**A socio-legal perspective on land market informality and accountability in urban land governance**

**Abstract**

Informal land markets are treated in terms of the processes and practices of transaction, access and ownership that exist outside of or in opposition to the formal mechanisms entailed by state law and regulation. Notwithstanding wider debates in urban studies on the problematic dichotomy of ‘formal’ and ‘informal’, we suggest the place of law and legality in underwriting such institutions and arrangements around land has been undertheorized. This article complicates how the basic categories of state law and regulation on the one hand and non-state norms, rules, customs and practices on the other are used through an examination of an ostensibly informal land market in Maputo, Mozambique. We introduce and apply the socio-legal concepts of scale, jurisdiction and temporality for offering a more complex picture: that while this land market is prohibited at one scale of state law it is simultaneously enabled at another. We find that the state remains surreptitiously involved in this prohibited market by way of local neighbourhood authorities and their informal practices that, officially, have no role in urban land sales, management and administration. Through this move, in turn, we reveal new accountability implications and questions around the delivery of equitable governance of urban land and communities. As a contribution to the study of informality in urban land governance, we suggest that actors with jurisdiction in this local scale of state law should become seen as subject to the same normative demands for legal accountability as the official institutions of urban land management and administration, and within better systems for public accountability of all actors in the urban land sector.

**1 Introduction**

Informal land markets are among the main mechanisms by which poor urban households in the Global South acquire access to land and housing (Nkurunziza, 2007; Birch et al., 2016). What qualifies such markets as ‘informal' is the way transaction, access and ownership take place outside of or in opposition to the formal mechanisms entailed by state law and regulation. In settings where the urban majority are financially excluded from formal land markets and live in informal settlements, informal markets are for instance driven by the limited capacities of formal systems and institutions to accommodate population growth and in-migration and to direct urban development (Nuhu and Mpambije, 2017; Wehrmann, 2008; Mottleson, 2020). Informal land markets are particularly pronounced in urban zones representing ‘transitional’ (Adell, 1999) or ‘interface’ (Lynch, 2005) spaces between the urban and rural. In these peri-urban and peri-central spaces,[[1]](#footnote-1) informal land markets frequently exist side-by-side with formal and customary systems of transaction and tenure and facilitate patterns of land use change driven by rising demand for housing in these areas, growing populations, industrial projects, and new opportunities for investment and speculation (Wehrmann, 2008).

This paper deals with (in)formality and accountability associated with processes of transaction, access and ownership of land in peri-central areas as matters of good urban land governance (Nuhu, 2019; Chiweshe, 2021; Kihato, 2013; Birch et al., 2016; Jenkins, 2004). Accountability deals with *who* is accountable for the exercise of public power; *to whom* they are accountable; *for what;* and *how* (Rock, 2020). As a principle of good governance, accountability steers state actors’ completion of their functions effectively and efficiently in urban land governance settings, their acting in accord with laws and procedures and their support for processes that are participatory, transparent and socially legitimate where conflicts need to be managed or value judgments made (Burns et al., 2010; Chigbu, 2021). Yet major governance and accountability challenges persist. State capacities to regulate land ownership and access are limited and urban land policies difficult to implement. The functioning and efficacy of land management and administrative services is also constrained, reflected for example in low land registration rates in cities. In addition, competition among multiple authorities with overlapping roles, responsibilities and lines of accountability leads to ineffectiveness and inefficiency (Massoi and Norman, 2010) while new actors such as real estate developers, investors and banks enter the governance arena with specific interests and stakes in land and seek to shape governance processes in particular ways (Nuhu, 2019; Gashu Adam, 2020). Complicating matters, rising urban land prices and illicit land deals have come to characterise urban land governance in some regions as “negotiated circuits of predation, corruption and patronage” (Chiweshe, 2021, p.226).

Our central contention in this paper is that important accountability gaps in urban land governance may be overlooked when ostensibly ‘informal’ institutions and practices remain conceived as ones that necessarily exist apart from state law and regulation. While a good deal of scholarship has dealt with the interfacing and interconnectedness of formal and informal institutions, as well as how these are concretely experienced as spaces of ‘entanglement’ and ‘grey spaces’ (Yiftachel, 2009; McFarlane and Waibel, 2012), we suggest the place of law and legality in underwriting such institutions and arrangements has been undertheorized. This is owing, we also suggest, to a dominant perspective on (in)formality’s relationship with law in the scholarship, where the basic categories of national law and regulation on the one hand and norms, rules, customs and practices on the other mediate whether land sales, tenure regimes and settlements become viewed as formal or informal. Recent attempts to move beyond the formal/informal dichotomy remain anchored in this basic legal categorization. Banks et al’s (2019, p.227) recent contribution to ‘a-formality’ for instance retains this perspective where their aim is to highlight how the “informal may not be enforced by legal processes, [but] is nevertheless controlled by institutionalised processes that may be as strong (or stronger) as those managed according to formal laws.”

In this article we show how some such “institutionalised processes” linked to informality may in fact have a formal legal basis after all, once socio-legal questions of *scale, jurisdiction* and *temporality* in law (Valverde, 2015) are taken into account. We do this by adopting a novel, socio-legal point of departure that draws on recent contributions to legal geography and anthropology (Valverde, 2015; Mant, 2021). These contributions retheorise the relationship between spatiality and temporality as one of mutual constitution in governance processes; and introduce ‘jurisdiction’ as a frame for specifying the jurisdictional outcomes (i.e. *who* is able to legally govern and over *what*) and impacts that arise through this co-constitution(Valvderde, 2015).

What do we mean exactly by these three related terms? A focus on scale entails multi-scalar perspective that sheds light on how the same social phenomenon can be regulated differently by different scales of law, where each scale consists of particular and sometimes conflicting assumptions and objectives (or ‘logic’) about what is governed and how (Santos, 1987). Valverde’s (2015) treatment of temporal scale as a feature in governance processes underscores both the ways that phenomena may be regulated differently and according to “different and sometimes incommensurable temporalities” (Valverde, 2015). Yet pushing back against the privileging space over time in legal geography, Valverde suggests temporal scale, such as the long-term versus the short-term, may also inform choices about the spatial scale of legal governance. As she suggests, “geographers identify spatial scale with scale as such, forgetting that governance is always temporally distributed in non-homogenous ways” (Valverde, 2015, p.50). For instance, Berthenthal’s (2021) study of environmental governance reveals how environmental standards are turned into a legal instrument when competing local, state and federal authorities make different appeals to temporal and spatial scales. Berthenthal identifies three framings by which actors attempt to “align (or skew) time and space” for reconfiguring legal governance of the environment: by embracing the status quo, emphasising change, and predicting future conditions (Berthenthal, 2021, p.34).

