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COUNTERING LAND FRAUD THROUGH DIGITAL CONVEYANCING REFORMS: INSIGHTS FROM KENYA'S ARDHISASA FOR ZIMBABWE***Munashe Matambo***University of South Africa, Preller Street, Muckleneuk Ridge Pretoria, South Africa**E-mail: matamm@unisa.ac.za**Received 15 November 2025; accepted 10 February 2026; published 30 March 2026*

Abstract. This study examines Zimbabwe's Deeds Registries Regulations, Statutory Instrument 76 of 2025 as a legislative foundation for mitigating syndicated land fraud through strategic adoption of Kenya's Ardhisasa digital governance model. Employing qualitative documentary analysis of Zimbabwean litigation trends (*Zavazava*, *Mutumbuka*, *Chirimuta*, *Mariko*) and regulatory frameworks within the e-governance paradigm, the research identifies Sections 40–44's mandate for title validation and blockchain-backed securitised deeds as pivotal yet reveals critical gaps in biometric verification and automated compliance that perpetuate impersonation and document tampering risks. Consequently, the paper proposes institutional recalibration beyond digitisation: (1) integrating Kenya's stakeholder-centric "phygital" hybrid systems during Zimbabwe's 24-month validation phase; (2) embedding real-time identity cross-checks; and (3) implementing immutable audit trails to fulfil Section 90 of the Deeds Registries Act. These recommendations reconfigure the Deeds Registry as a guarantor of constitutional property rights guaranteed in Section 71(1) of the Constitution of Zimbabwe, 2013. The study contributes to debates on counteracting deed fraud in Africa.

Keywords: Syndicated deeds fraud; Zimbabwe; Kenya Ardhisasa; e-governance; securitised deeds; phygital systems; blockchain; geospatial technologies

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JEL Classifications: K11**Additional disciplines** law**1. Introduction**

The constitutional guarantee of property rights under Section 71(1) of the Constitution of Zimbabwe, 2013 establishes land ownership as a fundamental legal entitlement, with the Deeds Registry serving as the institutional custodian of title security. In principle, registered ownership should confer indefeasibility of title, ensuring that *bona fide* proprietors are insulated from adverse claims a foundational tenet of property law that underpins economic transactions, credit markets, and urban development (Mhishi, 2005). Yet, the systemic erosion of institutional integrity within Zimbabwe's Deeds Registry over the past two decades has precipitated a crisis of legal certainty, undermining both public trust and the efficacy of property governance. A syndicated network of actors including deeds officials, conveyancers, real estate agents, and even officials in the registrar of births and deaths office has exploited procedural vulnerabilities to orchestrate fraudulent property transfers, often through the fabrication of identity documents and the impersonation of legitimate owners. In the case of *Zavazava* and *Zavazava v Tendere and Ors* HH 749-15 Justice Mathonsi argued that: "It would appear that conveyancing laws in this country are not foolproof because fraudsters continue to exploit the weaknesses in the procedure for

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registration of transfers to defraud innocent property seekers. The leakages in the system have meant that cases of unlawful transfers of immovable property continue to reach the courts with alarming frequency. For how long will these fraudsters, who strut among communities, continue to hold sway, to make a mockery of transfer rules to milk unsuspecting home seekers dry in order to make a dishonest living? These shameless individuals bring the whole process of private ownership of immovable property and registration of title to disrepute. There is a pressing need for reforms to be introduced in conveyancing rules in order, not only to modernise the system, but also to render the system foolproof hopefully protect property owners”.

Against this backdrop, Kenya’s blockchain-based Ardhisasa land management platform emerges as a pivotal African model for digital governance reform. Ardhisasa demonstrates how integrated biometric verification, immutable audit trails, and automated compliance can disrupt syndicated fraud networks by enhancing transparency and closing procedural vulnerabilities exploited in Zimbabwean cases such as *Chirimuta v Action Property Sales HC 871/05* and the Mutumbuka case. Framed within the e-governance paradigm, this qualitative desktop study interrogates: (1) How can Zimbabwe’s Deeds Registry leverage Kenya’s Ardhisasa experience to mitigate syndicated fraud and restore institutional integrity? (2) What institutional recalibration is essential for implementing Section 90 of Zimbabwe’s Deeds Registries Act [Chapter 20:05] beyond mere technical digitalisation? The paper argues that Ardhisasa’s success lies not just in technology but in its stakeholder-sensitive “phygital” (physical-digital hybrid) rollout and accountability reconfiguration offering Zimbabwe a blueprint for transforming its registry from a vulnerability point into a guarantor of constitutional property rights. Subsequent sections analyse Zimbabwe’s fraud pathology, distil actionable lessons from Kenya’s model, and propose context-specific implementation pathways.

