population count (68 per cent when Maputo city is included). This urban structure demonstrates considerable primacy, with the largest thirteen urban areas covering 76 per cent of the national urban population.

When demographic trends are analysed, what seems to be emerging as an overall tendency is a more dense urban structure with an increasing number of smaller settlements being counted as urban, thus supporting the impression that secondary and tertiary urban areas are likely to grow proportionally faster.

For the capital, Maputo, apart from the rapid rise in population in neighbouring Matola, the low official population growth rate needs closer examination due to the emerging phenomenon of 'not urban'/'not rural' areas occurring outside the urban administrative boundary but which are clearly linked to the city: here called 'proto-urban' areas. With reference to the 2007 census count of urban populations in the surrounding Maputo Province, there are significant urban populations in the districts of Marracuene and Boane, both of which border the conurbation. Consequently, if we add these figures to the city census counts for Maputo and Matola, the metropolitan area population grows to some 1.95 million in 2007. The trend in metropolitan expansion vis-à-vis the surrounding 'rural' area can also be seen in an analysis of city and province populations. Table 1 highlights that the conurbation has historically represented a growing proportion of the population of the surrounding province. From just over 50 per cent in 1960, this has grown to just under 80 per cent

Table 1 Demographic trends for Maputo city and province, 1940–2007

	1940	1950	1960	1970	1980	1997	2007
City and province	295623	357274	436916	799502	1,239,969	1773016	2353503
Greater Maputo	74000	93265	227011	465327	739077	1391499	1807510
	25%	26%	52%	58%	60%	78%	77%
Maputo city	74000	93265	178565	378348	739,077	966837	1120360
Matola city			48446	86979		424662	687150
Province exc Maputo & Matola cities	221623	264009	209905	334175	500892	381517	545993
	75%	74%	48%	42%	40%	22%	23%

Source: Prepared by the authors from historic census data.

in 2007, and the conurbation has risen from 25 per cent of the combined city and province population in 1940 to 77 per cent of this in 2007.

Although the proportion of inhabitants in the city and province changed significantly over the nearly seventy years tracked above, the average annual growth rate for the two joined city areas changed in a rather different way when compared to that of the province. Table 1 shows the average annual growth rate of Lourenço Marques (Maputo) was low in the 1940s (2.3 per cent), but then rose sharply in the 1950s (9.3 per cent), dropping but continuing high (7.5 per cent) in the 1960s (with the combined growth then also including Matola city). It then dropped to 4.8 per cent in the 1970s, to 3.8 per cent in the 1980s and 1990s, and down again to 2.7 per cent in the last decade (1997 to 2007). This compares to an initial average annual growth rate for the overall province and city, which began low at 1.9 per cent in the 1940s and 2 per cent in the 1950s, rose sharply to 6.3 per cent in the 1960s, and dropped but continued high at 4.5 per cent in the 1970s, before returning to 2.1 per cent in the 1980s and 1990s, with a rise again to 2.9 per cent in the last decade. This reflects the recent urban expansion across the city boundaries into the provincial 'proto-urban' areas. While a proportion of these areas are planned by state entities (e.g. the area called 'Belo Horizonte' south of Matola city en route to Boane town), the largest proportion by far are either unplanned or 'unofficially planned', as will be demonstrated below.

Land legislation, planning and land-use control in Mozambique

All land was nationalised in Mozambique at the time of Independence (1975), with the first Land Law published in 1979. After the end of the civil war in 1992, the privatisation of land was discussed as part of the national consultation on a new constitution, but the state's role as formal holder of all land was retained, mainly due to a strong anti-privatisation lobby from the peasant sector. Due to the 1998 Land Law, the state is still responsible for land allocation and management on behalf of the Mozambican people. Land is allocated on a usufruct title basis and administered through provincial governments, except in municipal areas, where it is meant to be a source of income through property registration and valuation. Several other sectors were nationalised at Independence, including rented and abandoned housing, due to a large number of Portuguese settlers having fled the country.