Such an interfacing of spatial and temporal considerations may produce, in turn, different jurisdictional orders that define *who* is able to legally govern and over *what* (Valverde, 2015). In formal legal systems, matters of jurisdiction are settled by the legislature, where divisions of labour are set out in statutes or by the courts, and where conflicts and uncertainties are resolved in litigation. It is for this reason that Cowan et al suggest that “[jurisdiction] is [generally] only noticed by the technical legalists” (2012: 272). However, questions of jurisdiction we suggest are also relevant to informal systems: the question of who has the authority to decide what in an informal legal system remains significant for our understanding of that system (Valverde, 2015). The difference is that rather than frame jurisdiction as doctrinal technicality, the method for determining jurisdiction in informal systems is itself informal.

We apply these concepts in a novel way to the case of an ostensibly informal land market in a poor, peri-central neighbourhood in Maputo, Mozambique. Maputo is an interesting case for examining these questions: sociolegal treatments of law and legality have investigated the ‘heterogeneity’ of the state in terms of a “coexistence of starkly different political cultures and regulatory logics in different … levels (local, regional, and national) of state action” (Santos, 2006, 44; also Fernandes, 2008); while, at the city level, what is called the ‘informal’ land market remains the main mechanism for access to land and property (Kihato et al., 2013). While some suggest that law in Maputo “is not the primary rule maker in local land management arrangements” (Kihato et al., 2013, p.69) what emerges in this study is a rather different picture: that while this land market is prohibited at one scale of state law it is simultaneously enabled at another. At this latter scale of local law, the state remains surreptitiously involved in this prohibited market by way of local neighbourhood authorities and their legal practices that, officially, have no role in urban land sales, management and administration. We frame this land market as a novel instance of legal pluralism, characterized not by the coexistence of state law and one or more non-state legal orders but rather by different forms of *state* law and legal practices with contradictory logics. All of this, we suggest, has important implications for questions of accountability in urban land governance.

This article is structured as follows. First, we introduce and historically situate the trajectory of law, authority and urban governance in Mozambique as they relate to land market formation in the capital. We then describe the neighbourhood background and our study approach, before moving on to present our key findings in section 4. In section 5 we offer a sociolegal redescription and discussion of the findings and what accountability implications and questions arise through this.

**2 Land market formation in Maputo**

Our sociolegal treatment of processes of land sales, tenure regimes and settlements in contemporary Maputo responds to two features of the urban governance landscape: 1) that it is characterized by a multiplicity of local state and non-state actors and institutions that frequently compete with one another in the exercise of their political and administrative functions (Fernandes, 2008); and 2) that the authority of these local actors relates to diverse forms of legal ordering that have emerged out of the peculiar trajectory of law and legality in Mozambique (e.g. Muchacona, 2020; Fernandes, 2009; Santos, 2006; Jenkins, 2004). This trajectory is characterized in the main by changing patterns of state instrumentalization and accommodation of and resistance to non-state law and authority, and the sedimentation since colonialism of “starkly different political cultures and regulatory logics” in the institutions of the state at various scales (Santos, 2006, p.44). These features provide the background against which we sketch the coordinates for our study in terms of the specific sociolegal actors, objects and processes of relevance to our case. We examine these further in section 5 through our sociolegal lens. In this section, we highlight the formation of Maputo’s land market in a context characterized by the coexistence of the remnants of a hierarchical administrative system for monitoring and controlling the population at the neighbourhood level, implemented by the Frelimo government in the immediate post-independence period; and an urban governance system that emerged through reform of the land law and decentralization and municipalization processes in the 1990s and 2000s.

**2.1 After Independence**

Shortly after Mozambique became independent in 1975, the Frelimo government set about targeting the *indigenato* system that had been the basis for the legal separation of ‘metropolitan’ and ‘native’ law. Under this system, Portuguese citizens had full citizenship rights under metropolitan civil law while ‘native’ Mozambicans would be subject to customary law and justice mechanisms that were mediated by local ‘traditional’ chiefs and institutions.[[2]](#footnote-2) The targeting of this system was part of the new government’s efforts to acquire control of the entire administrative apparatus of the country at all scales and which would facilitate the delivery of collectivist economic model and a classless society (Fernandes, 2009). ‘Traditional’ chiefs were excludedfrom positions of authority and the *regulados*, which had defined the geographic area of their jurisdiction, were abolished. Party secretaries came to occupy administrative positions and ‘dynamising groups’ (*grupos dinamizadores*) made up of Frelimo loyalists were introduced for disseminating socialist ideas and organizing the peasantry along party lines.

In urban areas, which had been the centres of colonial rule and were viewed with suspicion by Frelimo, a highly centralised urban management system was introduced after Independence that divided urban space into neighbourhoods (*bairros*) and into smaller units called blocks (*quarteirões*) consisting of around 50 families (Ginisty and Vivet, 2012). Traditional land allocation rights were acquired by these dynamising groups in urban areas, whose broader role was to assist everyday problem solving and conflict resolution and to respond to growing challenges around rapid in-migration to urban areas such as Maputo and rising unemployment. Rather than through market exchange, such rights were allocated at this time on the basis of social consensus between households on the one hand or between households and dynamising groups on the other (Jenkins, 2004). The dynamising groups also served an additional purpose as instruments through which Frelimo could exert social control and shore up territorial control in urban settings (José and Araujo, 2007). Each dynamising group was assisted by designated Block Leaders (*chefes dos quarteirões*) in the neighbourhood who, in turn, were assisted by designated Leaders of Ten Houses (*chefes de des casas*). Through this hierarchical structure, which became more marked in urban areas than remote and rural settings, authorities would monitor and control residents’ movements and those of newcomers to the neighbourhood, disseminate party ideology, retain political and territorial control and implement policy (Ginisty and Vivet, 2012; Cahen, 1985).[[3]](#footnote-3)

**2.2 Urban governance and democratisation**

The failure of the collectivist economic model and the shift to a multiparty democracy and a market economy in the 1990s at the end of the civil war heralded three developments of relevance to land market formation and contemporary urban land governance in Maputo. First, land governance reform in the 1990s saw the passing of a new Land Law (1997) and complementary regulatory instruments that are fundamental to the work of official land management and administration institutions. Among other things, these guaranteed the rights of individuals and communities to develop land and transfer land use titles, called the DUAT (*Direito de Uso e Aproveitamento da Terra* – the right to use and benefit from the land) (Unruh, 2005; Lundstrum, 2008). While land would continue to belong to the state, the DUAT would provide access to land through a long lease and would be acquired either by 1) traditional occupation of land by a community; 2) good faith occupation for at least 10 years; or 3) direct allocation by the state (Fairbairn, 2013). In urban areas, such as Maputo, the awarding of a DUAT title is limited to areas covered by urban plans and to those areas where there is already some level of urbanization. While sales of the DUAT are prohibited under the Land Law, they are transferable (Cabral and Norfolk, 2016).

