

Traditional Leadership and State Partnerships in Land Governance: Pathways for Sustainable Rural Development in Zambia: Evidence from selected Local Authorities and Traditional leaders.

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Abstract

Zambia's commitment to the 2030 Agenda for Sustainable Development underscores its pursuit of inclusive governance, transparency, and accountability. The amended Zambian Constitution (1991; 2016) enshrines sustainable development as a core national value, with land administration emerging as a critical driver of rural development. In this context, traditional leadership and community-based governance structures play a pivotal role.

Zambia's dual land tenure system, comprising state and customary land, presents unique governance challenges and opportunities. Under the Lands Act No. 29 of 1995, land ownership is vested in the President on behalf of the people. State land, administered by government entities, is titled and leasehold, while customary land governed by traditional authorities such as Chiefs and village Headpersons remains untitled and regulated by local norms. Despite efforts to formalize land rights through the National Lands Policy (2021), traditional leaders retain custodianship of customary land, shaping rural development trajectories.

This study examined how partnerships between state and customary systems can promote sustainable development, especially under the auspices of a decentralized governance system. Using a qualitative, exploratory approach, the research was guided by the Institutional Analysis and Development (IAD) Framework and Good Governance theory, chosen for their complementary nature in analyzing institutional interactions and evaluating participatory, equitable governance practices in land tenure systems. The study aims to highlight institutional synergies and conflicts, proposing a governance model that aligns local legitimacy with national policy goals.

The study revealed that Zambia's dual land tenure system creates ambiguity, weak institutional collaboration, and uneven land preferences. These challenges undermine sustainable rural development, making it necessary to establish a transparent, inclusive, and coordinated land governance model that harmonizes the roles of traditional authorities, local authorities, and the state.

Keywords: Governance Integration, Traditional Leadership, State-Customary Partnerships, Land Tenure, Decentralization, Sustainable Development.

1. Introduction

Land remains the foundation of Zambia's rural economy and social structure. Over 65 percent of the population lives in rural areas, mainly relying on agriculture for their livelihoods (Malambo, 2016). Secure land access is therefore essential for food security, poverty reduction, and sustainable development.

Land governance can be understood as the rules and policies that regulate the exercise of power and control over land. What is entailed in land governance is not so much the day-to-day activities of allocating and controlling the usage of land; it is about the rules that regulate the practices and institutional arrangements around land allocation, access, transfer, rental, and use. Chitonge (2021)

Zambia has a total land mass of 752,6142 km². This land is distributed between customary and state land tenure systems with the former having 94% is under customary tenure, and the latter accounting for only 6% (GRZ, 2021). The country has an estimated total population of 19,610,769, million, with 60 percent of that residing in rural areas. Zamstats (2022). This shows that the majority of the population reside in rural areas, thus their need for institutional collaboration in land governance to guarantee sustainable development in rural areas having both majority of land and population.

Zambia's dual land tenure system reflects its historical and socio-political background. A dual government system, as practiced in Zambia, refers to the co-existence and parallel operation of two distinct governing structures: the centralized statutory government and the decentralized customary governance based on traditional authority. Under the Lands Act No. 29 of 1995, land ownership is vested in the President on behalf of the people. State land, administered by government entities, is titled and leasehold, while customary land governed by traditional authorities such as Chiefs and village Headpersons remains untitled and regulated by local norms.

While this dual system offers cultural legitimacy and flexibility, it also creates governance challenges. Weak coordination between government agencies and traditional authorities has caused land disputes, elite capture, gender-based exclusion, and tenure insecurity. These issues can threaten Zambia's ability to achieve its Vision 2030 goals, the Sustainable Development Goals (SDGs), and the African Union's Agenda 2063.

The weaknesses in the dual system provide the rationale for establishing the effect of traditional and state partnerships in attaining sustainable rural development. **Background** Land remains the most critical asset for rural households in Zambia, forming the foundation of livelihoods, social identity, and agricultural production. An estimated 60–70% of the country's land is governed under customary tenure, administered by chiefs and village headpersons who allocate parcels, regulate inheritance, and adjudicate disputes (Malambo, 2016; Wegerif, 2025). Through these functions, traditional authorities exercise significant influence over rural development trajectories, as they are widely perceived to be accessible, legitimate, and culturally embedded institutions.