After nationalisation, rented and abandoned housing was administered by a state entity. However, according to the housing policy of 1992, such housing units were privatised and sold to tenants at a heavy discount. This change was in line with the new constitution and the gradual shift towards liberal democratic capitalism, and did eventually lead to the emergence of a private housing market existing in the context of a state-controlled land market. The effect was to undermine the already weak state

control of urban land, as it became legal to freely buy and sell a house, including the land on which it was built, although land cannot officially be sold. With no institutional capacity to capture such transactions in property registers, a rapid growth in urban land speculation occurred from the 1990s until the present day. Thus, neither at central nor local levels does the state have any reliable register of current land and property rights and, as a result, has very limited administrative and technical capacity to act in land/property registration and development control of current, let alone future, use (Swedesurvey, 1999).

The critical issue for municipal finance in terms of property taxation is both the extremely out-of-date property registers for land and buildings, and the delay in establishing urban land regulations based on the 1998 Land Law, which would permit land registration through titling (Toulmin, 2000). After considerable debate on how to deal with existing 'informal' areas in relation to the new law (Jenkins, 2001b), these regulations were only finalised a decade later in 2008, when new legislation on physical planning was passed. Despite recognition in the 1998 Land Law of individual and collective rights to usufruct land titles based on ten years of 'good faith' occupation (with no intrinsic restriction for urban as opposed to rural areas, nor any conditional form of prior registry or 'planning'), the new package of urban land regulation and planning legislation deliberately established 'planning' of urban land as a precondition for the passing on of land titles in urban areas. It furthermore prescribed a 'top-down' process of planning, starting from a general urban 'structure plan' through to 'urbanisation plans' and down to local land subdivision plans. Although some other actors can develop local detailed subdivision plans for state approval, the state is assumed to control the process. Still, given the highly bureaucratic process, access to usufruct land title, although theoretically now possible, is extremely difficult to obtain, even in existing urban areas governed by what is essentially a colonial cadastre and land registry system. There is even less clarity on how such titles can be transferred, despite the open housing market. Several international development agencies have been, and still are, involved in attempting to implement and streamline the new urban land planning and control systems, but the limited technical, administrative, judicial and economic capacity at municipal level (even in the relatively privileged capital city) continues to seriously hamper these initiatives.

The nature of how land-use planning is conceived, and hence legislated and projected for implementation in Mozambique, is underpinned not only by a typical state-dominated approach to land-use control, but also by the Portuguese colonial legacy. Urban planning and development control in Portugal was based on master plans which projected physical 'blueprints' on future horizons (Jenkins, 2008). Different European forms of planning were transferred to sub-Saharan Africa in the colonial period, resulting in fragmented styles of urban development planning and control in the colonies and post-colonies. Despite the later continuation of colonial control, the

Portuguese imported blueprint master planning, while strategic forms of land-use planning ('structure plans') were a relatively late development in Portugal (starting in the 1980s to 1990s) and only implemented in the post-colonial period in Mozambique.

In fact, the post-Independent government in Mozambique initially took ambitious and innovative steps in land-use planning and control after 1975, when there was a concerted attempt to develop a new planning system that would assist in reversing the extreme spatial duality which Portuguese colonialism had created in urban areas. However, this was hampered by a limited interest in urban development at central government level, with poor and non-strategic investments, as the state controlled the economy and local government was weak and non-autonomous (Jenkins, 2006). In this period, a series of functionally oriented structure plans were produced for urban areas across the country by the pioneering Secretariat of State for Physical Planning (INPF, 1984 to 1990). Unfortunately, these initiatives were undermined by a lack of political interest, an unstable economic basis for urban development and a weak legislative structure for urban planning. As a result, such strategic planning initiatives had minimal impact, and much 'planning' in practice was only physically oriented and dominated by fragmented and ad hoc subdivision plans, as opposed to basing planned futures on strategic trend analysis of economic, social and other development factors. Some impact was evidenced by the 'middle-level' trained urban planning cadres which the Instituto Nacional de Planeamento Fisico (INPF) produced during this period, but this ended in 2000 with further institutional change.

The implementation of a viable urban land-use planning system in Mozambique (comprising legislative, economic and technological elements) continues to be hampered not only by limited human resources and institutional capacities, but also by a lack of political will within and beyond the ruling Frelimo Party. More so, the implementation of such a system occurs in a sociopolitical environment marked by formally unregulated (i.e. so-called 'informal') urban expansions through which the majority of urban residents gain access to land. In this context, local district administrators and neighbourhood 'bairro secretaries' (the lowest official tier of administration) continue to operate as 'semi-formal'/'traditional' authorities, who allocate land on the basis of demand and usually with some form of payment (often hidden). Even after the new municipalities were formed, these mechanisms for accessing land continue to be operational and land sales are the norm in both planned and unplanned urban areas.

