Angola: Land resources and conflict
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Online publication date: November 2013

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Angola is often cited as a classic case of natural resources sustaining a conflict (Hodges 2001). Angola's protracted civil war (1975–2002) was mainly financed through the wholesale extraction of oil and diamonds. The armed struggle for liberation from Portuguese rule started in 1961, but resistance had begun earlier due to the wide-scale expropriation by the colonial regime of another key resource, land. As in other southern Africa countries, the demand for land rights became a pillar of the independence movement. The four decades of armed conflict were characterized by land expropriation, forced removals, resettlement, and the massive internal displacement of rural and urban populations.

As a colony, Angola enjoyed only about twenty years without conflict: from the last colonial military campaigns in 1941 to the beginning of the liberation war in 1961 (Sogge 2009). As in other countries in southern Africa, the struggle for land rights became synonymous with the independence movement. During the civil war after independence in 1975, warring parties used forced removals of populations from their lands as tools of war. Opposition forces attacked rural settlements and forced families and entire villages and towns to flee to provincial cities, where they became dependent on government and donor aid. Whole provinces became depopulated as internally displaced persons (IDPs) abandoned their lands and migrated to the coast and eventually to the region around the capital city of Luanda. However, in the post-conflict situation, populations began to return to their areas of origin, according to a study commissioned by the Ministry of Urbanism, resulting in a significant deconcentration of urban IDPs in some provincial cities (DWA 2002).

Since the end of the armed conflict in 2002, Angola's recovery and remarkable economic growth have been fuelled by the extractive industries of petroleum and diamonds. The consolidation of peace, however—the reintegration of politically divided populations and excombatants—is much more linked to access to land. Land is not the only resource important to peacebuilding in post-conflict Angola, but it is a primary factor in social reconstruction.

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The issue, which is little understood and often neglected in discussions of the causes and resolution of the Angolan conflict, is the focus of this chapter. The chapter begins by discussing precolonial collective land tenure and the later effects of the appropriation of land by the colonial power, which sowed the seeds of conflict, and Angolan resistance. The chapter then examines land management during and after the conflict, and considers the risks that resulted from avoiding land rights issues at the end of the conflict, which contributed to the residual land disputes that remained dormant throughout the southern African region only to reemerge decades later. The last sections of the chapter identify factors for successful peacebuilding and recommendations for legal and governance frameworks, and address the importance of involving communities and civil society in land-related decisions.

BACKGROUND

The following section details land management practices of precolonial communities that inhabited the area that is now Angola. Increasing levels of settlement induced physical changes to the land that forced communities to adapt. The next section examines the Portuguese colonial expansion, the resulting land appropriation, and the economic, political, and social effects of Portuguese colonialism on the Angolans and on land management.

Precolonial context and the seeds of conflict

Traditional land management practices were strongly influenced by the nature of the land and the environmental conditions in the different ecological regions of what is now Angola. As settlement and land use practices affected the environment, cultural and management traditions adapted to the changes (Avillez 1974). Pre-Bantu hunters and gatherers lived in small, decentralized communities, and land and other natural resources were exploited without strong traditions of tenure or ownership. Conflict has always been a key factor in environmental change and in determining who gets access to, or benefits from, the resource base. By the fifteenth century, the Bantu expansion southward from the Congo River basin had forcibly expelled the previous occupants. There was a new need to sustain larger sedentary groups of people, which in turn led to the development of agriculture and the introduction of the concept of permanent possession of land. Land became the collective property of the clan. The ethnic groups who had previously occupied much of the territory were pushed into the drier semidesert regions of the south and east, where hunting and gathering came to be supplemented by seminomadic pastoralism. Land use changes resulted in negative ecological impacts since much of the previously forested area was cleared for agriculture and transformed into savanna.

The transformation of land use and the introduction of the concept of collective land tenure required the transformation of landownership and the creation or adaptation of a mythology to justify it. The memory that the same land had

been occupied by others under a different ownership regime had to be erased. This new metaphysical vision was built on the concept that the earth does not belong exclusively to the living, but also to the ancestors and to the yet unborn people of the future. Land management was entrusted to the tribal chiefs, who were considered descendants of the original occupants and held the land for the clan members, who were the collective owners. Collective ownership was based on kinship, which was defined in different ethnic groups on the basis of various matrilineal or patrilineal relationships. In all cases, kinship ties were decisive in defining access to land and other socioeconomic relations (Henderson 1990).

The Kongo of northern Angola, for instance, were a matrilineal people. Membership in a clan or lineage, as well as all authority, derived from a mythical ancestor, strongly linked with place and associated with symbolically important features in the environment. Myths gave value to the land, making it the patrimony of the different groups, which could not be taken away from individual members because it could never become the property of one person (Margarido 1972).

Matriarchal lineage not only conferred membership in the clan but also guaranteed access to the clan territory, of which the ancestors, founders of the first settlements, were still considered the owners. Land rights and the line of descent passed from maternal uncle to nephew (Henderson 1990). The clan was represented and administered by an elder who regulated most social relations and was the arbiter of questions on the distribution of land for family or individual use.

The Umbundu of the central highlands region were a relatively homogeneous ethnic group who had developed a settled, village-based society. Settlements traditionally ranged from ten to fifty households and up to 1,000 people, normally related by blood. Ownership of the village and its lands was vested in the current elder (*sekulu*), who was usually a descendant of the founder, for whom the village was normally named (Henderson 1990).

The traditional agricultural methods were characterized by very long fallow periods allowing the soil to recover its fertility (Pacheco 2002). However, the densification of settlements and intensification of land use by the establishment of fixed permanent farming sites in a region of high seasonal rainfall led to a decrease in soil fertility.

In traditional communal systems practiced in the central highlands region, any member of the community had the right to cultivate one or more parcels of the land occupied by the community. This right, after being granted, was never lost by the members of the community or group, even when they temporarily abandoned the land. Nonmembers of the community could only acquire this right if they were adopted as children by clan members (Pacheco 2002).

The settlement patterns of the agro-pastoral peoples of southern Angola, such as the Ambo, tended to be highly decentralized. Individual family units normally occupied their own farmsteads. Clans laid claim to loosely defined districts that could contain hundreds of families, each occupying between five and twenty hectares (Henderson 1990).

Colonial appropriation of land and Angolan resistance

The first Portuguese contact with Angola occurred when Diogo Cao, a Portuguese explorer, reached the mouth of the Congo River in 1482 (Russell-Wood 1998). A European military presence was not established until the mid-sixteenth century, when an alliance was formed with the Kongo Kingdom against Jagas invaders from the east. Portuguese permanent settlement of parts of the coastal region began with the founding of Luanda in 1592, which comprised a fort, mission, and administrative center, near the site of a local coastal fishing village (Oyebade 1997).

The arrival of the Portuguese disrupted all aspects of the traditional society. The slave trade and its later manifestation, the contract labor system, undermined family- and clan-based social cohesion and existing economic, religious, and political institutions. The forced expropriation of lands held under customary land tenure was a major shock to traditional social structures in that the clans,

which were formed around common ancestry, were forced to abandon the lands by which they were bound to their ancestors (Neto 2000).

Portuguese colonial expansion was fuelled by the slave trade. More than one a million slaves were exported to Brazil by the end of the seventeenth century, severely depopulating much of what is now Angola. Angola has never recovered from the effects of this depopulation or from regional economic distortions caused by the slave trade, which planted the seeds for future conflict. While Portuguese slave and trade routes penetrated the territory of what is now Angola, the forcible occupation of territory beyond the coastal region only began with the nineteenth-century scramble for Africa by European colonial powers. Aside from profit from the slave, ivory, and (later) rubber trades, Portugal sought to extract tribute from Angola by taxing subjected peoples and exploiting their manual labor.

Laws enacted in 1838 and 1865 governing land concessions to Europeans allowed unoccupied land to be appropriated for white settlement. *Unoccupied land* was interpreted as land not being farmed at the moment but did not include lands lying fallow as part of traditional shifting agriculture (de Santa Rita 1940). These colonial laws ignored traditional customary law, which defined land as belonging to the community and not to individuals (Bender 1978).