Nonetheless, customary land governance systems are under mounting pressure. Rapid demographic growth, the expansion of commercial agriculture, the proliferation of mining concessions, and urban encroachment have collectively intensified land scarcity, fuelled conflicts, and eroded tenure security. These dynamics have also generated broader governance dilemmas, particularly concerning the conversion of customary holdings into leasehold tenure (Mushinge, 2020).

The authority of chiefs in land administration has, therefore, become both contested and reinforced. While statutory frameworks such as the Land Act and subsequent reforms emphasise state oversight, in practice, traditional leaders frequently serve as intermediaries between local communities and external investors (Green, 2018).

The Zambian state has recognised the dual nature of this system as both a risk and an opportunity. Policy frameworks, including the National Decentralisation Policy and the National Lands Policy (2021), underscore the imperative of harmonising statutory and customary regimes, with a particular focus on strengthening tenure security, advancing women's land rights, and improving mechanisms of local accountability (PMRC, 2021). However, progress in policy implementation has remained uneven, constrained by institutional weaknesses, inadequate resources, and the political sensitivities that surround the authority of traditional leaders (Chitonge, 2021; IIED, 2024).

These dynamics underscore the need to critically examine the interaction between customary and statutory land governance, the evolving role of traditional authorities, and the implications for rural livelihoods and equitable access to land in Zambia.

2. Land Governance in Zambia

Zambia's legal and policy framework reflects the duality of statutory and customary land systems. Under the Lands Act (Lands Act No. 29 of 1995) land is vested in the President on behalf of the people; state land is administered through leasehold/titling mechanisms while customary land remains largely untitled and administered by traditional authorities (chiefs, headpersons) under local norms and customs. The 1991 Constitution (as amended, including 2016 amendments) also contains environmental and development obligations that locate sustainable land use within national values.

In May 2021, the Government launched the National Lands Policy (2021) which aims to modernise land administration, clarify institutional mandates, promote tenure security (including through titling programs and digital land information systems), and reconcile statutory with customary land. Policy documents and policy analyses note that operationalising the policy requires strengthening centralised governance, clarifying overlaps between central government agencies and traditional institutions, and investing in local capacity for participatory land administration.

Empirical and pragmatic evidence highlights the practical importance of customary systems in Zambia: most rural land (commonly reported figures indicate an overwhelming majority of rural

land) is managed through customary arrangements under chiefs and headpersons; this creates both resilience and vulnerabilities-resilience because customary systems provide local legitimacy and fast allocation, and vulnerability because lack of formal documentation can leave occupants exposed to displacement, contested boundaries and limited access to formal credit or investment these present an urgent need to design partnership models that combine the legitimacy and reach of traditional leadership with the legal protections, transparency and accountability that statutory systems seek to provide.

Partnerships between state institutions and traditional leadership, therefore, represent a potential pathway for sustainable rural development, provided that they embed principles of good governance, balance local legitimacy with statutory safeguards, and ensure inclusive participation of marginalised groups.

In practice, Zambia's land administration can be divided into three categories:

State Land – this category of land is managed by the Commissioner of Lands and held mostly under leasehold. It includes different tenure arrangements: ten-year record cards, fourteen-year leases for unsurveyed land, thirty-year occupancy licenses (common in peri-urban settlements), and ninety-nine-year renewable leases. While officially estimated at 10% of Zambia's total land, some studies suggest State Land may account for up to 16.5% (Honig & Mulenga, 2015).

Public Land – the second category is set aside for environmental and conservation purposes such as national parks, game management areas, forest reserves, wetlands, and headwaters. These areas are controlled by statutory bodies like the Zambia Wildlife Authority (ZAWA), not traditional leaders. Public land covers large portions of the country: approximately 8% is national parks, 22% game management areas, 9% forest reserves, and 2% wetlands (GRZ, 2017). Although many of these areas lie within customary territories, they are administered directly by the state, limiting the authority of chiefs.

Customary Land – finally, this type of land is controlled by traditional leaders on behalf of their communities. This category includes land not formally alienated to individuals, families, or groups. Chiefs allocate land based on customary principles, though their authority is increasingly shaped by statutory policies and state oversight (GRZ, 2017).