With the approval of the Mozambican Territorial Planning Directive, a more coherent process of planning was initiated across all cities as a top-down process, in line with the 2008 legislation. In Maputo, this process began with the 2010 approval of a new structure plan, with a separate structure plan developed for Matola the following year. These plans ignored the need for coordinated planning in the two urban areas and the surrounding 'rural' districts. This structure plan was funded by the government, but drew extensively on a prior structure plan funded by the

World Bank (1998 to 2000), which was never approved, as there was no adequate legislation at the time (and even less political will). The World Bank-funded structure plan embedded some of the then-current participatory planning approach, but very weakly (one of the current authors was involved in this process). Similarly, the 2010 structure plan had some minor 'participatory' components, but this was, again, very weak, reflecting the wider context of narrow governance in Mozambique, especially at local government level. Larger 'district urbanisation' plans are now being drawn up, though they do not align closely with the existing administrative district boundaries. The main objective with these 'urbanisation' plans is to implant the structure plan in more detail and hence identify land suitable for residential and other use, as well as infrastructure. A strong influence on the 2010 structure plan was the UN-promoted Cities Alliance initiative - the 'Cities without Slums' programme, with a focus on densification as part of slum removal through comprehensive redevelopment. This aspect of the structure plan has been followed up by Cities Alliance funding a pilot slum upgrading/redevelopment project (which is currently still at the planning stage, with no funds as yet being made available for implementation) (UN Habitat, 2010). As part of this process, existing land use is being classified as officially planned only if it has been recorded in the city land cadastre – and that is extremely rare. Since the land cadastre has not been updated formally since the colonial period, nearly all existing residential land use is therefore considered either 'unplanned' or 'unofficially planned'. There are thus two forms of 'unofficially planned' areas: those that are the result of prior formal local state activity and those that were not. The latter did, in fact, often imply some involvement of the urban district administrators and/or bairro secretaries and was usually also implemented through (illegal but socially accepted) land transactions. The intention of the current 'formal' planning process is thus to subsequently develop new land-use plans 'regularising' existing 'unofficially' planned areas (of both types) and planning the unplanned areas (called 'requalification' in Portuguese). This process, however, in certain cases implies the complete demolition of entire neighbourhoods to pave the way for 'modern' urban development adhering to current norms and standards (comprehensive redevelopment) (Abbott, 2004). As few sites are now available for development in central locations of Maputo, the informal areas bordering the city have come under pressure, and developers are increasingly buying out local residents at prices far below the market value (Chitekwe, 2009). This development is apparently being welcomed by the city authorities, which, in one case, shelved a project developed by the Faculty of Architecture in Maputo based on participatory and inclusive approaches. An alternative plan engaging the private sector envisages demolishing all of the houses to make way for commercial development, condominiums and social housing. The private sector will eventually buy out the informal settlers in a piecemeal fashion, thus over time fulfilling the plan. The residents will either be pushed to the periphery with broken networks and limited

options for continuing their activities in the informal sector or end up in other informal settlements in often overcrowded conditions. However, in this case, local resistance is building up and implementation of the plan is uncertain (Eskemose, 2012b).

The main impetus for the above process seems to be to permit the city council to approve a series of urban land-use plans as the basis for land regularisation and titling, and thus establish municipal control over land use through a state-dominated planning process, consequently gaining access to a source of income through land registry taxation. This tax is not ring-fenced in any way, and therefore represents an income without any concomitant funding for further land-use planning or urban management. This process has been promoted and supported by the World Bank 'ProMaputo' programmes one and two (terminating in 2014) and is influenced by the 'de Soto approach' to titling. In addition, it will be able to redevelop what are considered key urban areas in terms of location and economic opportunity. The nature of this proposed 'massive land-use regularisation' process highlights that physical planning in the city is largely seen by those in government (and supporting international agencies) as an inherently technical problem of producing physical land-use plans to gain state control of land use, infrastructure and environment. In other words, urban land-use planning is essentially a one-off'design'issue, rather than a process of ongoing land management. And, crucially, this form of 'planning' stops abruptly at the city boundaries, whereas the unplanned and unofficially planned areas do not, continuing into the province, where the capacity for carrying out formal urban planning is minimal. This top-down design approach, which relies excessively on satellite imagery and geographic information system (GIS) derived data, also ignores much detail of the environment. More importantly, it ignores the complexity of embedded legal and social issues concerning who holds what rights. It also does not deal adequately with the economic investment needed for the form of planning to which it aspires, especially vis-à-vis infrastructure, but has overly ambitious proposals in relation to the economic fiscal capacity. While it can be seen as a political imperative for the state to 'plan' and 'order' urban space, the practicalities of this approach have not as yet been faced in a satisfactory manner, not least regarding how local levels of governance authority will relinquish their current role in allocating land rights.