The eventual borders of Angola were mapped out between 1880 and 1920 based on military conquest and consolidation of Portuguese power, with varying degrees of resistance by the African clans and chiefdoms within it. This was accompanied by politico-administrative measures directed at the submission of Angolans to Portuguese sovereignty and their integration into the monetary economy and the colonial market. Conflicts between indigenous communities and the Portuguese administration emerged from that period on, due to abusive occupation of lands by merchants and colonial enterprises, principally in the area between Malange and Luanda (Neto 2000). Resistance to the Portuguese occupation continued into the early twentieth century through sporadic ethnic-based movements that grew in reaction to colonial occupation and fiscal demands.

After 1900, Portuguese settlement policies turned African-European contact into a largely employee-employer relationship, exploiting the colonial institution of contract labor (Caetano 1946). African agriculture suffered serious setbacks. The combination of low prices paid for agricultural produce, soil depletion through excessive cultivation of cash crops, and increased European confiscation of choice lands reduced Africans' annual incomes, and obliged many men to abandon their lands and look for wage work in order to sustain their families. A large number of African men from the populous central highlands were forced by these economic circumstances, or under the contract labor laws, to work in coffee plantations in northern Angola. Strict vagrancy laws held that any African not under contract be considered a vagrant and available for forced or cheap labor. This proletarianization of the African countryside proved beneficial to European planters by providing them with an increased number of cheap laborers (Bender 1978).

Portuguese domination inevitably obliged African families to abandon their lineage-based economies and to accept a market economy, producing cash crops or entering into labor contracts in order to pay taxes (Margarido 1972). As taxes were levied per household, there were increasing pressures for the nuclear family to enter the cash economy and assume effective permanent ownership of the parcels of land that they used or kept fallow for future use (Pacheco 2002).

The decree of November 28, 1907 that set aside native reserves for the exclusive use of Africans was never implemented. But this law provided Europeans with a legal vehicle for taking over choice areas in Angola's rural central highlands, arguing that Africans should be moved to the humid zones where "whites showed little desire or capacity to settle" (Ferreira 1954, 48). Forced removals of Africans to make way for white settlers accelerated throughout this period.

In 1919 an ambiguous new law recognized the principle of setting aside lands for exclusive use by indigenous people (Pacheco 2002), but did not grant them property rights, either individual or collective. This law marked the beginning of the period of large-scale alienation of lands by Portuguese and other foreign entrepreneurs. At this time, the Norton de Matos government's land reforms promised Africans five times the amount of land that they actually cultivated in a given year, in order to take into account traditional shifting cultivation.[1] In reality, however, interpretations of the designation "cultivated lands" were often in dispute, and the law was rarely respected. Consequently, many African lands that were ostensibly legally protected were granted as concessions to Europeans, contributing to a further decline in African agriculture. According to Gerald J. Bender, ex-*colonos* (those who left the established Portuguese settlement plan in Angola), along with other Europeans desiring these African-held lands, benefited from flagrant misinterpretations of the land laws (Bender 1978).

The period coincided with penetration into Angola of the world agricultural economy, spurred by price increases in the international markets for products such as coffee, sisal, tobacco, and cotton. Forcible occupation of land, paralleled with the coercive mobilization of Angolan contract labor, fueled more conflict. In the 1922 Revolt of Catete, indigenous communities contested the abusive expropriation of their land for the cultivation of cotton. In northeast Angola (in what are now the provinces of Uige, Zaire, Bengo, and Cuanza Norte), serious social and racial tensions existed due to the expropriation of lands by the Portuguese.

The major underlying objective of the white settlement policy, as outlined in Portugal's Colonial Act of 1933, was to secure Portuguese sovereignty in Angola (Bender 1978). Beginning in the 1940s, the resettlement programs for Africans (as opposed to Europeans) usually implied the grouping together of dispersed African peoples, but in reality segregated Africans from whites and reduced the quality and size of African-owned lands (Childs 1944). "Settlement" for Africans was nearly always synonymous with the loss of their best lands (Bender 1978).

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[1] José Maria Mendes Ribeiro Norton de Matos was a reformist governor of Angola until 1926.

The occupation of Angola lands by Portuguese colonos gained momentum after the Second World War. During this period of large-scale Portuguese migration, the colonial regime also reinforced its military occupation of Angola, and for almost two decades, it quashed overt forms of African resistance. Also during this time, Portuguese authorities confiscated some of the best lands for distribution to colonos. For the first time, colonial settlement policies of appropriation of African lands began to put pressure on more densely populated regions such as the central highlands, with negative ecological impacts. With the increase in demographic pressure, the duration of the fallow period diminished, and families were obliged to return to cultivate the same land parcels year after year without allowing time for them to recover their fertility (Pacheco 2002). Contrary to popular belief, soils in the central highlands had always been fragile, and during this period they rapidly became depleted.

In the 1950s, the colonial government launched an ambitious program to encourage Portuguese immigration to Angola with generous land grants and financial support. Large settlement areas were expropriated from the original African residents in districts including Cela in Cuanza Sul Province (300,000 hectares) and Matala in Huila Province (420,000 hectares). Grants of farmland made to colono families ranged from 5 to 120 hectares, and tracts of formerly communal pasture of up to 1,000 hectares per family were granted for grazing cattle (Bender 1978). The estates of colonos were on the best lands, closest to markets and accessible to transport routes (Pacheco 2002). They were made available by the removal of thousands of Africans from their traditional lands. The displaced were often moved into areas already occupied by other Africans, thereby compounding the negative impact of the settlements by increasing occupation densities on ecologically overstressed lands. In an attempt to strengthen Portuguese cultural dominance, the settlement policy prohibited Africans from being farmers or workers in the white settlement areas (Ventura 1955). On the other hand, whenever the colonial settlers required access to abundant labor, the estates integrated entire African villages into "their" lands (Pacheco 2002).

Aside from the effects of colonial proletarianization and the transformation of a large proportion of rural Angolans into small-scale individual peasant land-holders, the economy generally did not benefit much from its transition from traditional to modern commercial agriculture. Most colonial immigrants were not experienced farmers and lacked financial or business capacity, which prevented them from reaching levels of productivity superior to those of the indigenous people (Pacheco 2002). Colonos often lacked the capacity to use the lands that had been allocated to them. Many European land concessions originally expropriated from Africans later reverted to the state as a result of the owner's failure to meet the minimum required percentage of cultivated area (Childs 1944).

By the first half of the twentieth century, Angolans in large areas of the country had given up their traditional communal forms of land management and had become peasant smallholders and agricultural laborers. This end result was not a stated objective of colonial land policies but rather the outcome of the

implementation of a liberal and varied interpretation of such policies. The dominant economic unit became the nuclear family, although the clan and ethnic traditions remained important in the domain of cultural resistance. Too often, colonial settlers inadvertently exacerbated resentment by ignoring ancestral rights of possession and traditional systems of use, as well as the cultural values related to the plots of land on which Angolans' ancestors were buried (Pacheco 2002). The seeds of conflict were nurtured during the decades of enforced colonial peace before 1961.

LAND MANAGEMENT DURING AND AFTER CONFLICT

The next section probes the shifts in Angolan landownership in the lead-up to and after independence, discussing land policy developments prior to the liberation war and the European takeover of African agricultural lands during the conflict. This is followed by an examination of the abandonment of land caused by the subsequent civil war, the ensuing migration of displaced people to urban areas, and the resettlement process and land reform that have taken place since the conflict.