This tripartite system reveals the overlapping and sometimes contested authority between the state and traditional leaders. It underscores the need for structured partnerships to harmonize governance, particularly in areas where public land is carved out of customary domains.

Given that decentralisation in Zambia is now taking centre stage through the National Decentralisation Policy by devolving some functions to local authorities, it has become imperative that the chiefs' roles in local governance is well understood.

3. Statement of the Problem

Land is a fundamental asset, essential to the livelihoods and socio-economic well-being of rural communities in Zambia. However, its governance is profoundly complicated by the coexistence of statutory and customary tenure systems. As Mulolwa (2016) observed, the governance of customary land remains a serious concern particularly as the majority of the poor live in the rural areas under customary land administration.

Despite the government putting in place relevant institutional frameworks such as the Lands Act and National policy 2021, significant gaps persist in harmonizing how the interplay between statutory and customary systems shapes access, tenure security, and accountability.

The contested but enduring authority of chiefs in land matters raises critical questions about the effectiveness of current reforms, the inclusivity of decision-making, and the protection of vulnerable groups, particularly women. Although Zambian law permits individuals to hold land under customary tenure, with rights protected within the limits of custom and tradition, no legal instrument effectively limits the discretionary powers of chiefs in land administration (ibid)

Moreover, uneven implementation of national policies has created uncertainty and inconsistency at the local level, exacerbating land-related conflicts and undermining rural development outcomes. (Lund and Boone, 2015; Chitonge, 2015) assert that the relationship between traditional leaders and state authorities is frequently characterized by tension, which impedes coordinated development efforts. Scholars have observed that this partnership is "sometimes constrained by conflict of vision, goals and objectives.

Some traditional leaders have struggled to maintain intergenerational equity in natural resource management, sometimes permitting indiscriminate land sales without consideration for future community needs. There have also been instances where traditional leaders have denied local government requests for land to expand public services or undertake development projects. Furthermore, traditional leaders have contested constitutional provisions that vest all land in the President, arguing that this arrangement undermines their authority and local land rights (Kanyanat, 2014).

The study therefore, aimed to critically examine the institutional dynamics and practical outcomes of the partnership between traditional leaders and state authorities in the governance of customary land in selected districts in Zambia. Specifically, it sought to identify the structural and procedural factors that contribute to conflict, inefficiency, and inequity within the dual land tenure system.

These challenges highlight the need for a critical examination of the evolving role of traditional authorities within Zambia's dual land governance system and the implications for equitable and sustainable rural development.

4. Study objectives;

The study was guided by the following objectives:

5.1 General Objective

- To investigate the effect of partnerships between state institutions and traditional leadership in enhancing land governance and contributing to sustainable rural development in Zambia.

5.2 Specific Objectives

- To assess the role of traditional authorities and state agencies in the administration of customary land.
- To establish existing partnerships between statutory and customary systems in advancing sustainable rural development within a decentralized governance framework.
- To identify institutional synergies and conflicts arising from the coexistence of statutory and customary land tenure systems.

5. Theoretical Framework

The study utilized the Institutional Analysis and Development (IAD) Framework (Ostrom, 2005) to examine the relationship between traditional leadership and state authorities in land governance and its implications for sustainable rural development in Zambia.

The IAD framework offered a structured, multi-tiered approach for analyzing how institutional structures influence social interactions and outcomes. Central to this analysis is the concept of the action situation, a context in which various actors, guided by formal and informal rules, biophysical conditions, and community characteristics, engage in decisions concerning land use, allocation, and conflict resolution. (Cole et al.2019)

Ostrom (2011) argues that the IAD framework serves as "a multi-tier conceptual map" designed to identify the "major types of structural variables" that define all institutional arrangements.

This framework facilitated the identification of key actors including state officials, traditional leaders, local communities, and investors and the explicit and implicit rules that shape their interactions. By focusing on patterns such as cooperation, conflict, or negotiation, the IAD approach allowed for a systematic assessment of outcomes based on criteria such as equity, economic efficiency, environmental sustainability, and accountability. A critical feature of the framework is its emphasis on feedback mechanisms, which show how outcomes subsequently influence the institutional and environmental context, creating a dynamic governance system.