Maputo city expansion: a case study of actual planning and land-use control

'Maputo North' (Figure 1) is the main area into which the city of Maputo has expanded over the past two decades. Prior to the late 1980s, this part of the city area had little urban development, whereas the area is now almost totally occupied and, in fact, represents the only large and reasonably easily accessible area to be developed from that period onwards. As such, it provides an opportunity to examine the land planning and access methods

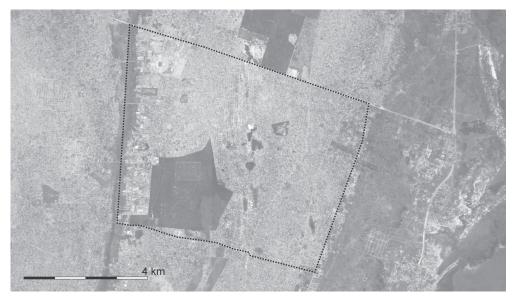


Figure 1 Maputo North. The big, undeveloped areas (bottom left and upper right) are a military reserve and a state forest reserve, respectively. Both areas represent considerable development potential and eventually these huge trunks of land shall be released. The green area on the right is a green zone designated for urban agriculture. However, this area is also experiencing house encroachments, as land for housing is becoming scarce.

Source: Prepared by the authors based on Google Earth.

for most of the past two decades in the city. Table 2 shows the rising importance of this area for the city, drawing from the national censuses for 1980, 1997 and 2007 for the relevant 'bairros'. From a negligible proportion of city population (3 per cent) and housing in 1980 (7 per cent), the area has come to contain 15 per cent of the population of Maputo city – a fivefold increase (and a higher percentile increase for housing).

Land-use planning in Maputo North has always been fragmented. There has never been effective strategic physical planning for the area, given that the 1985 and 1999 structure plans were never considered officially approved by the city councils of the relevant periods. Apart from a few still-existing subdivision plans from the 1980's citywide 'Urbanisation Programme' (inserted in the 1985 structure plan), the 1990s saw the development of a large number of small-scale land layouts by the municipality in this area, with only a small number of larger official land subdivisions prepared, of which the large majority were intended for specific population relocations (Figure 2 and Table 2). One of these was for the population being removed from the route of the new motorway EN4 to South Africa, called CMC bairro. In January 2000, floods led to a series of new relocations, and new housing projects funded by various national

		Pop 1980	Pop 1997	Pop 2007	Hab 1980	Hab 1997	Hab 2007
District	Maputo	560160	958585	1094315	122276	164703	218461
4	MAHOTAS	5392	21204	47753	1102	4556	10027
4	ALBASINE	2235	5125	15985	598	1239	3591
5	MAGOANINE	3781	11858	28163	817	2303	5991
5	ZIMPETO	3357	11449	25666	693	2353	6970
	Maputo North	14765	68619	189728	3210	13369	33004
	%	3%	7%	17%	3%	8%	15%

Table 2 Population and housing change in Maputo North

Source: Prepared by the author from census data.

and international sources were then also developed, mainly in the west of the Maputo North area (in Magoanine and Zimpeto bairros, expanding an area planned in 1982 and occupied by the late 1980s: 'Matendene').

As accessible urban land became increasingly scarce, in the 1990s an emerging urban land market began to flourish that was formally illegal but generally considered as being socially legitimate (Jenkins, 2001b), and this was probably most evident in the urban expansion zones such as Maputo North. When the city planning department was demarcating the new emergency relocation areas in early 2000 for the victims of the flooding, the local 'traditional' land rights holders felt they were not adequately compensated for their dry-land agricultural areas, and this induced a secondary unofficial land planning/demarcation process. This latter process then also continued into areas planned for social amenities and environmental protection in the subdivision plans (as in earlier layouts planned by the local authority). While some of these were relatively small 'infill' areas, others were substantial, often imitating nearby officially planned plot and road alignments. The result is a complex mix of small and large scale 'official' subdivision plans, 'unofficially planned' and demarcated areas, and continued 'informal' occupation, with plots becoming commercialised in all areas (Nielsen, 2008; 2010; 2011).