The second development has been the reconstitution of Frelimo authority and control in urban settings amidst (or despite) processes of decentralization and municipalization in the 1990s and an associated proliferation of new urban governance actors. Though viewed as a means to relegitimise the state at the local level through elections and formal recognition of new political actors and traditional leaders (Fernandes, 2009; Bertelsen, 2016; Rocha and Zavale, 2015), decentralized local structures in Maputo remained to a large extent intertwined with those of Frelimo. Block Leaders for instance overwhelmingly tended to be Frelimo loyalists who could hold their positions long after their mandate (Ginisty and Vivet, 2012). And while municipalization disbanded the dynamising groups and reincorporated their administrative functions into new neighbourhood structures, many former members came to occupy these new structures subsequently. According to a 2012 study in Maputo for instance, most neighbourhood secretaries (*secretaria do bairro*) “had already been filling posts in the [dynamising groups] or other Frelimo structures since independence” while the offices of the secretary became established in the former headquarters of the dynamising groups.[[4]](#footnote-4) Furthermore, Frelimo Party secretaries for each neighbourhood would frequently work in the same location as the neighbourhood secretary as well, confusing further the distinction between the state and Party (Ginisty and Vivet, 2012, p.10). In contemporary Maputo, an upward accountability relationship persists between the Leaders of Ten Houses, Block Leaders, the Neighbourhood Secretary and ultimately the District Councillor, who is appointed by the Municipal Council (Fig 1). These actors are political actors and representatives rather than technical personnel.

A diagram of a city council

Description automatically generated

*Figure 1. Contemporary urban management structure*

These have significance for a third major development of relevance to this study. This is the emergence of transactions around land in Maputo and elsewhere in urban Mozambique that are governed by local neighbourhood authorities and which bypass the official system of DUAT title transfers and its institutions and laws. Requiring routine interventions by local neighbourhood authorities for its functioning (Kihato et al., 2013), this land market emerged amidst the collapse of land management and administration services in the context of structural adjustment a general climate of commercialization in the late 1980s and 1990s (Jenkins, 2004).[[5]](#footnote-5) Most of the city’s urban residents have not yet acquired legal tenure in the form of the DUATand are by consequence in no position to participate in the transfer such of titles through the formal land market (Kihato et al., 2013). The process of acquiring the DUAT is also onerous for poor urban residents. As well as time-consuming, bureaucratic and expensive, most occupations in the peri-central zone remain inconsistent with municipal urbanization plans (Jorge, 2016).[[6]](#footnote-6) With some of the peri-central zones representing prime real estate, the DUAT is generally refused to settlement residents and remains only within reach of a small number of elite actors and developers “capable of corrupting the system” (Jorge, 2016, p.1552). Residents occupying urban land and property that is not consistent with an urbanisation plan, as is the case in the study location, can in principle be evicted. In this context, gentrification has been underway in parts of the peri-central zone, such as in the particular neighbourhood where this study took place, and which has seen informal settlement residents move to the peripheral areas of the city to make way for the redevelopment of neighbourhoods for high income residents with access to land use titles.

**3 Neighbourhood background and methodological approach**

**3.1 Neighbourhood**

The data on which this article is based was collected in a neighbourhood in Maputo as part of a larger project on climate mobilities and legal culture in informal urban settlements in the city. The project team has chosen to redact the name of the settlement given our focus on accountability and informal transactions. The focus of the project is on how climate mobilities may be facilitated by urban informal land markets, and how the land market is viewed by residents in terms of mobility opportunities, and how it is viewed in a neighbourhood context characterised by gentrification. Our focus on the local land market sought to shed light on how the land market operates in this neighbourhood as a feature of Maputo’s legal culture (Hoddy et al., 2023) and its urban governance arrangements (Boyd et al., 2014); how this land market is understood and appraised by residents, neighbourhood authorities and other key stakeholders; and who the main actors and beneficiaries are.

Like elsewhere in Maputo, the area that constitutes the present neighbourhood was sparsely settled until the 1980s, when in-migration in the context of the civil war led to the informal division of land into new plots. As such, the community remains heterogeneous in terms of residents’ regional background, but also in relation to wealth and employment status, and exposure of plots and property to flooding. Situated in Maputo’s peri-central zone, the neighbourhood is relatively well located in relation to the urban centre, with relatively good access to facilities including transportation and healthcare. The neighbourhood block (*quarteirão*) where this research was conducted consists of around 250 families. Most houses are single storey and built with cheap materials. The block is located on an incline and with a wetland area at the centre. Wetland surroundings have become increasingly occupied by informal housing as the settlement has expanded over the years. Routine flooding in this area lasts for months at a time, in many cases causing building foundations to sink into the sand and causing routine interior flooding. While those in the block living on higher ground are required to deal with passing flood and rainwaters in their plots, streets and sometimes their homes, residents at the lower end of the incline live with stagnant water for months at a time. Flooding is likely driven by a combination of factors that include the growth of informal housing and densification, increasing rainfall, and the lack of infrastructure and drainage.

In the background, this neighbourhood has been covered for several years by a municipal urbanisation plan. A strategic instrument, this plan provides a framework for the identification of neighbourhood areas to be rezoned, the preservation of ecological zones and the identification of sites for surface and wastewater drainage systems and other forms of infrastructure for public use. At the time of fieldwork, the block where the study took place had been undergoing a ‘reclassification’ process in line with this plan and which, once completed, will in principle provide the basis for residents to apply for a DUAT title. Beginning a number of years prior to fieldwork, this process consists of a topographic study and the creation of a block subdivision plan which parcels land into newplots and identifies areas for public spaces, works and where streets require opening up to improve access. Delivered by a private company in partnership with the municipal government, the completed block plan defines the parameters for urban redevelopment in that area and is envisaged to include housing redevelopment and the creation of apartment blocks, residential communities and public works such as a system of drainage and water retention basins. These developments have acted as triggers for speculative interests in the neighbourhood by improving the conditions for investment in the area.[[7]](#footnote-7) Maputo’s Municipal Directorate for Territorial Planning and Construction is central to processes of change in the neighbourhood and the per-central zone. Made up of departments for planning, registration and licensing and inspection, the Directorate is responsible for preparing land use plans, awarding construction licenses and plays a role in the granting and regularising of DUATs by verifying that requests submitted to the municipality are consistent with urban plans.