2. Theoretical framework

The e-governance paradigm provides the essential theoretical scaffolding for diagnosing Zimbabwe’s deeds fraud crisis and conceptualising e-conveyancing as institutional transformation. Grounded in public administration scholarship, this paradigm transcends technological determinism by conceptualising digital innovation as a process restoring the state’s capacity to deliver property rights through interdependent dimensions of transparency, interoperability, and accountability reconfiguration (Dunleavy et al., 2006). The framework addresses the syndicated fraud pathologies subsequently analysed by positioning e-conveyancing as institutional triage rather than mere technical modernisation (Nagel, 2025). E-governance’s transparency-through-technology dimension confronts custodial document manipulation (exemplified later in the Mutumbuka case) by establishing immutable audit trails and real-time visibility (Khan, Krishan & Dhir, 2021). Digital platforms such as Ardhisasa’s blockchain-secured platform delivers streamlined access to land records, enhanced transparency, tamper-proof security, reduced fraud and corruption, transactional efficiency, and data-driven planning nationwide (Saari, Vimpari & Junnila, 2022). Furthermore, such systems directly counter the physical deed extraction and re-registration fraud (illustrated in the Mutumbuka case discussed later. Simultaneously, the institutional interoperability pillar addresses impersonation fraud (typified in the Chirimuta case analysis) through biometric cross-verification between agencies. South Africa’s DeedsWeb implementation shows how integrating deeds registries with national identity systems closes authentication gaps by enabling real-time ID validation directly mitigating risks from counterfeit documentation analysed in subsequent cases (Napier et al., 2020). Critically, the paradigm’s stakeholder accountability reconfiguration dimension targets procedural subversion (evident in the Zavazava case) by automating compliance checks and redistributing oversight. Digital mandate verification systems, as implemented in Australia’s PEXA platform, eliminate conveyancer discretion in initiating transfers without owner authorisation. This reconfiguration disrupts collusive networks by reducing discretionary decision points where corruption incubates (PEXA, 2025). Ultimately, the paradigm repositions Section 90 of Zimbabwe’s Deeds Registries Act [Chapter 20:05] from an administrative provision to legal imperative a lever for institutional triage that recalibrates the registry as fiduciary custodian of the titlary social contract.

3. Literature Review

The pervasive challenge of land fraud in sub-Saharan Africa has drawn considerable scholarly attention, particularly in the context of weak institutional frameworks and rapid urbanisation. This section synthesises existing research on syndicated land fraud, e-governance reforms in land administration, and innovative digital models like Kenya's Ardhisasa, while drawing comparative insights relevant to Zimbabwe's ongoing regulatory shifts under Statutory Instrument 76 of 2025. By examining theoretical underpinnings and empirical case studies, the review identifies gaps in current practices and highlights transferable strategies for enhancing title security and institutional integrity. The discussion is organised around key themes: the etiology of land fraud in Zimbabwe and Kenya, the role of e-governance in transforming land registries, the specifics of Ardhisasa as a benchmark, blockchain applications in African contexts, and policy lessons for Zimbabwe's digital transition.

The Etiology of Land Fraud in Zimbabwe and Kenya

Land fraud in sub-Saharan Africa often manifests as a syndicated phenomenon, involving collusion among public officials, private actors, and intermediaries who exploit procedural loopholes in land registries (Wicomb, 2024). In Zimbabwe, urban land corruption has been characterised as a multifaceted issue intertwined with political patronage and economic desperation (Chiweshe et al., 2025). For instance, Matamanda et al. (2025) research on Harare's land governance reveals how politicians and connected elites abuse power to allocate land as a tool for maintaining influence, leading to widespread irregularities in title transfers and allocations. This is echoed in broader comparative studies across Kenya, Ethiopia, Nigeria, and Namibia, which demonstrate that corruption levels vary by governance structures but commonly involve pentapartite actors i.e. politicians, bureaucrats, private developers, traditional leaders, and citizens each leveraging land for personal gain. Such dynamics not only erode public trust but also perpetuate gender disparities, as women in Harare face amplified barriers due to intersectional biases in corrupt land dealings (Barnes, 2024).