Of the total approximately 4,500ha in the Maputo North area, 68 per cent of the total area is used for residential use, and the remaining 32 per cent is divided between agriculture and mixed use (agriculture, industry and some formal housing), as well as military installations. Of the residential use, 51 per cent is unplanned and considered 'informal', 36 per cent was planned by the local authority in nineteen different layouts, albeit mostly seen as 'unofficial' in relation to the new legislation/regulation, and 13 per cent is unofficially planned and also seen as 'informal'. Apart from the continued dominance of unplanned settlement, what is striking here is the proportion of the whole area that was planned unofficially and informally (i.e. with no formal local authority involvement). Interestingly, the 13 per cent of all residential

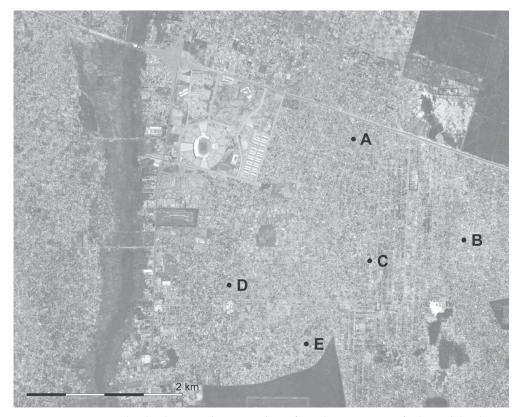


Figure 2 Maputo North – land-use analysis. A and B: Informal continuation of 'planned' land development by traditional landholders, city council officials and local administrators for personal gain. C: Core of the 2001 emergency planned housing area. D: 1982 Sites & Service area, only effectively by early 1990s. E: 1990s ad-hoc partially planned sites for teachers and others. Source: Prepared by the authors based on Google Earth.

use (representing nearly 400ha) that is unofficially planned is more than one-third of what the state managed to achieve in the period with substantial international assistance. While government institutions at the district, bairro or urban quarter level and technical personnel of the city council (planners and topographers) have often been involved in these unofficial and informal planning processes, they have not been de facto part of the city council's planning initiatives, as the de jure authority for land-use planning and development control.

The result can be seen in Figure 2, where a much larger area than officially planned seems to exhibit an orderly structure imitating that of a proper layout. In fact, the process has been so complex that in 2010 the city council was not able to identify which

parts of this area could be considered as 'officially' planned. Not only have a series of land layouts been created that imitate the state's role in 'ordering' land, but the means of access to land and its confirmation have also led to new, complex forms of state imitation, balanced by a modified version of 'traditional' land access (the subject of the follow-up to this article; see the next issue of *IDPR*). In fact, the 2010 structure plan has had to recognise these areas 'as built' (but not necessarily officially planned), and the follow-up land titling programme was designed to regularise tenure at a mass scale. In practice, all that has been implemented so far has been the construction of the Chinese-funded ring road, which follows the city's northern boundary. This opens up new land for occupation (mostly also unplanned) to the north, outside the city limits (and not included in the structure plan), as clearly evidenced in the most recent Google Earth images at time of writing. As such, the 'bottom-up' planning that is de facto praxis in the city continues to be replicated as the de facto way in which land is developed.

The limitations of state control through land-use planning

Urban development in Maputo operates by maintaining an ambiguous and fuzzy relationship between the 'formal' and the 'informal' with complex forms of 'planning' and structure/agency. This fuzziness is arguably to the advantage of the powerful elite, but it also seems to suit many poor urbanites whose encounters with the official land management system is anything but unproblematic. Since the late 1980s, the weak legislative structure has allowed widespread speculation in land, with a growing group of entrepreneurs seeking to make a profit on the burgeoning informal land market (Jenkins, 2012). Crucially, these operational market values are generally ignored by the state when land is being expropriated and an alternative plot is allocated to the resident. This lack of interest by the political and economic elite in wider and inclusive land legislation needs to be seen in relation to their own wealth, which has grown increasingly over the last decade. The urban poor, on the other hand, develop strategies for 'state avoidance' where possible and have a pragmatic approach to providing for their housing and other needs (i.e. engaging with local structures in the day-to-day process of what could be called 'development control') largely disassociated with the formal land-use planning process (Bernad Da Costa et al., 2012).