Despite the municipal urbanisation plan including as a principle the progressive integration of existing occupations into the new urban fabric via a process of “gradual urbanisation” (interview with government stakeholder; Republic of Mozambique, 2008), a section of the neighbourhood has become almost entirely gentrified while reclassification has meant the other is experiencing something of a local ‘land rush’ among property investors and developers. Some have already begun construction projects in the neighbourhood and acquired access to existing residents’ plots via the local land market. In the block where fieldwork took place, a number of new high-rise buildings had recently come to mark the skyline on different sides and were visible from multiple locations within. New construction projects had been opening up gradually and were underway along the main road, their placement moving more deeply into the neighbourhood. At the time of fieldwork, the block plan was ready for approval by the municipal government. None of the residents in the block had access to the DUAT title.

**3.2 Approach**

Fieldwork was undertaken between March and July 2023. Four focus groups, 23 semi-structured interviews and 2 walking interviews (Aoki and Yoshimizu, 2015) were conducted with residents living in the block. In total, the project had 38 research participants in the neighbourhood from 33 different households in the block. Participants were recruited via convenience sampling, although we sought a broadly equal male to female balance and to recruit across age groups. 17 of the research participants were male and 21 were female. Three of the focus groups were organised on the basis of gender and age (1 all-women focus group; 1 gender mixed focus group for younger residents <35 years old; 1 gender mixed focus group for older residents >35 years old). The fourth focus group, conducted at the very beginning of the project, was gender mixed and included adult residents above and below 35 years. The decision to conduct an all-women focus group was a response to the challenge that men tended to dominate this first focus group discussion. Focus group participants were interviewed for exploring project themes that include land transactions, mobilities and legality. Choice of focus groups served to shed light on shared experiences and perceptions of neighbourhood change while interviews allowed an in-depth exploration of these at individual and family levels that could be set within more specific biographies of migration and mobility futures (Ekoh et al., 2023). Some focus group members were interviewed separately for shedding further light on their migration backgrounds and views on neighbourhood gentrification and household mobilities. Of the 23 who were interviewed separately, 16 had migrated to the block reportedly because of the civil war or out of family connections while the remaining 7 had been born there. Most (15) were either born in or had migrated to the block by the year 2000 while 8 had been born there or arrived after. Interviews included key stakeholders in the settlement (the Block Leader and a Leader of Ten Houses). Two walking interviews were conducted with a Leader of 10 Houses who had migrated to the block during the civil war for acquiring a picture of how the settlement had changed.

In addition to resident interviews and focus groups, we interviewed 11 governmental and non-governmental actors. The purpose of these interviews was the explore to a range of themes relating to land transactions and mobilities. With stakeholders representing a range of governmental and non-governmental organisations and entities involved in one way or another in matters of urban land governance, separate topic guides were developed for each interview. These reflected the particular organisation's areas of work, development programming or research. All interviews and focus groups were conducted in Portuguese. There was one exception of a key stakeholder interview conducted in English. Except for two cases, interviews were recorded and transcribed. For these exceptions, immediate and post-interview fieldnotes were taken. As a piece of socio-legal research focusing on legality as it relates to practices of land transactions and mobility (Author 1, 2023), the data were analysed qualitatively. This involved an ‘abductive’ thematic (Author 1, 2019) coding of data that would drive the abstracting of a model of the socio-legal mechanism of land transaction and transfer in the settlement. Data analysis required combining, at sequentially higher levels of abstraction, emergent themes with extant ones derived from urban studies and development literatures (perceptions of tenure security, perspectives on selling, perspectives on neighbourhood change, mobilities and mobility histories) and sociolegal themes of scales of law, jurisdiction and temporality at sequentially higher levels of abstraction (Author 1, 2019).

***4 Findings***

Findings are structured as follows. We first describe local land administration, management and the land market and how these operate in the neighbourhood under conditions of gentrification. We then present residents’ views on neighbourhood gentrification and household mobilities as important components of land market functioning.

***4.1 local land administration, management and the land market***

While the functions of neighbourhood authorities are relatively limited under state law, in practice they are far more expansive and include some informal functions related to land management and administration.[[8]](#footnote-8) Much like elsewhere in Maputo, the Block Leader is able to grant informal land titles (a *declaração* or ‘declaration’) to new and existing residents within the boundaries of the block.[[9]](#footnote-9) A register of plots, houses and owner names for each block is retained by the Block Leader, who, in addition to the Neighbourhood Secretary, regulates the construction of new housing and enforces tenure. For example, by requiring entrants to acquire a declaration before building on a plot of land and managing conflicts that occasionally arise. Block Leaders will also participate in the identification, registration and subdivision of new plots in the block. Tenure security is assured in two main ways: by recognition from local authorities, who have granted and registered the informal title, and from residents’ immediate neighbours who are able to verify they have controlled the plot for a length of time. Residents expressed a strong sense of tenure security on account of these mechanisms, with all identifying recognition by neighbourhood authorities as the main reason. As the Block Leader also described,

*the Leaders of Ten Houses, Block Leaders, Neighbourhood Secretaries and the Councillor here in the City of Maputo, they recognise that we have citizens who live in neighbourhood X and neighbourhood Y, and in that way nobody can come here to the block and disprove to me, the Block Leader, that his house belongs to Senhor Eric or belongs to Dona Amélia* […] *The role that dignifies the person here in the block is the Block Leader. He’s the one who recognises that these people are his* […] *nobody has a house number without coming to the Block Leader* […] *that’s the DUAT that’s with me here* [he taps the register of plots, houses and names on the table]*, as* ***a practical DUAT****.*

Such roles involve the Block Leader and Neighbourhood Secretary recognising and authorising plot sales in a land market that remains entirely unregulated by national law. Exchanges occur as follows. First, plot owners announce their intention to sell such as by word of mouth and signposting. Prospective buyers enter into contact with the seller and both parties agree on the terms of the exchange. When that is completed, parties request authorisation from the Block Leader for the transaction to go ahead and are required to make a small payment to the Block Leader. A successful exchange is recognised by the Block Leader and the Neighbourhood Secretary through the issuing of a declaration to the new owner, while the register of plots, houses and owner names is subsequently updated. While such declarations and their issuing have no basis in national law, these documents may also be demanded of residents in an official capacity beyond the neighbourhood, such as when residents wish to register employment or open a bank account. As the Block Leader quipped during interview, “I’m a notary!”.