Forced removals and the struggle for independence

In 1961, the political situation in Angola had become critical, and the nationalist movements launched the liberation war. The unjust land tenure system was one of the main reasons that Angolans sympathized with nationalist ideas and armed struggle. The initial Portuguese reaction to uprisings both in the countryside and in Luanda was two-tracked: they reinforced their military occupation and at the same time attempted to appease the African population by granting them Portuguese citizenship. The legal reforms of September 1961 eliminated forced labor and did away with institutionalized racial discrimination. Official policy emphasized racial integration in the new *colonatos* (settlement schemes). An increased and stable European settler presence, however, remained fundamental to the colonial government's strategy, and settlement programs were the foundation of this strategy (Bender 1978).

Decree No. 43894 of September 6, 1961, protected African lands (in theory) by creating three classes of land: (1) urban areas, including the respective suburbs; (2) lands held communally by Africans; and (3) land that was not considered to fall into either of those categories. This third category of land was, therefore, available for European concessions. Furthermore, the decree "stipulated that second-class land [i.e., land in the second category] must encompass an area five times that occupied by a village (in order to take into account patterns of shifting cultivation) and, recognizing the Africans' 'inalienable' rights to this land, . . . prohibited their expulsion" (Bender 1978, 181).

In practice, however, the regulation was not publicized. Africans were not informed of the rights that the new decree conferred on them. The agencies of the colonial state, responsible for its enforcement, were ill prepared to implement this decree and often represented personal or commercial interests that the decree

threatened. Often those responsible for demarcation of these lands failed to publicize the decree or interfered with its adequate implementation.

The delimitation of the second-class land was strongly opposed by white settlers in Angola. They understood that if the decree was rigorously implemented no concessions would be available in highly populated regions such as the central highlands. In practice, the African lands were never delimited; contrary to the intention of the decree. African lands were simply defined as tracts that were not urban land or European land. "Neither white settlers nor government officials, especially those responsible for land demarcation (Direccao dos Servicos Geraficos e Cadastrais [Directorate of Geographic and Cadastral Services]), understood, accepted, or respected African land rights" (Bender 1978, 182). It was easy for any colono wanting to acquire a parcel of land to convince African peasants, who were becoming increasingly impoverished, to apply for ownership of the parcel and then sell it to them at a low price.

The white settlers successfully lobbied to revise the 1961 land decree, and the government passed a new law protecting the interests of the white settler population but not those of the indigenous people. The new legislation recognized only two categories of land, urban and rural, making it easier for Portuguese individuals to acquire large tracts of land.

During the independence war (1961–1974), the amount of land conceded to Europeans increased each year, while the amount of land held by Africans decreased. Between 1968 and 1970, the amount of European-held land in the Huambo Province increased by 110 percent (from 249,039 to 526,270 hectares), while the area cultivated by Africans was reduced by 37 percent. In many cases, this displacement of Africans resulted in a drop in rural productivity (Bender 1978). From the mid-1960s until 1972, the average African family landholding was reduced from 4.1 to 2.0 hectares in the province of Malange (MIAA 1973). In the central highlands, the most densely populated region in the interior, agricultural activity was so intense that there were no vacant lands available for concession. The demarcations, however, followed illegal processes that ranged from ignoring community land limits to displacement of whole villages. As a result, the average landholding of African family units decreased from 8.9 to 5.6 hectares during this period (MIAA 1973; Carriço 1971).

As part of the Portuguese counterinsurgency effort during the war of independence, more than 1 million Africans were forced off their land and moved into large *aldeamentos* (protected strategic settlements). By the early 1970s, the re-settlement program had uprooted almost one-quarter of Angola's rural population (Sogge 1992). Protected settlement areas were located along major roads in areas that could be easily controlled by Portuguese security forces. The relocation opened up a considerable amount of African land for distribution to white settlers and produced an increased supply of African labor for the plantation economy (Bender 1978).

On the eve of independence, 6,412 registered commercial farmers possessed almost 4.5 million hectares but used on average only 11 percent of their lands. In contrast, approximately 1 million traditional peasants occupied a little more

than 4.3 million hectares, overstressing soils by cultivating almost 50 percent of the land at any given time. The national territory was divided in half by a virtual line passing north-south through Camacupa in Bié Province. Land to the west of this line had been mapped and parceled into concessions mainly for Portuguese commercial farmers. To the east of this meridian, communal systems of land and semisubsistence agriculture predominated. This eastern half of the territory was inhabited by around 10 percent of the population, and the presence of European farmers was rare. The southern margins of this region were still inhabited by pre-Bantu groups such as the Bushmen, who observed communal property and collective water rights and practiced pastoralism and transhumance (Pacheco 2002).

By the end of the colonial period, white settlers had claimed 41 percent of all surveyed farmlands, most of which they never used. With the establishment of forest and game reserves, more land was barred from use by African farmers and pastoralists. Demographic and political pressures meant that Angolan farmers used what limited lands they retained more intensively, with shorter fallow periods, further exhausting the soils (Sogge 1992).

Independence, civil war, and the abandonment of rural lands

Angola gained independence from Portugal in November 1975. Independence prompted a massive exodus of Portuguese settlers. Thousands of plantations were abandoned and effectively nationalized under the new constitution (Hodges 2001). Article 12 of the constitution stated that "all the existing natural resources in the soil and in the sub-soil . . . are property of the State, who will determine the conditions of their profit and use." The state as owner could transmit land use rights to others. The state became the owner of lands that were not definitively privately owned. Abandoned private land, according to article 12, could be appropriated "because of the unjustified absence of the proprietor for more than 45 days."

However, the legal procedures surrounding such appropriations were unclear, and in practice many people simply seized abandoned land and property for themselves. Sometimes those who claimed ownership were the original owners of the land, who had lost it to the Portuguese colonists, or their descendants. In other cases they were landless or homeless people displaced by the fighting. But often they were people connected to the dominant political and military group in the area, who took the lands as spoils of war (Foley 2007). Naturally, local farmers near those abandoned lands occupied them. Plantations were sometimes occupied by former workers of those estates. However, farms under the administrative control of the state, especially plantations, were not invaded.

In the course of time, areas actually farmed by state enterprises diminished, leaving the lands they held more or less vacant. The weakness of state enterprises meant that only about 10 percent of the lands previously occupied by commercial farmers were fully utilized. Reoccupation of these lands happened quietly, and state institutions at the local level paid little attention to managing or preventing it (Pacheco 2002).

There was a vacuum of state administration during this period. Traditional authorities were ignored but were left to function, albeit outside of any legal or institutional framework. Customary practices were neither attacked by the state nor incorporated into the law. Traditional practice was not officially recognized or applied consistently. Peasants were de facto excluded from political processes, particularly those related to land.

After independence in 1975, individuals were no longer able to buy private land but were instead granted occupation rights, which meant that they had the exclusive right to use the land, although it formally belonged to the state. This provision was included in Angola's Civil Code, inherited from colonial times, which remained the legal framework governing land rights even after independence. There was a widely held perception that the problem of land had disappeared with the departure of the Portuguese colonialists.

Angola descended into civil war almost immediately following independence. Power struggles between former liberation movements were bolstered by the Cold War as Angola became a hotspot in geopolitical struggles. While significant land conflicts prior to independence were indeed rare, land pressures were brought again to the fore by the civil war. The first land conflicts appeared with the increase in the numbers of IDPs, when peasants fled the conflict in the central highlands and resettled in pastoral and transhumance areas farther south. Other conflicts became critical as populations fled to the safety of urban and semi-urban zones, particularly on the Atlantic coast, where the influx of IDPs increased demographic pressures dramatically. These latter land issues do not necessarily stem from unjust implementation of the law but rather are an outcome of the civil conflict.

Because of the abandonment of rural lands in war zones, even subsistence cultivation was drastically reduced, and vacant land in inaccessible areas increased. The absence of individuals and families who publicly contested ownership of lands during this period created the illusion that land problems had ceased to exist. Consequently, the government did not feel the need to legislate on land issues, nor did it receive any public pressure to do so.

