



Land Insecurity in Khartoum: When Land Titles Fail to Protect Against Public Predation

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Regularization and Land-Ownership Policies in Low-Income Neighbourhoods

The unstable economic and political context in Sudan has encouraged people to invest massively in land in urban areas. In Khartoum, the land rush concerns everyone, from the elite to the working classes – and, above all, the authorities, who maintain a stranglehold over these precious assets. Title deeds are regularly disputed, suggesting that land insecurity is on the increase.

Throughout 2016, the Sudanese currency continued to collapse,¹ reflecting the ever greater economic difficulties that have affected the country since South Sudan's independence in July 2011 and the loss of the majority of oil revenues. This economic context, far from calming the long-established Sudanese tradition of fixing the value of assets by investing in land – and urban land in particular – has actually had the opposite effect. Despite (or because of) the deep economic recession, building work and real-estate projects, while less extravagant than during the oil-boom years (2000–2010), have continued to flourish across Khartoum (Choplin and Franck 2010). However, the capitalization process has brought with it a significant change with respect to land in the capital: it has caused an explosion of new forms of conflict, and in particular an increase in the number of cases involving the public authorities, leading paradoxically to a loss of value for land titles, and consequently to widespread (legal) land insecurity.²

Growing land insecurity in low-income neighbourhoods since the secession of South Sudan

Between the 1980s and the 2000s, the Sudanese capital experienced a demographic explosion linked to the massive influx of displaced populations following droughts in the Sahel region and the resumption of armed conflict between the north and the south of the country. Control over land management in the capital, and more particularly in central and pericentral areas, became an issue of prime importance (Denis 2005). With this in mind, a policy to combat informal housing was

¹ In 2015, the Sudanese currency was reported to have lost 42% of its real parity compared with major currencies, and annual inflation is estimated to be 12.6% by the IMF.

² This article builds on a number of long-term research projects concerning land use and ownership in Khartoum that have involved numerous fieldwork visits since 2003. These include work on a thesis focusing on urban agriculture (2003–2005), complemented by a study of real-estate transformations and a land-use conflict (Franck 2015) in the Abu Se'id neighbourhood, and the initiation of a research project in 2012 regarding real-estate transactions in low-income neighbourhoods following the independence of South Sudan (Franck 2016).

implemented that combined particularly violent actions of eviction and displacement of squatters to the outskirts of the city with programs that sought to allocate third-class³ parcels of land on the urban fringes. For migrant populations with little in the way of resources, access to a permanent dwelling and property ownership is still a priority around which various strategies are built: squatting; building temporary shelters before the arrival of bulldozers in areas earmarked for rapid subdivision; purchasing parcels of land from local native populations whose collective tribal rights are asserted somewhat ambiguously on the urban fringes where the city meets the desert; requests for recognition of such transactions by local and city authorities (Ireton 2015), etc. The juxtaposition of official and customary rights creates hierarchies, in Khartoum and elsewhere, with respect to land ownership. These hierarchies generally follow a gradient from the centre to the outskirts of the city and often coincide with duration of occupancy (old-timers versus newcomers) and regional and tribal identities. The urban-planning methods employed exclude the most vulnerable populations from land-allocation programs. Repeated evictions and the importance of interpersonal relations when it comes to obtaining land parcels are both factors that contribute to the growing impression of land insecurity among the poorest populations (de Geoffroy 2015).

In this context, the independence of South Sudan and the decline in social status of South Sudanese populations living in Khartoum, today considered foreigners,⁴ revives the sentiment of land insecurity among this population, including in cases where families possess formal and valid land titles – demonstrating, if proof were needed, the central role played by trust (rather than formalization) in processes of legitimization of ownership rights. Consequently, the fear of confiscation and the need for solvency (to rebuild a life in the South or for other reasons) have led many families of South Sudanese origin to sell the dwelling it has taken them years to obtain, and which they would be unable to buy back if ultimately they cannot settle in the South owing to conflicts in the new state (Franck 2016). South Sudan's independence was therefore followed by a period of intense land transactions in Khartoum in very low-income neighbourhoods, which have bolstered the dynamics of the booming land market.⁵

³ Khartoum has retained and extended the colonial residential zoning system, which distinguishes between three urban categories. These categories are defined according to the surface area of land parcels (approximately 1,000 m² [10,800 sq. ft] for the first class, 500 m² [5,400 sq. ft] for the second class, and 200 m² [2,150 sq. ft] for the third class) and the construction materials used.