***4.2 The local land market under conditions of gentrification***

This local land market and assurances of tenure security via neighbourhood authorities has continued to serve, in the main, as the primary mechanisms by which poor urban residents acquire access to housing and tenure security in Maputo, as indicated earlier. This is despite such practices remaining contrary to national law. Under conditions of gentrification - namely the creation of the municipality’s urbanisation plan for the neighbourhood - these mechanisms are facilitating the reorganisation of urban space along new lines.

First, investors and real estate developers have inserted themselves as new actors into the local land market, which they have harnessed for the transfer of plots for housing redevelopment. The process of acquiring land was reported in interviews to be similar: investors and developers enter into price negotiations directly with individual families and the transaction is authorised and recognised by the neighbourhood authorities. In the block where this research took place, land is being acquired via the local land market either with the aim of embarking on housing redevelopment in the immediate term, or initiating such projects once reclassification of the block is completed. According to stakeholder interviews, redevelopment projects currently underway are low-risk despite their unofficial status and approval of the subdivision plan pending. Their low risk is owing to the strategic placement of projects next to a main road which a) will make them consistent with the block plan once it has been approved by the municipality; and b) allow, in turn, the owners to acquire a DUAT title subsequently. Moreover, the emerging subdivision plan is being made available to potential investors and developers by the company for project development and design, who will consider entering into direct negotiations with residents for acquiring land via the local land market. The company also expects to continue working there once reclassification is completed by supplying investors with architecture services.

Second, the local land market facilitates the reorganisation of urban space along different timescales than those implied in the municipality’s urban plan. While the urban plan presupposes the issuing of DUAT titles to residents following neighbourhood reclassification, the local land market invites residents to ‘skip a step’: those wanting to sell can do so more or less immediately through the local market rather than embark on a lengthy DUAT application process. This is likely to be convenient to buyers as well: as indicated above, the DUAT in practice tends to be accessible to well-resourced actors only;while a resident’s possession of a DUAT title is likely to increase their bargaining power and raise costs for the buyer seeking to acquire one. As a response to this temporal mismatch between the local land market and the municipality’s urbanisation plan, the local land market and neighbourhood authorities are both facilitating the delivery of the municipality’s plan while at the same time undermining prospects for a “gradual urbanisation” that might support the progressive integration of existing occupations into the new urban fabric. While government stakeholders framed such challenges in the neighbourhood during interviews as ones of capacity “to dictate what the rules are and to enforce [them]”, other non-governmental stakeholders pointed to the problem of systemic corruption via elite interference and the capture of urban governance institutions.[[10]](#footnote-10) One non-governmental interviewee explained for example how the informal status of residents’ plots and investor access to urban governance institutions could be harnessed as leverage during price negotiations:

*People in that area do not have a DUAT and people with financial capital arrive. He starts enticing them to sell, and if this person is reluctant to sell because he wants to sell at too high a price, at a certain point that buyer, when he has had enough, can bribe the municipality and say that there is land there without a DUAT and that individual is [there]. If you’re trying to act smart you could lose the land and without having fair compensation.*

Under conditions of gentrification, neighbourhood authorities appear then to have come to perform a dual role: as guarantors of access to land and tenure security for poor residents on the one hand; and as custodians of a gentrification process that is seeing residents move to the peripheral areas of the city to make way for housing redevelopment. As discussed in the section below, residents play a key part as actors in the local land market and within a system of local law and practices around land more broadly. Most viewed gentrification and the prospect of selling to developers and investors in positive rather than negative terms. Though voluntary on the surface, we describe below how sales are taking place by way of a combination of incentives, such as cash transfers, and pressures.

***4.3 Residents’ views***

Positive views of gentrification expressed by most residents are held alongside a common perception that they are unlikely to benefit directly from neighbourhood redevelopment. The benefit is, rather, indirect via land sales or the transfer of a DUAT title. These are viewed as providing an opportunity for mobility and the potential for limited social-economic improvement. Where residents revealed a desire to remain in the settlement this is cast in terms of a broader normative vision of becoming direct beneficiaries of urban redevelopment, where they are incorporated into a new and improved urban fabric by acquiring upgraded homes and enjoying new local infrastructure. In this vision they would retain their current favourable access to wider amenities in the peri-central zone, such as healthcare, transportation and schools, which are out of reach in Maputo’s peri-urban periphery.

Viewing this possibility as remote in practice, however, and with limited household finances as the main impediment to mobility, land sales offer an “exit”. According to one resident

*I want people to come and buy our houses. If they come, they can't start from down the road, they should start here [laughs]. All those who want to build condominiums should come, come and get us out of here!*

Through such sales, residents acquire a cash amount perceived as essential for acquiring new building materials and buying a new plot on the urban periphery. As a participant put it,

*It would be better to move, it’s the only thing that can help. But there’s no way they can, due to the financing... there’s no money. For example, to buy a plot in some high* [less flood-prone] *areas today, it’s about 100,000 – 150,000 meticais* [USD $1,500-$2,300]*. So, if I can’t even manage to buy a sack of rice, how am I going to move to place that will cost me 150,000? It’s not possible. So the only way out is that project that’s coming in a… hey – this neighbourhood here is to be renovated and we have to leave. So, the only way out is that. It’s the hope we have. If they come and move us, hey, I’m going to move because with that money I can go to, like, Marracuene* [a neighbourhood on the peri-urban periphery]*, wherever. I get there, I talk to someone and they give me a space; I start to build a little house and I start a new life.*

Such plots, it is anticipated, will be bought through the local land market in the peripheral areas of the city. But rather than reject gentrification, residents have complex motivations for wanting to leave the settlement behind. These include anticipated changes to the culture and economy of the neighbourhood from a gentrification process residents do not feel a part of, namely ruptures to the existing social network and the economic fabric of the neighbourhood, and a perceived cultural divide between the existing population and new middle and upper-class residents.Crucially, residents are motivated by a wish to get away from flood affected areas, a problem they perceive to be worsening with time. Those who viewed leaving in response to flooding as a more immediate rather than medium-term ambition tended to be those living at the lower end of the incline which is more exposed to flooding. Yet a perception of flooding worsening in the coming years underpins a common sense of time running out and the need to move away, even among those whose plots were less exposed at the time of fieldwork:

*Yes, yes, I would like to leave, because looking at my – or our – conditions at home […] I can foresee that in future it will be a more serious problem. So, to avoid being vulnerable... The water doesn’t stay in my house now, but imagine in 2-3 years’ time, with people coming to live over there. In 2 to 3 years the water will get stuck inside my house. So, for me not to have to go through that, it would be practical to arrange a secure place to live.*

According to another,

*All I want is to see someone coming and saying, “I want to buy this place”. I would sell and leave… If there’s an opportunity of getting a house in a better place where we can see that there’s no risk of flooding for the next 10 to 15 years, we’d accept.*

Such positive appraisals of mobility opportunities opened up by gentrification were frequently accompanied by an expectation of some measure of limited social-economic improvement, articulated by residents in the main in terms of improved housing and living conditions on the urban periphery. However, such improvements are foreseen within a future of continued informality and lack of access to a land use title.

While residents did not perceive any differences in bargaining power between themselves and investors and developers, nor doubt that the negotiation process would lead to a satisfactory land sale price and favourable exit from the neighbourhood, interviews with government and non-government stakeholders revealed a different story. First, informal settlement residents in the area are likely to be selling land on the local market at rockbottom prices. In addition to resident motivations for leaving, described above, this may be driven by two further things: residents’ unequal bargaining power during negotiations; and that families are unlikely to have been in possession of such large amounts of cash before, which for desperate families makes the offer appealing as well as leading them to a false sense of financial security. A second, related observation is that money received from the sale may barely cover mobility costs, including construction, or to guarantee improved household and living conditions after the fact. As one key stakeholder explained,

*a person who sells land for 2, 3 million, then goes where? You have to go to Tsalala* [a periphery neighbourhood] *or beyond Tsalala, I don't know what. Buy a plot of land at 100 thousand, build a house and after that there are no more solutions. That money will run out, you need transport, to get to work. All the logistics of your life is in chaos, isn’t it? They have to sell at a price that transforms their life, but the place where they’re going to live in the Maputo belt doesn't have a piece of land less than 100 thousand, 200, 300 thousand is difficult. And if you go along the ring road, then you don't get land for less than 500 to 700 thousand meticais. So the poor have problems. And then that area is also susceptible to erosion and affected by climate change.*

The Neighbourhood Secretary, who plays a key role in the functioning of the local land market, shared this view, adding that gentrification is displacing poverty in the community to the urban periphery. Large sums of cash acquired through these transactions also run the risk of being easily squandered. As one participant explained,

*That’s where [gentrification] is harmful for some people. There are lots of people who have been harmed because of that construction of the apartments. They sold their houses, they took the money and they had fun. They go and stay in the bars until dawn; with that money they’re there playing around and forgetting that it’s their house that they’re eating away, because they don’t have anywhere to live.*

***5 Discussion***

Our findings from a block in an informal settlement undergoing gentrification raise important questions of accountability in urban land governance. These arise on the basis that what we see in the neighbourhood as: 1) a system of local law and legal practices around land in which 2) neighbourhood authorities, as state actors, have authority to legally govern and form a central part of the urban governance landscape; and 3) through which these authorities have become the custodians of a gentrification process that is seeing residents move to the peripheral areas of the city to make way for housing redevelopment.

This section proceeds in two steps. First, we substantiate the above claims through a sociolegal redescription of the findings that draws on concepts of scale, jurisdiction and temporality, showing, how what is often called the ‘informal’ land market actually has very formal qualities. And second, we indicate some accountability deficits and questions that may be overlooked or not recognized when institutions and practices such those in our case study remain conceived as ones existing apart from state law and regulation.

***5.1 Scale, jurisdiction and temporality***

To specify a system of local law and legal practices around land in the neighbourhood is to situate it within a framework that deals with questions of spatial scale, temporal scale and jurisdiction in legal governance (Valverde, 2015). In Santos’ (1987) influential notion of ‘scale’, what is referred to is not the spatial extent of a governance process but rather the level of detail or resolution by which a set of legal rules and practices is projected to operate within a particular spatial extent. Taking its cue from cartography, law may be seen to represent a “mapping” of social spaces (Santos, 1987) that requires decisions about the level of detail or resolution required for regulating phenomena: ‘larger scale’ law has a higher resolution and represents a smaller space; while ‘smaller scale’ law has a lower resolution and represents a larger space. In Mozambique for instance, the 1997 Land Law and associated instruments cover a large territory but at a relatively low level of resolution. Local level law is much more detailed however, operating within the much smaller territory of the neighbourhood for dealing with everyday problems. Variation in scale means that such projections may “translate the same social objects into different legal objects” so that phenomena such as land and transactions become regulated differently, and not necessarily consistently, at different scales (Santos, 1987, p.288).

With concepts of scale, temporality and jurisdiction in mind, what allows us to describe this local system as ‘law’, however, as opposed to norms, rules or custom (Kihato et al., 2013)? And what qualifies it as ‘state-based’? While there has been protracted disagreement among scholars of legal pluralism over what counts as ‘law’ (Griffiths, 1998; Merry, 1988; Griffiths, 1986), we can distinguish several approaches researchers have taken to this question (Tamanaha, 2001). In what could be called a ‘conventional’ approach, the question of ‘what is law?’ becomes ultimately answered by research participants. That is to say, law is identified by way of the conventions of research participants (Tamanaha, 2001). An alternative approach is where researchers seek to define ‘law’ themselves, either by applying key conceptual criteria (what could be termed an ‘essentialist’ approach) or by identifying its social ordering function (what could be called a ‘functional’ approach’) (Tamanaha, 2001). In common with recent scholarship (e.g. Hoddy et al., 2023; Ogaz-Mendez and Isoda, 2022), we adopt a conventional approach. Among other things, a conventional approach addresses a deficit in functional accounts where the distinction between law and social norms breaks down when all norms performing a social ordering function are treated as candidates for “law”. A conventional approach by contrast underscores the view that legality constitutes a particular form of normativity since not all norms are identified as “legal” by social actors (Tamanaha, 2001; Hoddy et al. 2023).