This situation began to change in the mid-1980s, due to the failure of the state collectivist experiments, and with the first signs of economic reform taking place with openings for the private sector. The ceasefire in 1991 and the prospect of communities returning to their original homes put land back on the agenda. While a land law commission had existed since 1986, a new land law was approved quickly, without public debate, by the Permanent Commission of the People's Assembly on August 21, 1992, before the old assembly dissolved itself. A month later, Angola's first multiparty elections tragically resulted in a return to civil war. The renewed conflict reached a level of violence previously unknown; it spread to cities across the country and produced a new wave of IDPs.

The 1992 Land Law was part of a body of legislation that attempted to transform Angola from a centralized economy to a market economy by defining land titles and use rights. The law introduced the concept of community rights

to land. While it continued to recognize state ownership, it formalized the framework for concessions and also recognized the rights of titleholders from before independence whose properties had been nationalized. While it maintained the principle of concession of use rather than permanent ownership, it allowed these rights and titles to be inherited or transferred.

The law validated the pattern of distribution inherited from colonial-era legislation and in turn did not recognize the rights of possession by peasant farmers or communities. Again, these farmers and their communities did not have the opportunity to register their properties or gain restitution for their lands that had been expropriated during the colonial settlers' landgrab.

In the seven years after the law was enacted, the government distributed more than 2 million hectares of land (Pacheco 2002), equivalent to 50 percent of the land held by commercial farmers in colonial times. This was distributed to a small number of mainly absentee owners, who paid insignificant prices for secure tenure rights in order to eventually exploit these lands commercially. The insecurity during most of the decade following the publication of the 1992 law meant that most of these concessions remained unoccupied. As happened in colonial times, the modern commercial sector was allocated an excess of underused land, which was set aside by the new owners for possible future use or speculation. Local peasant farmers, on the other hand, were treated by the Angolan state much like they had been treated under the colonial regime (Pacheco 2002). They were left with small, often scattered parcels of land divided between tiny irrigated garden plots and less fertile, seasonally used *lavras* (plowed plots) for staple crops. The latter were located at a distance from village centers and were cultivated at great risk during the conflict and often pillaged by warring parties (Development Workshop Angola 2008).

The traditional land rights of peasants and smallholders were not dealt with under the 1992 Land Law, even though the rights of communities were supposed to be protected under this legislation. The law introduced a new concept of *povoaçao rural* (rural village) without defining its legal status. Communities could actually be prejudiced if the rights were conferred to the traditional leader himself rather than to a community that had no legal identity and thus no legal standing to protect its interests. There are no provisions under law for communities to sanction traditional leaders who abuse their fiduciary responsibility or do not exercise it appropriately.

No provision was made for existing or previous possession or occupants' rights (*usucapiao*) by which property rights may be acquired through continued use over time. The law also lacked provisions for cooperatives or farmer associations that occupied the lands of former colonial estates with encouragement from the post-independence People's Movement for the Liberation of Angola government. The law did not deal with conflicts between holders of different types of rights or claims, or with such issues as use of land for the public interest. It only imperfectly regulated rural land concessions, and it did not deal with urban land issues at all. In a rapidly urbanizing country, this was a major shortcoming.

Internal displacement and flight to the cities

During the civil war, both sides used forced displacement of civilians as a weapon of war. Early in the conflict, the National Union for the Total Independence of Angola (União Nacional para a Independência Total de Angola–UNITA) rebel forces destabilized the countryside, laying landmines, and using other forms of armed violence to push people into towns, where they became a burden on the government. Towns became defensive islands where government forces needed to feed and protect large concentrations of IDPs, and medical and social services had to deal with the wounded and disabled. Later in the conflict, when government forces took the offensive, they cleared populations from large parts of the countryside to provide free-fire zones in order to deny the rebel forces opportunities for recruitment or access to local food supplies. Local civilian populations, particularly in the central highlands, became the chief victims of the conflict, sustaining much higher casualties than either of the warring sides.

Over the course of the civil war, millions of people fled the fighting in the countryside and headed for the relative safety of towns and cities in the affected provinces (see figure 1). Often the populations of whole villages were displaced when their settlements were overrun or threatened by the warring armies. In some of these cases homogeneous communities, often with their traditional leadership intact, sought temporary refuge in the outskirts of towns and cities. In these areas of peri-rural or peri-urban resettlement, the IDPs sought temporary access to lands that belonged to local communities. The resident community often saw the IDPs as adoptive members with a temporary right to use the land. Local-level understandings were often reached that, when the reasons for granting that right changed (for example, when the IDPs returned to their area of origin), the land would be returned to its original users. As there was a limited amount of such land available, the potential for conflict was great, but disputes were often resolved within customary frameworks when these mechanisms were recognized by both IDPs and members of the settled community. IDPs provided a cheap form of labor for those who managed to maintain agricultural production in some of the safer districts under government control.

As the conflict spread across the country and entered provincial capitals as well, populations fled once more, this time to the big cities on the coast and eventually to Luanda. There, they initially sought temporary shelter in the homes of relatives but eventually set up homes in *musseques* (shantytowns), building their basic dwellings on land obtained through a variety of informal mechanisms and investing what little money they had in home improvements. (Figure 2 summarizes the various ways people access land in Luanda.) But the informal land occupation or purchase documents that they obtained, albeit in good faith, were not legal titles even if witnessed by local authorities and were of little value when presented in a dispute over land with the state or a private company.

When the flight to the cities began at the beginning of the civil war, pressure on land was not substantial (Robson and Roque 2001). People often occupied sites that appeared to be empty and then informed the *bairro* (neighborhood) authorities,
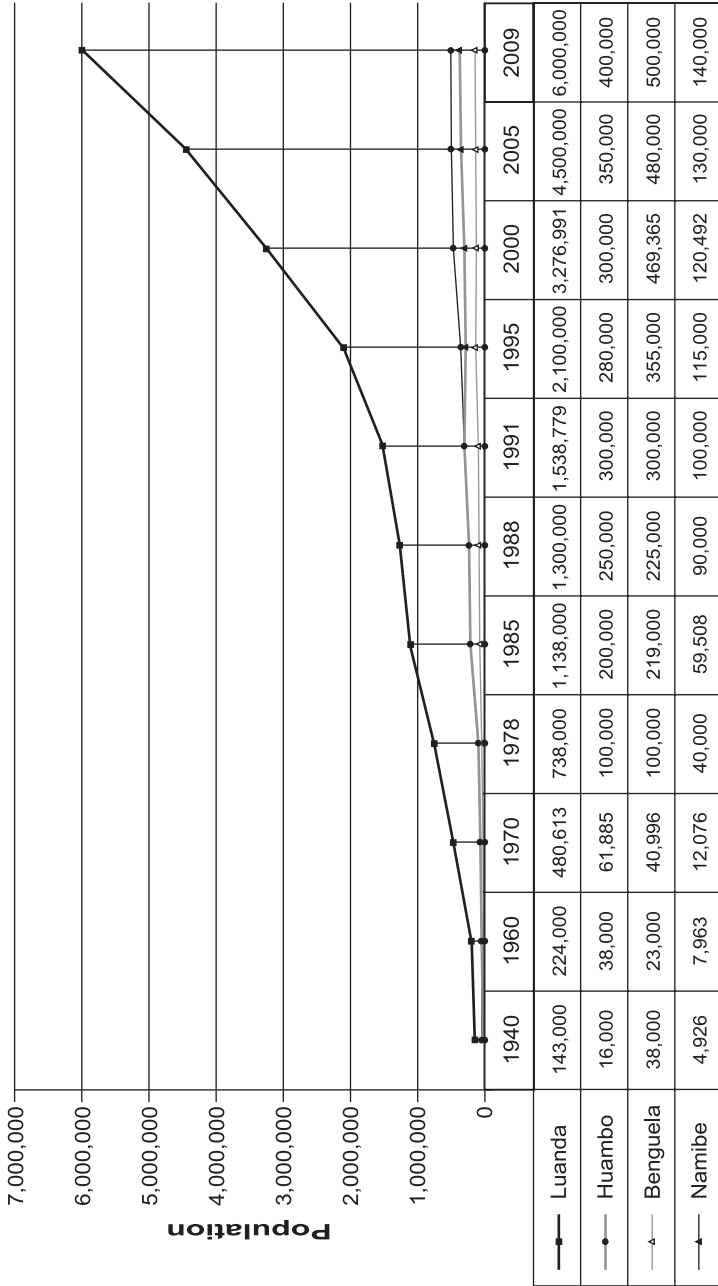
	1940	1960	1970	1978	1985	1988	1991	1995	2000	2005	2009
Luanda	143,000	224,000	480,613	738,000	1,138,000	1,300,000	1,538,779	2,100,000	3,276,991	4,500,000	6,000,000
Huambo	16,000	38,000	61,885	100,000	200,000	250,000	300,000	280,000	300,000	350,000	400,000
Benguela	38,000	23,000	40,996	100,000	219,000	225,000	300,000	355,000	469,365	480,000	500,000
Namibe	4,926	7,963	12,076	40,000	59,508	90,000	100,000	115,000	120,492	130,000	140,000