Through this lens, the study explored the practical functioning of Zambia's dual land governance system, highlighting both tensions and synergies between statutory and customary institutions. The

insights gained help identify pathways for institutional alignment that support sustainable development within the nation's decentralized governance model.

6.1 Good Governance theory

Sustainable development and effective public administration can only be achieved when governance systems uphold certain universally recognized good governance principles. These principles include participation, rule of law, transparency, accountability, equity and inclusiveness, effectiveness and efficiency.

Good governance has many attributes. It is participatory, transparent and accountable. It is effective in making the best use of resources and is equitable. And it promotes the rule of law (UNDP, 1997)

In essence, the theory emphasizes that governance is not only about structures and laws but also about the quality of interactions between the state, institutions, and citizens. When these principles are upheld, governance becomes more legitimate, trust is built, and development outcomes are more sustainable. Therefore, the study would then evaluate the system based on principles like transparency in decision-making, participation of stakeholders, and equitable access to land with focus on how the outcomes from the applicability of these principles affect sustainable rural development.

The two frameworks worked to complement each other in understanding the dynamics in understanding Traditional Leadership and State Partnerships in Land Governance in Zambia and their effect on rural development.

The IAD framework It dispassionately mapped the actors, rules, and interactions within Zambia's land governance system whilst the Good Governance theory provided the value-based criteria to evaluate the system identified by the IAD and to propose targeted, normative solutions for achieving more sustainable and just development outcomes.

The study would then evaluate the system based on principles like transparency in decision-making, participation of stakeholders, and equitable access to land.

6. Literature Review

Scholars and policy analysts consistently characterise Zambia's land regime as dualistic: statutory (state) land and customary land administered by traditional authorities (chiefs, headpersons). Traditional authorities retain significant powers over land allocation in Zambia's customary areas. According to World Bank (2016), customary tenure still governs a very large share of Zambia's surface area and shapes everyday access to land for rural households. Manda (2023) and Malambo (2016) argue that chiefs and headpersons allocate plots for housing, farming, and investment, regulate inheritance patterns, and adjudicate disputes. Their legitimacy derives from historical, cultural, and social embeddedness, making them key actors in land related decision making (Chitonge, 2021). Tenure under customary systems is often described as *de facto* secure for insiders

but legally untitled and therefore vulnerable to conversion, elite capture, and investor-driven dispossessions when customary rules collide with statutory processes. However, practices vary across chiefdoms, with some chiefs adhering to oral traditions while others have introduced written documentation such as chiefs' letters or certificates of landholding (Green, 2018). While these practices can strengthen local tenure security, they can also introduce ambiguity in recognition by state institutions. This dualism creates institutional frictions where the legal vesting of land in the President under the Lands Act (1995) sits uneasily alongside chiefs' custodianship and local allocation practices (World Bank, 2016).

Regional work on customary tenure, for instance in Ghana, Botswana, Tanzania and South Africa shows similar patterns: traditional authorities remain central to land allocation and dispute resolution, yet are variably integrated with the state. In Ghana, customary tenure covers about 80% of land and chiefs' control of land strongly shapes investment outcomes and livelihoods (Akolgo-Azupogo, 2021). Botswana's kgotla and institutional arrangements illustrate how entrenched traditional forums can coexist with state institutions, often remaining important arenas for community-level decisions (Botswana land governance report). Tanzania's Village Land Act (1999) provides a contrasting policy approach in which village institutions were formally empowered to issue certificates of customary right of occupancy -an institutional innovation credited with improving local record keeping and recognition of customary claims. These regional comparisons highlight that customary systems are adaptable and that state policy choices (formal recognition, co-management, or centralisation) strongly influence whether customary authorities protect or undermine tenure security.

Cross-country evidence shows customary systems frequently generate gendered patterns of access and insecurity. Customary land systems often disadvantage women and marginalised groups. Veit (2019) argues that in patrilineal communities, women's access to land is mediated through male relatives, leading to insecurity in cases of divorce or widowhood. Similar patterns appear in Ghana and parts of southern Africa, while policy reforms in some countries (e.g. Tanzania's village registration and India's forest/land rights reforms) demonstrate that legal recognition combined with community processes can strengthen women's *de facto* rights. The National Lands Policy (2021) emphasises gender equity, but implementation at the community level remains inconsistent. Studies call for joint titling, inclusive consultation, and safeguards to ensure women, youth, and migrants are not excluded from land rights (PMRC, 2021).