⁴ Changes in the nationality codes of both countries that have come into effect since the secession of South Sudan – introducing ethnic criteria and prohibiting dual nationality – have led to South Sudanese citizens being excluded from obtaining (north) Sudanese nationality. Populations of South Sudanese origin residing in Sudan remain in a situation of uncertainty regarding their administrative and legal situations.

⁵ In the context of research into low-income neighbourhoods, it is important to distinguish between two successive study periods: first, in 2012, a qualitative survey involving a systematic, door-to-door approach was adopted in the Mussalass neighbourhood (in the city of Omdurman, on the opposite side of the Nile from Khartoum proper and Khartoum North (Bahri)) in order to evaluate and appreciate the full extent of real-estate transactions. In total, 61 households were surveyed; semi-structured interviews conducted with residents of the neighbourhood complemented this systematic survey. Second, a subsequent survey was carried out in the same neighbourhood between January and April 2016, with a view to observing the changes that had taken place (the return of South Sudanese populations, in particular) since the start of the conflicts in South Sudan (in 2013).

Figure 1. “Private property”



The word painted on the wall is *malika* (“queen”) and is in fact a spelling mistake: the owner meant to write *milkiya*, or “private property”. The Mussalass neighbourhood of Omdurman, which was home to many South Sudanese people before the secession, is currently undergoing considerable change; the frenzied real-estate situation is such that this homeowner felt obliged to inscribe the tenure status of her property directly on the wall, indicating that it is neither abandoned nor for sale. © Alice Franck, 2016.

Land conflicts of all kinds have increased significantly: a plot of land might change hands several times a year, sold on by an intermediary or an unscrupulous landowner, or an attempt to regularize a transaction might be blocked by local authorities – and these are but two examples. Above all, direct conflicts between urban authorities (via the planning ministry and/or the state of Khartoum) and residents have increased. In 2005, a demolition operation in the neighbourhood of Soba Aradi and the “rehousing” (displacement) of inhabitants to an unserviced desert site some 40 kilometres (25 miles) north of the capital resulted in extreme violence that saw 10 police officers killed and dozens of people arrested. These kinds of (often violent and tragic) events are today a regular occurrence in the Sudanese capital, perhaps attesting to a growing resistance among inhabitants, and above all to the intensification of predatory processes in a land market that is out of control.⁶ Land insecurity, which has always been high in the poorest areas of Greater Khartoum, especially among stigmatized populations, has been further exacerbated and today affects the whole of the city and its inhabitants, with high-value locations and affluent populations perhaps even more acutely concerned, regardless of the land titles in their possession.

Affluent neighbourhoods are not immune

As a result, the production of the city has become highly lucrative for the public authorities, which collectively form the largest landowner in the country following the application of the *Unregistered Land Act (1970)*, which decrees that all unregistered Sudanese land becomes the property of the state.⁷ However, up until the 2000s, most urban development policies in the capital

⁶ See: www.dabangasudan.org/en/all-news/article/land-sale-protesters-shot-in-khartoum.

⁷ This concerns over 90% of land in Sudan. On the scale of Khartoum, only those parcels of land close to the Nile, formerly occupied, were registered as fully private property. Khartoum’s city boundaries include significant areas of

were limited to maintaining control over land by allocating unserviced plots of land on the edges of the city at low rates to disadvantaged populations, and safeguarding central and pericentral districts in order to serve a clientelist elite (Denis 2005). For example, the state often distributes plots of land to civil servants to compensate for low salaries, or to reward favours and loyalty. The control exercised by the Sudanese state via the Ministry of Physical Planning and Public Utilities of the state of Khartoum – and indeed by the state of Khartoum itself – over land in the capital is quite formidable, bearing in mind the planning operations (allocation, displacement, relocation) that public authorities can implement and the considerable land reserves at their disposal, particularly on the desert fringes of the capital. The expansion of the market and its opening-up to foreign capital offers new opportunities, as evidenced by the appearance and proliferation of real-estate agencies, the abundance of land parcels and/or villas on private (sometimes gated) estates for sale, and the multitude of offers of credit made available to finance such purchases.