Until recently, the small but emerging urban middle class has been relatively excluded from being involved in such processes. Not only have middle-class urbanites rarely had the political clout to access land through the limited formal allocation, they have also usually been reluctant to access land through 'informal' processes in the expanding urban periphery. Still, with the recent introduction of new planning legislation, the middle class has improved possibilities for accessing land – e.g. through retroactive forms of land-use planning and regularisation or by buying into existing

planned/subdivided areas or through new residential areas being developed. Although still relatively small, such demands potentially threaten lower-income informal access, especially where land is not 'officially planned'. If the current regulatory emphasis on land-use planning as the only way to regularise land rights is adhered to strictly, the costs of land regularisation through planning is likely to be relatively high. Hence, given that state capacities and funding opportunities for creating comprehensive planning, reordering and upgrading the extensive unplanned and unofficially planned areas are not likely to be forthcoming, it is most likely that the large majority of poor urbanites will continue in a state of legal limbo for the foreseeable future.

The key issue is thus whether the state will continue to accept how land management currently operates or whether it will seek a strict implementation of the new regime's urban norms regarding planning, territorial order and titling (Jenkins, 2009). Currently, it seems as if the Mozambican state is changing its strategy concerning compensation for occupants when new investments need land – e.g. by letting private interests negotiate directly with residents, who are offered cash rather than a plot of land elsewhere in the city (Eskemose Andersen, 2012a). With such large proportions of urban land occupied outside of state 'control' – i.e. legal responsibility through the municipalities – and this form of urban development expanding rapidly both inside and outside city limits, the implication is that large areas of 'informal' land occupation will remain in this fuzzy area for the medium-, if not long-, term future. Thus, the current 'stand-off' between the formal state aspirations of planning and control and the social, economic and cultural position of the majority operating in semi-formal/traditional ways will continue.

Conclusion

The conception of modern urban order that has dominated 'Western' thought has produced a praxis of urban planning that is largely based on positivist epistemologies, by defining abstract norms for space and form that are applied as a means of state-dominated social control through a process that is being led by licensed expertise – e.g. professional planners. While this 'modern' approach to urban planning has proven viable in parts of the world where the coordination of urban space and form was and is dominated by state-led political economies, its implementation is ineffective in contexts of rapid urbanisation, such as sub-Saharan Africa, where state capacities are minimal (Watson, 2009). In this situation, the resources needed to control the ongoing rapid urban growth are absent, thus leading to limited development control by state agencies. The Maputo case serves as an appropriate example of how 'socially ordered space' is the dominant form of urban development, and thus makes clear the need for new approaches to what 'urban planning' might entail for the rapidly expanding cities in sub-Saharan Africa.

In such situations marked by scarce state capacities and a lack of state-regulated private sector activities, the distinction between 'formal' and 'informal' becomes a way for the few and powerful to exploit the many and powerless. Rather than attempting to implement a predefined form of 'rational planned order', we thus argue that any attempt to 'plan' cities in sub-Saharan Africa needs to integrate the realpolitik of the political economy, as well as the emerging hybrid sociocultural attitudes to urban land. The ambition is consequently one of reversing conventional thinking about planning and its effects, where the plan is taken to always precede its subsequent implementation. What constitutes the 'urban' in these contexts, then, needs to be inductively assessed and not deductively based on imported norms and values.

By so doing, we claim, the idealised notion of 'planning' might be replaced by a variety of flexible approaches through which emergent forms of 'plans' assert themselves alongside state-authored planning schemes. The 'planning' approach that we thus propose needs to be grounded not in an ideal de jure state dominance of land and environmental resources, but in the de facto culturally embedded perceptions and socially constructed forms of interactions, including forms of control over land and natural resources. What these are in Maputo is detailed in the subsequent linked article. What we ultimately propose based on the evidence is an approach that shifts the focus from limited impact 'state-led' physical planning to 'state-guided' physical planning that works with actual praxis. Whether sub-Saharan African states are prepared to recognise such novel approaches and thereby permit an alternative form of modernity in urban space and form to emerge is the question.

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