Multiple accounts highlight that large-scale investments commercial agriculture, mining, infrastructure-drive the greatest tensions in customary areas. In Zambia, the conversion of customary land for investors without robust consultation has precipitated conflicts and dispossession claims (World Bank, 2016). Environmental studies further link rapid conversion and weak local oversight to deforestation and land degradation (Wegerif, 2025). Comparative case studies show that when communities have recognised rights and participatory planning mechanisms, for instance, Brazil's strengthened indigenous land protections or India's community forest rights in some successful instances, outcomes for livelihoods and ecosystems are more

positive (World Bank, 2016). These dynamics highlight the need for stronger consultation frameworks and integration of environmental considerations into land governance.

7. Methodology

The study was underpinned by a qualitative approach, guided by a constructivist paradigm using an exploratory research design. Both primary and secondary data were collected, the former was collected through semi-structured interviews from purposively sampled respondents, including traditional leaders, and local authority employees. The latter was collected through document review, analysis of published reports, and other credible sources. Data was analysed through thematic and content analysis to ensure depth and capturing of nuances for proposing an enhanced governance model. Ethical considerations were attended to by ensuring respondents were protected from harm, informed consent and identity of respondents was treated with outmost confidentiality and anonymity.

8. Findings and Discussion

9.1 Role of traditional authority and state agencies in land administration

The study established that land administration in Zambia is characterized by a complex system combining, statutory, customary and traditional arrangements governing ownership, use and allocation of land. As Noted by (Resnick, 2019). This coexistence of diverse land tenure systems is emblematic of Zambia's rich socio-political history which is shaped by a blend of indigenous practices and colonial legacies. The study revealed that this dual tenure land system is so varied that the proportion of land ownership and control differs greatly across the country. As noted by a respondent from the Eastern part of the country.

“The proportional distribution of land is very difficult to determine due to the dual tenure system, with state land falling under the national boundary being managed by statutory bodies like the local authority, while the rest of the land which is usually vast is customary land under traditional leadership.”

Another respondent from a local authority located in the Northwestern province was able to indicate the actual land mass controlled by the local authority but could not indicate the proportion of land under statutory authority.

“The total area of statutory authority land is 32,000 Hectors, While traditional land.....”

The lack of clarity on the exact proportion of land ownership especially by traditional leaders justifies the rationale for a new governance model in land administration. There is need for transparent and verified information on land proportions under statutory and customary control, this enhances chances of achieving sustainable rural development outcomes.

In a bid to further understand the role played by state agencies and traditional authority, respondents were asked to describe the role played by the two institutions in land administration.

The interviewee from a Local Authority from Muchinga Province indicated that,

“The role played by the local authority in land administration in Zambia is that it acts as an agent of the Ministry of Lands and Natural Resources”

In responding to the same question, the respondent from Eastern Province indicates the role of local authority by indicating not only their agency role on behalf of the Ministry of Lands but also the collaborative aspect, thus;

“The local authority plays a critical role in land administration in Zambia, especially that most land acquired from traditional leaders requires convention to leasehold whose recommendation is facilitated by councils, further, land under the jurisdiction of local authorities is administered by them in terms of surveying, demarcation, numbering...”

9.2 Institutional Synergies for sustainable rural development

The study established that sustainable rural development is largely dependent on partnerships between statutory and customary agencies as noted by Mwansa (2019) Zambia has witnessed a surge in land-based investments due to its strategic geographical location, fertile land, and abundant natural resources. These investments span over a wide spectrum, including, agriculture, mining, infrastructure development, and renewable energy, they offer a great potential for sustainable rural development especially with proper land governance.

The starting point for the study was to establish state of the partnership between statutory institutions and the local authorities. All respondents despite coming from various parts of the country indicated difficulties characterizing the partnerships. An interviewee from Muchinga province indicated that;

“The partnership depends with the type of traditional leadership in a certain area and the beliefs they have, some partnerships are a good and some are difficult”.