In our case, what we see is a local legal rules and practices around land that are reflected in residents' strong sense of tenure security and perceptions of themselves as owners of land with the rights to sell their title for an agreed price. The strength of this tenure security and belief in the capacity to sell is fundamentally anchored in the neighbourhood authority-issued declaration guaranteeing residents access and control over a plot of land and the right to exclude others. The Block Leader, a resident of the neighbourhood himself, also described his role and perceived contribution to the neighbourhood in legal terms. We can also see how residents’ perceptions of local land law relate to law at other scales. Indeed, while many residents are unclear about the content of land law at the national scale, and of their rights, residents also share this basic perspective: of national scale land law, and the notion that the land belongs to the state and may be accessed by means of a DUAT title; and an awareness of municipal scale regulation in the form of ongoing demarcation and zoning in the block. Such an understanding may be said to reflect a situation of ‘interlegality’ (Santos, 1987) in the neighbourhood where communities have some sense of and navigate multiple legal rules and practices with often contradicting logics. Yet as indicated in the excerpt, residents attach greater importance to local law which we suggest relates to the bearing it has on local problem solving. As also indicated, national and municipal scale law have remained historically remote and of limited practical consequence in the neighbourhood – although this has begun to change through the municipality’s reclassification project.

What qualifies these local legal rules and practices around land ‘state-based’ as opposed to a non-state? Recalling that the method for determining jurisdiction in informal systems is informal, what we see are alternative jurisdictional mechanisms that are historically situated. What gives the Block Leader and Neighbourhood Secretary the authority to legally govern land sales within the neighbourhood - the ‘*who?’* in matters of jurisdiction - is their status as state actors within a larger urban management structure. Their authority to legally govern land sales meanwhile – the *‘what?’ –* arises through at least two interlinked components. First, it is a product of the legal consciousness of neighbourhood residents. That is to say, residents confer authority by way of a shared understanding of the capacity of neighbourhood authorities to govern land transactions, safeguard tenure, and address day-to-day problems. This capacity dates back at least to the formation of the peri-central zone in the context of Mozambique’s civil war, when FRELIMO cadres acquired traditional land allocation rights through the ‘dynamising groups’ and began playing a central role in Maputo’s urban areas. And second, there has been an ongoing failure or reluctance to exercise external oversight and enforcement around the roles and functions of neighbourhood authorities.[[11]](#footnote-11) By consequence, their capacity and authority to govern land transactions is sustained through continued practice. At most, neighbourhood authorities have had to surrender jurisdiction over some aspects of urban land management and administration in the neighbourhood, in particular zoning, in the context of the municipality’s urbanisation plan for the neighbourhood and the block’s reclassification process. Yet they retain a pivotal role in the local land market.[[12]](#footnote-12)

Finally, temporality can help us understand how the structure and practice of local law around land is held together and produces particular scalar effects. While we have pointed to the temporality of law in discussion of the findings already there are several aspects worth highlighting. First, local law has acquired its meaning among residents, as suggested above, on account of its capacity to address day-to-day problems around land, housing and tenure. Its temporal orientation, in this sense, is shorter and more immediate than those belonging to law at other scales and which have less immediate practical significance for residents (Santos, 1987). Second, and relatedly, a temporal mismatch between the municipal scale of law on the one hand and the local scale on the other is providing an opportunity for investors and developers to make the most of both. While improved conditions for investment are provided by the municipal scale, such as is being realised through demarcation and zoning, investors and developers engage residents through the local legal order for acquiring access to land and making their investments more quickly. They would then go on to make the most of land law at the national scale for obtaining a DUAT title in order to realise these investments. On the side of residents meanwhile, such engagement represents an opportunity for mobility in response to a multitude of local challenges, such as flooding. The scalar effects of this engagement are significant: the municipality’s urban plan, which provides a framework for the transformation of the neighbourhood, is being realised but via an accelerated gentrification process where current residents are indirectly cleared from the new urban fabric and face the prospect of continued informality on the urban periphery. This study based on an examination of a single neighbourhood in Maputo and it remains to be seen whether and how local legalities might facilitate gentrification processes in different neighbourhood settings, such as ones that are not affected by routine flooding.

***5.2 Implications for accountability in urban land governance***

Our application of the sociolegal tools of scale, jurisdiction and temporality provide the basis for a more complex picture of accountability deficits in urban land governance than might be revealed by traditional treatments, such as those falling under the good governance agenda (Burns et al., 2010). The focus of such treatment on official state institutions, laws and procedures without a treatment of scale and jurisdiction runs the risk of losing sight of other sources of state law and the actors, institutions and their relationships that form part of the larger picture of urban land governance. An important consequence is that without such a perspective ostensibly ‘informal’ institutions and practices retain their rendering as existing outside of state law and regulation and beyond the scope of legal systems for public accountability. What we have shown in this case is how the local land market in Maputo is enabled by the state at one scale and simultaneously prohibited at another, while also being governed by state actors who are exercising public power. This makes the local land market and those with jurisdiction in the local legal order subject to, we suggest, the same normative demands for accountability and demanding, in turn, better systems for public accountability of actors in the urban land sector.

Two significant failures of accountability are evident in our data. First, despite the very formal qualities of the local legal order, what characterises the contradicting logics of law at different scales is the fact that the land market remains entirely free from any direct regulation beyond the local scale. Land market transactions are unrecognised by institutions at other scales and transactions are unregistered in official government systems. Little has been done locally to ensure the separation of different types of land and distinctions are not made between land with public or private functions within the settlement. The local land market thus runs contrary to the urban and environmental planning logic of the municipality, which is likely to be undermined as a consequence. Second, and every bit as important, is the impact on residents of the local land market under conditions of gentrification created by the municipality. While participation in negotiations and sales appear voluntary, most residents are likely to be engaging in a form of distress selling that reflects their dire social and economic conditions, including the consequences of a worsening climate. While residents may wish to negotiate with investors and developers to acquire conditions for a better life, the local land market magnifies asymmetries between sellers and buyers in access to information, knowledge, and financial resources and, at a structural level, can be expected to exacerbate existing inequalities in the city. This can be expected in light of wider patterns of change in the neighbourhood, where former residents have sold land cheaply and gone on to live a life of informality on the urban periphery. Land market sales undermine the principle of integrating the existing occupants into the new urban fabric, even if residents perceive them as providing some relief. Any integration that does occur in the neighbourhood, stakeholder interviews revealed, will depend on the “goodwill” of private investors and developers, such as by transferring ownership of an apartment to each family that had previously occupied the land. However, almost all actors interviewed, including the Neighbourhood Secretary, agreed that within the next decade most if not all of the existing residents and their homes will have been cleared either via land sales or a transfer of the DUAT title to more affluent actors.