Figure 1. Urban population growth in war and peace in Angola, 1940–2009
Sources: Monteiro (1973, 58); post-1973 data developed from geographic information system (GIS) remote-sensing data collected by Development Workshop Angola.
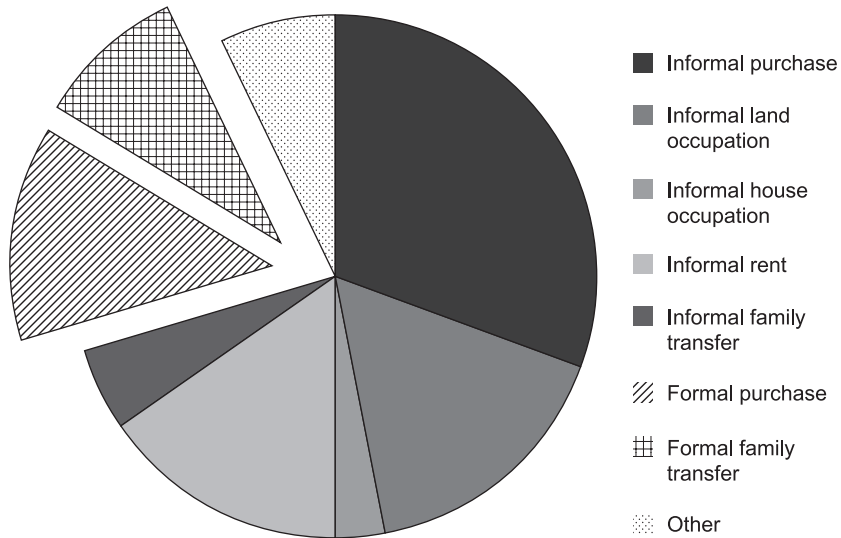
Figure 2.   Means of access to urban land in Luanda
Source: Development Workshop Angola (2004).

the administration or the *soba* (neighborhood chief), depending on the location, and asked for recognition of occupancy.[2] The peri-urban bairros of provincial towns of the interior (such as Huambo) always had sobas, and they designated an area where a new arrival could build.[3] Having family already living in the bairro was important for this process. Relatives could present new arrivals to the bairro authorities, thus diminishing the problems associated with being strangers and legitimizing their desire to live in the area. As the conflict progressed, the situation changed—particularly in Luanda, where land pressures increased and social capital in the form of kinship networks weakened. Over the conflict years, the sobas' authority and control diminished. In Huambo, a city severely affected by the conflict, instability and the resulting frequent migrations meant that government control remained relatively weak even in the early post-conflict period. It became increasingly rare for a person to find an empty plot to occupy

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[2]   For example, in the final years of the colonial period, the peri-urban neighborhoods of Luanda consisted mostly of fields, farms, and areas set aside for future development. During the years immediately after independence there was no control of these areas, which were still unoccupied. Many people interviewed by Development Workshop Angola said that all they had to do was occupy it.

[3]   There are few sobas in Luanda, although some, displaced from rural districts during the conflict, did appear in peri-urban zones with large numbers of IDPs. Witnesses for land transactions in Luanda therefore are normally figures appointed by the local administration as bairro coordinators. Usually they are long-standing members of the commission of local residents or are senior residents who are respected in the neighborhood.

and then inform the local authorities so that they could recognize the acquisition. As pressures increased, land could only be acquired through purchase on the informal land market.

A false sense of security of land tenure became the norm in urban areas throughout the country for those who had occupied or purchased their lands in good faith.[4] Families who had purchased a plot of land and had a signed bill of sale, often witnessed by the soba or a local administration official or even notarized, felt legally secure in their occupation and proceeded to build their houses. Similarly, former land occupiers who had obtained a document recognizing their occupation from the local authorities felt that they had secured their tenure rights. In fact, only those who have gone through the arduous and expensive process of obtaining a formal title to occupation rights from the provincial government have any legal status. Under the current land law, these rights are only granted in the few areas where an approved urban development plan already exists. Therefore, the vast majority of those who feel that they have occupied or purchased their land in good faith, or started out with an informal occupation and later regularized it, are in fact still at risk of expropriation by the state or even by commercial developers who have secured clear legal concessions to tracts of urban land.[5]

Opportunities to obtain a legally titled building plot from the provincial government are very limited, even for long-term urban residents who placed their names on waiting lists years ago. When prospective owner-builders have identified a desired plot of land, they must submit an application to the local administration and then obtain approval from various bureaucracies, including the municipal administration and finally the provincial government. This can take many months, sometimes years, and may be expensive: as well as paying for the land, the applicant often has to pay bribes at each stage.[6] In Luanda in 2004, of the 600 formal requests that reached the provincial government each month through this referral system from municipal and *comuna* administrations,[7] only about thirty (5 percent) were actually processed (Development Workshop Angola and Centre for Environment and Human Settlements 2005). The few fortunate enough to

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[4] The concept of *occupation in good faith* is used in this chapter to describe the sense of secure tenure that peri-urban settlers have from holding a witnessed land purchase contract or other document demonstrating the recognition of their occupation by a locally recognized authority, whether government appointed or customary. These forms of proof of occupation have no legal status under current Angolan legislation.

[5] Angolan cadastral and property title records have not been systematically updated since independence in 1975. There is no accurate estimate at the national level of the proportions of land that fall into public, private, communal, and informal domains. Development Workshop Angola's 2004 study of peri-urban Luanda found that over 80 percent of land is informally occupied.

[6] According to the World Bank's 2006 *Angola Country Economic Memorandum*, Angola is one of the most difficult countries in the world in which to transfer and register property titles, ranking 161st out of 175 countries.

[7] The *comuna* is the administrative district below the municipality level. Administrators for both levels are appointed by provincial governors.

receive approval through the official system often were only granted a provisional occupation permit (*direito precario)* that must be renewed every two years.

Development Workshop Angola, a nonprofit organization that has worked in Angola since 1981 to improve settlements and livelihoods of the poor, released a study in 2004 demonstrating that less that 20 percent of the urban population has what the state considers formal land tenure. The remainder may lose any residual rights that they may have held under recent land legislation. Neither occupation in good faith nor usucapiao provide any tenure protection under this new legislation, and as of mid-2010, informal land occupation could be considered illegal, leaving the vast majority of urban poor and those who migrated to the city during the conflict in this category.

Forced removals began in 2001 with Luanda's inner-city Boavista bairro. Two thousand houses were destroyed, and the families were transported forty kilometers to share tents and makeshift facilities at Zango on the city's periphery while they waited for the alternative housing that had been promised. As property values rose rapidly, other inner-city bairros were cleared of low-income residents to allow commercial or formal-sector land development. These populations were moved to dormitory townships like Panguila on the fringes of the city, two hours' travel from residents' previous places of employment and schools. While forced removals slowed in the months before the 2008 parliamentary elections, they started in earnest again in 2009, with displacements of thousands of families to make way for high-end commercial housing developments. Ambitious slum eradication proposals have been published that threaten displacement of tens of thousands of households in the near future and their replacement by multistory commercial buildings. New land legislation not only removes any vestige of occupants' tenure rights but also gives the state new powers to designate future land use in the name of the public good, making it eligible for expropriation for commercial or private development.