This response was similar with the respondent from Eastern Province who said *“Despite the recognition of the need for co-existence between traditional and statutory agencies in issues like convention of land from traditional to leasehold were chiefs have to recommend the applicant to the local authority which subsequently recommends to the Ministry of Lands, the relationship has not been too well...”*

The need for a new land governance model is further justified by the difficulties characterizing the relationship between two critical authorities in Zambia’s land governance. To further appreciate the extent and quality of partnership between state and traditional authorities, the study sought to establish the strategies employed they employed to enhance the partnership and the findings were also similar, the local authority in Eastern Province indicated a multifaceted approach through use

of Ward Development Committees, Integrated Development Plans. In cases where a developmental project, say a clinic or school, has to be constructed and the land required is under customary land, traditional authority is usually willing to release it to the local authority.

In Muchinga Province, the respondent indicated that various strategies used to enhance partnership include participatory or inclusive planning where all traditional leaders and community are part of the planning process.

9.3 Land Tenure and Sustainable Rural Development

The study revealed that there is a connection between type of land tenure system and attainment of sustainable rural development. Hichaambwa (2020) noted that the importance of land-based investments extends beyond economic prospects. They ignite critical debates and raise pertinent concerns regarding their potential social, environmental, and economic impacts, particularly in regions governed by the traditional land tenure system. While a proper land governance model has potential for prosperity in rural development initiatives, the challenge is in balancing the interest of various stakeholders, such as investors, local communities, and the broader national development agenda within the context of evolving land tenure systems.

Land tenure preferences differed a great deal as revealed by respondents from different parts of the country, from Muchinga province, the respondent indicated that;

“Local people prefer traditional system, while non locals just acquiring land prefer statutory land...”

The response from Eastern Province was similar, the respondent indicated that;

“Most people prefer traditional land compared to statutory...”

The reasons for the preferred type of land tenure were also indicated largely bordering on costs and security, statutory land was more preferred because it was more secure in terms of tenure, this saw most owners and investors converting land from customary to lease hold so as to increase tenure from 30 to 99 years in some cases.

Another respondent indicated that customary land was preferred by those looking to acquire land due to ease in access, his comment was as indicated below.

“Some people prefer customary land because it is easier to get, it is cheaper and does not involve a lot of procedure.”

Considering that majority of the land ready for investment is in rural areas there is need for a land governance model that properly coordinates efforts of all stakeholders to achieve sustainable rural development.

9. Proposed Governance Model

Based on the findings, the study proposes a Harmonized Land Governance Framework (HLGF) that can bridge and align statutory and customary systems in Zambia. The model can be built on five pillars:

Dual Recognition of Authority – Chiefs continue allocating customary land, but all decisions are formally documented and integrated into district land registries.

Joint Planning Platforms – District Land and Development Councils (DLDCs), comprising chiefs, councils, state agencies, and community representatives, co-manage land and development planning.

Transparency and Accountability – Land records are digitized and accessible, with joint audits and community forums reducing corruption and elite capture.

Equity Safeguards – Customary landholding certificates must include women and youth, ensuring inclusive access to land.

Legal Harmonization – National Land Policy and decentralization frameworks explicitly recognize joint customary–statutory structures to ensure coherence.

This model transforms co-existence into institutionalized collaboration, reducing conflicts, enhancing accountability, and promoting sustainable and inclusive rural development

10. Policy Implications and Recommendations

- Enhance documentation of customary land ownership at local level.
- Amend legislation to make state and customary partnerships mandatory.
- Strengthen synergies between state and customary institutions through decentralisation of agencies.

11. Conclusion

This study examined the role of traditional leadership and state agencies in the governance of customary land in Zambia, with a focus on how their interactions shape pathways for sustainable rural development within a decentralized governance framework. The findings demonstrate that traditional authorities remain central actors in land administration, while state agencies complement their role through statutory regulation and formalization. Decentralization has created new spaces for collaboration, but overlaps in authority and institutional weaknesses continue to generate tensions.

Using the **Institutional Analysis and Development (IAD) Framework**, the study revealed that Zambia's land governance is characterized by overlapping rules-in-use, competing incentives, and hybrid arrangements that sometimes lead to cooperation and at other times to

conflict. Through the lens of **Good Governance theory**, it was found that many institutional outcomes fall short of the principles of transparency, accountability, equity, and participation

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