Figure 2. The numerous residential subdivision projects of Sogatra – a Sudanese-Yemeni-Saudi company created in 2003 – in Khartoum State



Source: www.sogatra.com.

the surrounding desert, which constitutes a major supply of state-owned land, even in cases where such land is used by pastoral communities.

This fervour for real estate is focused in particular on central districts of Khartoum, the banks of the Nile, and first-class residential zones (including on the far urban fringes). These transactions are therefore increasingly competing with the traditional land holdings of the Sudanese urban elite (Mahmoud 1984). Rising land and real-estate prices in the capital today reflect the existence of two distinct markets: a working-class land market with prices that are extremely high compared to the purchasing power of the populations concerned, and a first-class market where prices (expressed in dollars) are now comparable to those of European capitals (Franck 2015).

Figure 3. A new-build house in the Kafouri neighbourhood, where sales prices for villas can reach into the millions of dollars



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Elsewhere in Greater Khartoum, farmland on the banks of the Nile is falling prey to major urban development projects. The methods used to transform these areas of vegetable production into sites suitable for development vary wildly across the metro area and depend much more on the political connections of the population concerned than on any documents attesting to a right to occupancy (Franck 2015). In general, the different procedures associated with ownership (registration, compensation, allocation, inheritance, etc.) are all long and costly, and follow an administrative trajectory where various forms of predation exist at every step and at almost every level of urban governance (the state of Khartoum, local government, lands offices, *ad hoc* conflict-resolution committees, etc.). Furthermore, even when cases are brought before the courts (either individually or collectively) and the judgment comes down in favour of the cheated landowner(s) – as was the case in the Abu Se‘id neighbourhood, where the legal conditions for the requisition of land had not been respected by the state of Khartoum – a presidential decree is all it takes to render the courts’ decisions null and void. The number of conflicts in affluent neighbourhoods, as in other areas, is rising; here, too, claims advance (or grind to a halt) according to the strength of the personal relations that the individual(s) concerned can call upon within the different administrations responsible for land management. At a different scale, land-related scandals concerning the very highest spheres of the state of Khartoum – including the former governor and close allies – that

involve the sale of over 300 parcels of land at prices far below market rates for personal gain have recently broken out in the national press.⁸

Title deeds falter under the weight of the market and predatory behaviour

Taken together, all of these processes – the multiplication of subdivision projects and public land requisition operations, the amplification of dynamics of conflict and misappropriation – seriously undermine residents’ trust in the state and its ability to guarantee the security of private property. Vast numbers of committees have been created (on an *ad hoc* basis) or tasked with investigating and resolving land conflicts. These requests emanate both from former tribal authorities and local state institutions, demonstrating a trend for “institutional bricolage” (Cleaver 2002; Casciarri 2015) to combat land-grabbing. However, the security and legitimacy of title deeds in Khartoum is proving shaky, even though Sudan has shown itself to be a model student in terms of neoliberal land reform and combating informal housing, measures recommended by major international institutions (IMF, World Bank, etc.). The public authorities in Khartoum are managing to retain control over urban land, and compensate those unhappy with this state of affairs using the immense desert land reserves available to them on the edge of the city. The connections and alliances that are now necessary for any appeal – or, more generally, for any administrative procedures relating to land, including when an individual can prove ownership with written title deeds – undermine the sentiment of land security for all residents, and by the same token weaken the formal status of private property. Even long-standing ownership no longer provides any guarantees today. Ultimately, this situation is fuelling not just a rise in tensions surrounding land in Khartoum, but also growing distrust of the government and its vague intentions to protect the common good.

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⁸ For example: Akhir Lahza, “Manipulation in the governor’s office”, article published on 1 October 2015 [in Arabic]; Intahbat, “Khartoum State land inquiry committee: war on corruption declared”, article published on 29 September 2015 [in Arabic].

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