The accumulated assets of wartime migrants to Luanda and other cities have been invested in land they have purchased or been assigned to occupy by local authorities and the housing they have subsequently built there. A family's savings usually takes the form of cement blocks or roof sheets that, room by room, eventually become substantial housing. Forced removals alienate the poor from their savings and remove them from sources of employment and other livelihood opportunities. The rise in urban property values could benefit the poor who occupy most of the inner-city and peri-urban land, but ironically, it threatens to weaken the socioeconomic situation of the poor and urban migrants who had sought safe haven there.

Post-conflict resettlement and reintegration

Even before the end of the armed conflict, the Angolan government, with assistance from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), attempted to incorporate into law a set of principles protecting the rights

of IDPs. As early as October 2000, while the conflict still raged in the central provinces, the Angolan Council of Ministers approved the Norms on the Resettlement of Displaced Populations.[8] This decree aimed to facilitate the return of IDPs to their areas of origin, guarantee them minimal standards of social infrastructure and basic land access, and ensure that the resettlement process was carried out in a participatory way, without coercion. This was a remarkable government order—the first in the world guaranteeing the rights of IDPs and incorporating international best practices. It was also one of the first Angolan legal instruments that introduced the concept of public participation in physical settlement planning. The minimum plot size of one hectare was considered by Angolan agronomists to be insufficient for subsistence farming, particularly in regions such as the central highlands where soils are poor, but the law stipulated that this land must be nonmarginal and the size should be increased depending on family size and need.

When mass return and resettlement of IDPs actually took place in late 2002 and 2003, the government had little capacity to assist the process or guarantee the minimum standards mapped out in the law described above. At the time of the ceasefire, the government effectively administered no more than 25 percent of the national territory. Therefore, reestablishing state administration took priority over creating conditions for resettlement. As a result, the return and resettlement of IDPs was done largely through their own resources, and assistance came mainly from the local communities. The main driving force for the rapid return of rural IDPs to their areas of origin was their need to reclaim family lands and the fear of finding it staked out by an intruder or usurper. OCHA estimated that by 2004 only about 30 percent of returnees were settled in conditions that met the minimal conditions prescribed by law.

The international community was unable to assist this resettlement process. The Angolan OCHA mission was rapidly downsized; it closed in 2004. At this time also, most of the international donors were rapidly redeploying to address new conflict challenges in Iraq and Afghanistan. The diminishing resources of the international community were invested in the return of refugees from neighboring countries and the demobilization of excombatants, which were considered a higher priority in securing the peace.

The aims of both the government's and the international community's strategies for disarmament, demobilization, and reintegration was to socially and economically reintegrate excombatants into their communities of origin.[9] However, demobilized excombatants from the UNITA rebel forces faced serious challenges of reintegration into communities that they may have previously terrorized or looted. The

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[8]   Decreto 1/01, Normas sobre o reassentamento das populações deslocadas, January 5, 2001.

[9]   The disarmament, demobilization, and reintegration program is supported by the World Bank and the Ministry of Assistance and Social Reintegration (Ministério da Assistência e Reinserção Social) through the Institute for the Social Reintegration of Ex-Combatants.
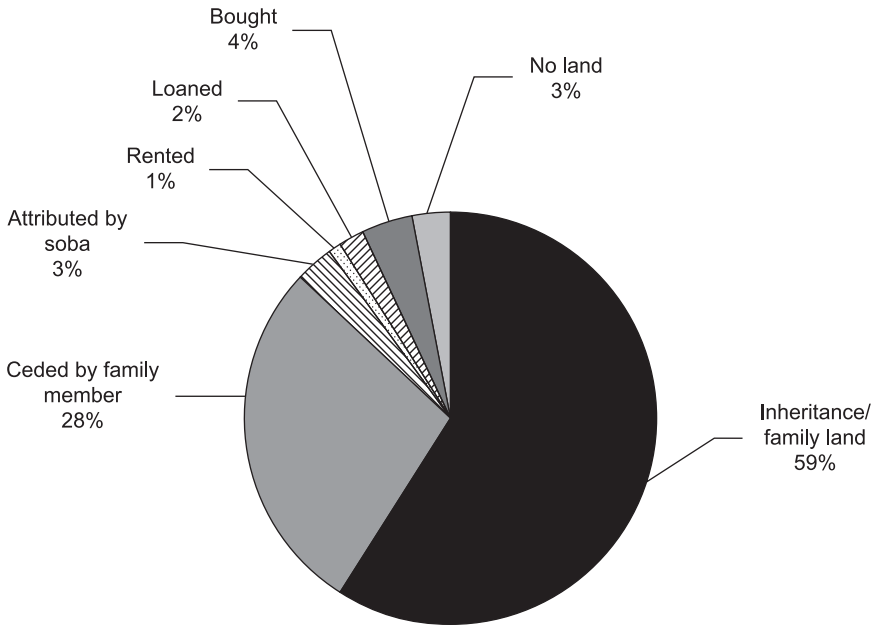
Figure 3.   Means of rural land acquisition by excombatants in Huambo Province
Source: Development Workshop Angola (2004).

acquisition of sufficient land in these communities is fundamental to building sustainable livelihoods and in turn reducing risks that excombatants will return to arms, as they did in two previous failed peace processes in 1992 and 1998. There is also the risk of these excombatants reverting to banditry or joining the underemployed in the margins of the cities.

Development Workshop Angola carried out a study in Huambo Province of the problems of land acquisition for excombatants during the two years after demobilization (Development Workshop Angola 2004). This research indicated that access to a sufficient quantity and quality of land is problematic for many of the demobilized in Huambo. Excombatants often had left their family land more than thirty years ago, and upon returning found themselves excluded from or bypassed by the normal inheritance processes that are the most common means of acquiring land. Figure 3 summarizes the various ways excombatants acquire land in Huambo.

Excombatants often have received proportionally less land than their peers. At the time of the study most excombatants and other returnees could meet only about half of their livelihood needs from the land they had acquired. Most, therefore, had chosen to settle in the hinterlands, fifteen to thirty kilometers from provincial urban centers (see figure 4), where they were able to supplement their incomes by engaging in petty trading or laboring in the informal economic sector.
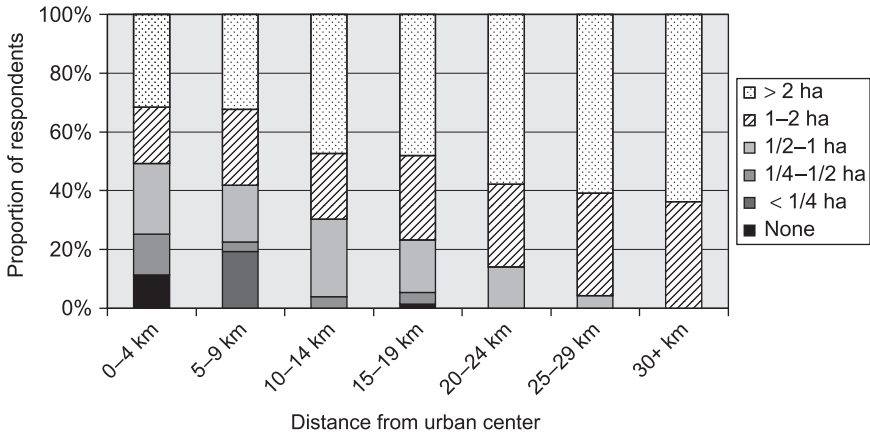
Figure 4.   Quantity of rural land, in hectares, occupied according to distance from urban centers in Huambo Province
Source: Development Workshop Angola (2004).