These questions of accountability become more pointed in contexts where gentrification is underway. As an intermediary between the community and investors, developers and the private company completing block reclassification, to what extent is the Block Leader a neutral bystander? How are conflicts between residents at the point of sale resolved by the Block Leader? Are neighbourhood authorities and other urban land governance actors beneficiaries of land transactions in any sense? Given the subordination of neighbourhood authorities to structures at higher scales, including the country’s main political party, to what extent is gentrification being steered, and the jurisdiction of neighbourhood authorities over sales and matters of tenure being reinforced, by actors at these other scales? In light of known instances of local land corruption in Maputo, and as an “institutionalised and accepted everyday norm of doing business in the land sector” in Africa more generally (Chiweshe, 2021, p.226), to what extent is this facilitated by continuing to treat the local land market as operating outside the purview of the state? And are any external pressures brought to bear on residents at the point of selling?

The evidence presented here indicates that it is the municipal government, local neighbourhood authorities and their relations with other municipal urban governance actors that need to be the focus for better systems for holding actors accountable in the urban land sector. What we know is that the roles of neighbourhood authorities are performed outside of their legislated functions and within an urban management structure where these actors are upwardly accountability to the Municipal Councillor and the Municipal Council.

Opportunities for residents to demand account are further limited as the Block Leader and Neighbourhood Secretary are appointed rather than elected – however, it is not unusual in Maputo’s neighbourhoods for some measure of accountability to be established through informal political (rather than legal) in the form of informal elections or approval of appointed officials.[[13]](#footnote-13) We suggest however an ongoing ‘game of jurisdiction’ (Valverde, 2015) is being played out in which official state institutions of land management and administration at the municipal level are required to operate in an urban context characterized by FRELIMO authority and control, expressed through the makeup of the urban management structure of which the Block Leader and Neighbourhood Secretary are a part. Such games are informally settled in Maputo, “without dialogue, as a result of the allocation of powers to different jurisdictions with distinct institutional habits and logics of governance” (Valverde, 2015, p.85). For interviewees, including key government and non-government stakeholders, the jurisdiction of the neighbourhood authorities was simply a matter of fact, and while some residents criticised their granting of new plots of lands to new residents on land prone to flooding those criticisms did not go so far as to question the local land market and the local tenure system itself.

***6. Conclusion***

Our sociolegal treatment of an ostensibly informal land market in an informal settlement in Maputo has shown how the state remains surreptitiously involved by way of local neighbourhood authorities and their informal practices. Officially, these actors have no role to play in urban land sales, management and administration. Yet the application of sociolegal concepts of scale, jurisdiction and temporality highlights how this land market has distinctly formal qualities. We suggest that the traditional focus of accountability on official state institutions, laws and procedures without a treatment of scale and jurisdiction runs the risk of losing sight of other sources of state law and the actors, institutions and their relationships that form part of the larger picture of urban land governance. A more thoroughgoing sociolegal treatment of law and (in)formality that draws on socio-legal concepts offers a useful corrective to the way institutions, arrangements and practices are categorised: where these appear in opposition to national law and regulation they do not automatically belong to the category of informal rules, customs and practices. An important consequence, we suggest, is that without such a perspective ostensibly ‘informal’ institutions and practices may retain their rendering as existing outside of state law and regulation and ‘off the radar’ in policy and programming work to strengthen legal systems for public accountability.

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1. Peri-central spaces represent transition zones between the peri-urban and the central, and therefore tend to be better resourced and have better access to transport and services. [↑](#footnote-ref-1)
2. These had been, in large part, a creation of the colonial administration (O’Laughlin, 2000) and assisted the colonial project by ensuring land access for the Mozambican peasantry remained constrained to nature reserves under communal tenure and by ensuring the peasantry’s incorporation into a system of labour regulation that restricted movement and exposed them to forced labour (O’Laughlin, 2000; Fernandes, 2008; Bertelsen, 2016). [↑](#footnote-ref-2)
3. In remote and rural areas for example and in contrast to Maputo, traditional authorities and actors continued to play an important, often central role during the socialist period and beyond (Fernandes 2008). [↑](#footnote-ref-3)
4. During fieldwork residents referred to the neighbourhood secretary headquarters as the ‘Circulo’, which was the term used during the socialist period for the office of party members. [↑](#footnote-ref-4)
5. The expansion of Maputo’s peri-urban frontier and the densification of peri-central areas during this period stemmed, among other things, from rapid in-migration associated with the civil war, increasing demands for housing, subdivisions, and the urban poor’s resort to these land markets as an alternative to the official system (Jenkins, 2001; 2004; Jorge, 2016). [↑](#footnote-ref-5)
6. There are multiple steps that applicants are required to follow that directly or indirectly involve various state agencies. Delays are routine at different stages along the way and applicants are required to pay notary and application fees (Kihato, 2012). In addition, the DUAT is issued in urban areas to spaces that are covered by an urbanization plan and by the municipal cadastre (Jorge, 2016). [↑](#footnote-ref-6)
7. The circumstances under which the private architecture company came to undertake the reclassification process in the block is unclear. The Block Leader reported during interview that he had been approached by the company about undertaking the reclassification project; while the company reported that it was a neighbourhood committee who had approached them. [↑](#footnote-ref-7)
8. For example, block Leader functions include maintaining good relations between households and sharing information with residents that comes from higher levels of government. [↑](#footnote-ref-8)
9. The declaration is issued by the Block Leader and authorised subsequently by the Neighbourhood Secretary. [↑](#footnote-ref-9)
10. Namely by political actors and the city’s real estate lobby. Well-known cases from elsewhere in Maputo include the recent construction of 28 luxury villas in the Costa do Sol neighbourhood. A DUAT was issued for the buildings following a requalification process and an environmental licence granted despite being situated in a protected and environmentally sensitive mangrove area (CIP, 2023). [↑](#footnote-ref-10)
11. In terms of their more limited functions and roles set out in national scale law. [↑](#footnote-ref-11)
12. They also facilitate municipal zoning and the creation of a subdivision plan by acting as intermediaries between the community and the private company completing this work. [↑](#footnote-ref-12)
13. These can take different forms such as a show of hands in a neighbourhood meeting or whether the selected candidate receives a cheer from residents. [↑](#footnote-ref-13)