The study indicated that in both rural and urban areas, alternative livelihood strategies were also required, and excombatants needed assistance in acquiring new skills and survival strategies. It is evident that the Angolan disarmament, demobilization, and reintegration program was not completely successful in resettling demobilized soldiers in their rural areas of origin. Programs to help excombatants, IDPs, and returning refugees to acquire adequate land to resettle have not been adequately implemented to date. However, the Institute for Social Reintegration of Ex-Combatants did adopt the recommendation to develop and provide training programs in alternative job skills. For instance, excombatants trained in the building trades have migrated to the cities and have found gainful employment, thanks to Angola's current building boom.

The Angolan demobilization and reintegration program limited its assistance to 100,000 UNITA soldiers; it excluded their wives and girls who had been abducted by them from guaranteed direct assistance such as educational and economic opportunities. In particular, girls under eighteen years of age who had been forcibly recruited (as cooks, porters, "wives," and other types of helpers) should have received special attention as child soldiers. To grant these women access to assistance exclusively through the partners they were forced to marry has encouraged them to stay in situations that many have expressed a desire to leave (Nielsen 2008).

Resettlement of IDPs, excombatants, and returning refugees produced innumerable local conflicts over land allocation, often resulting in clashing interests between the returnees and those who had stayed behind in their areas of origin. Those who stayed in their original communities are understandably unsympathetic, particularly toward excombatants, since they suffered repeatedly from the theft of their assets by warring parties who alternatively occupied their districts over

the almost four decades of conflict. Conflict was further exacerbated by external humanitarian actors who, according to their particular mandates, provided relief goods to target groups (such as the demobilized and refugees) but not to others who were equally vulnerable (such as IDPs and local communities). The acquisition of land by returning groups depended on garnering the goodwill of existing landholders and avoiding local conflict whenever possible. The state had limited presence in areas of post-war resettlement, and the Angolan justice apparatus was one of the weakest of all state institutions. Municipal courts, which normally would have jurisdiction over land disputes, did not exist outside a few of the major cities.

The role of traditional authority in land management had been eroded through the years of colonial rule and civil war. However, the return and resettlement of almost 3 million people to their rural areas of origin provided a renewed role for traditional leaders in dealing with local land conflicts and providing testimony regarding families' historical land claims.

Reform and the new land law

It was widely agreed that the 1992 Land Law was outmoded, had been poorly applied, and ignored the urban context. The government released new draft land legislation in July 2002 and, for the first time in Angolan history, invited public consultation. The new legislation presented an opportunity to contribute to conflict resolution, reconstruction, and poverty reduction. The debate on this legislation was launched at a crucial time—a few months after the end of the civil war—that was opportune for the consolidation of peace, reconstruction, and future development of the country (Development Workshop Angola 2003). A group of civil society organizations launched the Rede de Terra (Land Network) to work in parallel with the government's Land Technical Commission to facilitate public discussion and debate. Development Workshop Angola was engaged by the Ministry of Urbanism to study the issue of informal land occupation around the principal urban centers, and conducted a media survey to track public awareness of the land issue through articles in the official and independent press. The participatory action research approach it adopted engaged local community leaders and civil society, linked with public consultation, and effectively increased public awareness of land issues in this period.

The new law, like the previous one, placed responsibility on the state to manage land access, but the state institutions that regulate land access were weak and lacked adequate capacity to implement the legislation and regulations in a transparent and accountable manner. State management of land remained disorganized and open to abuse. Until the end of the conflict, the rights to de facto occupation of land and occupation in good faith were tacitly acknowledged. However, the prevailing view of government at both central and provincial levels, as well as some elements within the private sector, was that informal occupation increases urban development costs and should be either limited or prevented. Civil society, on the other hand, argued that most of those who settled in peri-urban

areas during the conflict had occupied the land in good faith after purchasing it or having had it allocated to them by local authorities. Very few people had actually squatted on land in a clandestine or illegal manner. Most families had documents of some kind that they felt gave them security of tenure. However, fewer than 20 percent of the families actually held a legal title.

International good practice, as mapped out in instruments such as the Habitat Agenda, called for governments to introduce policies that progressively recognize existing land occupations and to eventually transform them into secure tenure rights through processes of physical upgrading and consultative planning (UNCHS 1996). Angola formally endorsed these principles at the Istanbul City Summit in 1996 and was obliged to incorporate the principles into national legislation.

After two years of widespread debate, the new land law was finally passed by the parliament in 2004. It did not meet all of civil society's expectations and incorporated only a few of their recommendations. The principle of public consultation became part of the official preamble to the law. The concept of community land was incorporated in the recognition of customary tenure, but the law took a strong position on the elimination of usucapiao. Existing land occupiers were given three years to acquire formal title from municipal or provincial government authorities, after which time informal occupation would become illegal.

The government passed regulations in 2007 detailing the procedures for formalizing rural land tenure. The regulations for securing tenure in peri-urban areas, where the majority of the poor live, had not yet been published at the time of this writing. The minister of urbanism and housing requested Development Workshop Angola's assistance in drafting such regulations, drawing from the Habitat principles and similar legislation in Mozambique and Brazil. Development Workshop Angola proposed the recognition of occupation in good faith, the articulation of gender-equitable tenure rights, and mechanisms for recognizing development zones in peri-urban areas in which upgradeable collective tenure could be recognized. These mechanisms would facilitate the government's ambitious urban requalification programs and provide a framework to minimalize forced removals and evictions.

With rising land values, there is increasing pressure to eliminate informal inner-city settlements (musseques) and open up these areas for commercial development. Lacking a clear policy on urban land development, the government and private-sector partners have embarked on an increasingly aggressive program of slum clearance and the removal of the poor to the periphery of the city.

FACTORS THAT AFFECT SUCCESS IN PEACEBUILDING

When Development Workshop Angola first started studying the land question in the mid-1990s, Angola was still embroiled in civil war. Local disputes over land were often lost in the general preoccupation with macro-level hostilities; indeed, they had not been adequately addressed since the country's independence from Portugal in 1975. Development Workshop Angola realized early on that the

conditions were in place for land conflicts to spiral out of control, possibly even posing a threat to lasting peace in the country. That concern prompted it to engage in advocacy and research, together with partner institutions,[10] on actions and policies in defense of the land tenure rights of conflict-affected populations in Angola's urban centers.

Several issues relating to land stood out as needing to be addressed in order for effective peacebuilding processes to work. First, property rights needed to be clarified for returning IDPs, refugees, demobilized excombatants, and displaced residents from the countryside seeking refuge in the larger urban centers. As described above, those who fled the violence and settled in musseques invested what little money they had in their homes, but were unable to obtain legal title to their property that would hold up in court.

Landownership and occupation issues emerged in the countryside as well. Rural resettlement under areas without support services or where infrastructure has been destroyed is a major challenge. Landmines left over from the conflict pose an additional danger. Only 30 percent of the areas of return were considered fit for resettlement by United Nations standards.[11] Development Workshop Angola worked with local partners to campaign for a new land policy and law to formalize the poor's informal occupation rights and their access to land. Secure tenure would release poor people's capital so that they could improve their built environment and their living and working conditions, and promote a peaceful transition to development—that is, if market interests could be made compatible with the poor's.

The end of the conflict compounded these issues when a scramble for land between powerful commercial interests and peasants threatened evictions of families who had fled the conflict-ravaged countryside to make homes on land without sufficient legal title. Disagreements over land became more frequent as conflict gave way to peace. In rural communities, fertile agricultural ground with relatively easy access to urban markets was in high demand. These sites frequently became the focus of disputes between residents and returning IDPs, refugees, and demobilized excombatants as well as more powerful official interests. In urban areas the poor risked being uprooted from their homes because their sprawling musseques frequently occupied ideal locations for elite housing developments, offices, and roads.

RECOMMENDATIONS

Angola has inherited a varied and complex set of landholding and land use practices, the evolution of which has been influenced by ecological conditions, customary and cultural traditions, the colonial past, years of conflict and forced

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[10] Development Workshop Angola's partner institutions included the Centre for Environment and Human Settlements, One World Action, and members of the Angolan Rede de Terra.

[11] The UN's Norms for Humanitarian Settlement and the Sphere Principles (Sphere Project 2000) became the basis for Angolan legislation on resettlement in 2001.

migrations, massive urbanization, and the socioeconomic development of the nation. From colonial times until the recent end of the conflict, Angolan legislators have demonstrated a consistent tendency to contain or circumscribe the land rights of the country's rural and poor peri-urban populations and to direct land resources to the hands of a few, while at various times supporting the development of commercial farming and mineral extraction (Clover 2005).

In light of that heritage and current needs, the following recommendations are offered.

1. The legal framework for land tenure and management must be adapted to the Angolan post-conflict reality. A land cadastral system legitimizing the injustices of colonial appropriation in rural areas and a faith in urban master planning are the two principles upon which legal title is presently based. These are insufficient tools to meet Angola's complex post-conflict land and settlement challenges. A more appropriate tenure framework could be based on the principle of scalable or upgradeable rights that expand upon existing categories of tenure. The framework should include the following principles:
    a. Community or collective tenure.
    b. Recognition of occupation in good faith.[12]
    c. Temporary occupation rights that may be periodically renewed and eventually upgraded.
    d. Surface rights that are granted when land falls within a cadastre or urban plan.
    e. Titled concession (as specified under the 2007 regulations).
    f. Freehold tenure with rights to transfer title.
    Only the last three of these may allow the sale or other transfer of land titles.
2. The 2004 Land Law introduced the important principle of public consultation; regulations and procedures have not yet been put in place to ensure that those affected by plans and land management decisions have opportunities to be heard and see their interests protected. Vigilance, media attention, and consistent, coordinated efforts are needed to protect and promote the interests of the majority and of economically vulnerable communities.
3. Communities need to gain corporate rights to own and manage property within governance frameworks that identify and protect their collective interests and prevent misappropriation by designated leaders.
4. Angolan land laws have left families with scattered micro-scale holdings, without the possibility of expansion, and without reserves or fallow lands, which are indispensable to maintaining soil fertility. The right of tenure of these small parcels and the right to reserve land for fallow, wood lots, forests, grazing, or transhumance, and access to water resources must be clarified. Advances in agricultural technology also need to be harnessed to preserve and improve soil fertility and to increase yields from small landholdings.

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[12] Under the Civil Code this is defined as *usucapiao* or adverse occupation.

5. Transparency within the municipal, provincial, and national government agencies responsible for allocating land titles will be a deterrent to misallocation of concessions and help level the playing field. This in turn will give local individuals and families the opportunity to compete for such concessions.

6. The implementation of current land laws present many opportunities for violations and potential conflicts while increasing the state's power to confiscate land for public use. Regulations need to be introduced to limit the government's power to expropriate land for eventual transfer to commercial or private interests, and to otherwise prevent or limit abuses and conflicts.

7. Regularizing the hundreds of thousands of existing land occupations, and transforming them step by step into titles, will be a massive task and could not be accomplished within the three-year window allocated by law. Coordinated representation and advocacy are needed to extend the three-year limit, modify the legislation, and introduce appropriate implementing regulations. The government's capacity to administer land needs to be greatly enhanced—particularly at the level of the municipalities, which, under a 2007 decentralization law, were given the responsibility of managing land units up to 1,000 square meters.

8. Information systems for land transaction records need to be set up in municipalities so that decisions can be made and conflicts adjudicated locally. A simple way to minimize corruption and abuse (and therefore avoid conflict) is to make land records public as they are in South Africa and Namibia. Municipal land information systems need to be kept current and should also be linked with the planned cadastral system, which is to be managed at the national level. The municipal system should post for public scrutiny all proposed transfers or changes of land use in order to allow affected people or communities sufficient time for consultation and, if need be, to register their objections through appropriate legal channels.

9. The guarantee of land rights for IDPs through legislative decree provided a set of benchmarks for future government planning and introduced the important concept of participation and consultation, which should be incorporated into future land and planning laws. These principles can be used to seek a level of restitution that will ensure minimal human settlement conditions for conflict-affected families. Communities and civil society should work to ensure that these resettlement principles gain greater acceptance and compliance from the government agencies responsible for social assistance.

10. Communities and civil society should continue to advocate that the Angolan government recognize the legitimacy of the right of occupation in good faith. A degree of legitimacy for temporary tenure should be recognized until a fully functional land registration system is in place.

11. The fact that informal settlements continue to grow rapidly in the post-war period means that slum prevention should be a priority for planners. Development Workshop Angola's research in 2004 indicated that in Luanda

more than 70,000 new households are created every year (Development Workshop Angola and Centre for Environment and Human Settlements 2005). Slum upgrading, while essential, is extremely expensive and both socially and politically problematic; slum prevention, through increased offers of legal land, is much simpler. The government has adopted a strategy of setting aside municipal land reserves for low- to middle-income housing in new satellite neighborhoods to help meet existing housing needs. However, these reserves must be integrated into the existing urban centers to prevent them from intruding on peri-rural peasants' lands or, even worse, becoming ghettos far from urban centers, resembling South African apartheid-era townships.

CONCLUSION

The post-war period in Angola provides an opportunity to resolve long-standing problems that, if left untended, may result in renewed conflict in the future. Angola's legacy of conflict, which was partly fuelled by injustice related to land appropriation by the governing elites (both exogenous and indigenous), must still be addressed. Successive revisions of land legislation have not fundamentally addressed the underlying problems that originally led to conflict.

Conflicts are still occurring between former IDPs and long-term residents and between farmers and pastoralists. Information about conflicts between peasants and commercial farmers has begun to appear in the press, illustrating emerging tensions in the provinces of Cuanza Sul, Huambo, Huila, and Cunene. At the same time, rising urban land values and pressure from property developers have led to highly publicized conflicts in the cities of Luanda and Benguela. It is likely that these conflicts will become even more predominant in the future. New conflicts are likely to emerge as the government's plans for the building of 1 million houses and the creation of land reserves push city limits out into the peri-rural greenbelts presently occupied by peasant farmers. Acquisition of land by the state for the public interest needs to be done in a transparent way with good consultation, with the aim of building local community buy-in. At present, the state's underdeveloped land administration institutions will have technical difficulties (from the social, agricultural, and legal points of view) in arbitrating or managing related conflicts.

The incorporation of international norms of good practice into Angolan legislation can result in real improvements in procedures for managing land and protecting the tenure rights of vulnerable groups. The introduction of the concepts of public consultation and participatory planning in the 2001 Decree on IDP Resettlement may have influenced the inclusion of these concepts in the land and planning laws drafted the following year. Public consultation on the 2004 Land Law was permitted to extend beyond the original six months to a full two years. The challenge remains, however, to fully incorporate these principles into the application of rights-based legislation.

The land law and other centrally planned laws, such as the Mining Act, have provided the state with better tools to manage natural resources. While many officials feel that these tools are necessary to restore order to the uncontrolled economy left at the end of the conflict, these tendencies run against current international practice of strengthening citizens' rights by introducing elements of participatory democracy that engage affected communities in the local-level decisions that affect them. The government's decision to assign to municipalities the power of decision making on local-level domestic-scale land management, and the creation of new municipalities with fiscal authority, are positive reforms in this direction.

Through networks such as the Rede de Terra and the independent media, it is important that Angolan civil society continue its advocacy for the promotion of land tenure rights and the protection of the urban and rural poor against arbitrary and forced removals. Land has become, for the first time, a political issue debated regularly in the parliament and is influencing the platforms of political parties. Opportunities are increasing for civil society and community representatives to employ emerging local spaces such as municipal forums and consultative councils in order to bring the debate on land rights into the public arena. Land issues are likely to be high on the agenda of elected municipal councils when they are instituted within the next several years as part of Angola's promised democratic reforms.

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