In Kenya, land-related crimes are similarly rampant, driven by factors like greed, land grabbing, and delays in title issuance. A baseline survey highlights that over 47% of respondents attribute these crimes to landowner avarice, while 33% point to systemic land grabbing, often facilitated by forged documents and impersonation (Mbaye, 2024). Earlier situational analyses underscore the prevalence of fraudulent titles, where counterfeit deeds circulate due to lax verification processes at the Ministry of Lands. These issues are compounded by perjury in court proceedings, where false testimonies enable fraudsters to legitimize illegal transfers, suggesting that stricter enforcement of perjury laws could serve as a deterrent (Transparency International Kenya, 2025). Comparatively, both countries exhibit patterns of impersonation and document tampering, but Zimbabwe's cases often involve insider manipulation within the Deeds Registry, as seen in high-profile litigations like Mutumbuka, where physical deeds were extracted and altered. This contrasts with Kenya's more decentralised fraud networks, which thrive on bureaucratic delays and informal settlements (Mbaye, 2024).

The United Nations Economic Commission for Europe (2021) argues that these fraud modalities stem from colonial legacies of fragmented land tenure systems, where formal registries coexist uneasily with customary rights. In Zimbabwe, the post-independence land reform program exacerbated vulnerabilities, as rapid reallocations without robust digital safeguards invited exploitation. Similarly, Kenya's historical land injustices, rooted in colonial disposessions, have fueled disputes that digital interventions aim to resolve. Data mining approaches to detecting fraud patterns, such as those analysing transaction anomalies, offer promising tools for identifying syndicated schemes, but their adoption remains limited in resource-constrained African registries. Overall, the literature emphasizes that land fraud is not merely a legal issue but a governance failure, where weak accountability mechanisms allow predatory networks to flourish, undermining economic development and social stability.

The Role of E-Governance in Transforming Land Administration in Africa

E-governance has emerged as a critical paradigm for reforming land administration, shifting from paper-based systems to digital platforms that enhance transparency, efficiency, and inclusivity (Cheng & Li, 2024). In Africa, e-governance adoption is influenced by economic, political, and infrastructural factors, with studies showing that higher ICT access correlates with advanced digital services, though political stability plays a pivotal role in implementation success. Early initiatives, dating back to the 1990s, focused on basic digitization, but recent efforts integrate advanced technologies to combat corruption. For land sectors specifically, digital administration is positioned as a tool to curb bribery and fraud by automating processes and creating audit trails (Olumekor et al., 2025).

Transforming land administration through e-government involves overcoming legal, technical, and cultural barriers, as incorporating digital tools requires extensive regulatory overhauls (Rarhoui, 2024). In West Africa, analyses of 15 countries by Akpan-Obong et al. (2023) reveal that while e-governance promises better service delivery, offline challenges like low digital literacy and infrastructure gaps hinder equitable access. Kenya's experiences illustrate this, where e-government milestones since 2004 have digitised transactions in the Ministry of Lands, reducing physical visits and enabling online permits. Universities have played a role in capacity building, partnering with governments to develop governance systems that address these hurdles (Parliament of Kenya, 2019).

Broader African contexts highlight how ICT utilisation in land management can boost revenue and reduce bureaucracy (Danda & Wema, 2024). For example, online services for building permits and registrations streamline operations, though adoption varies by region. The African Peer Review Mechanism frames e-governance as leveraging ICT for transparent public administration, emphasising mobile apps and digital platforms to democratize access (Herbert & Gruzd, 2008). However, Broome (2015) warns against technological determinism, arguing that e-governance must be embedded in broader institutional reforms to avoid replicating existing inequalities. In Zimbabwe, the push toward digital deeds under SI 76/2025 aligns with this, but Zinyama (2012) cautions that without stakeholder engagement, such transitions risk alienating vulnerable groups.

The Ardhisasa Model: A Benchmark for Digital Land Management in Kenya

Kenya's Ardhisasa platform represents a flagship example of e-governance in action, integrating blockchain and geospatial technologies to overhaul land records (Wabwire & Njoki, 2023). Launched in 2021, Ardhisasa meaning "land now" in Swahili provides a unified digital registry for property ownership, registrations, and transfers, addressing historical fraud through tamper-proof records and real-time verification. Studies on its implementation analyze stakeholder impacts within the Ministry of Lands, noting improvements in efficiency but also challenges like resistance from traditional bureaucrats (Okembo et al., 2024).

The platform's interoperability framework, aligned with the Land Administration Domain Model (LADM), facilitates data exchange across agencies, reducing silos that enable fraud. A Kenyan LADM profile adapts international standards to local needs, incorporating customary tenure and urban-rural divides. Media coverage underscores its role in easing access to land information, with print outlets highlighting how it minimizes disputes by offering verifiable ownership details. Infrastructurally, Ardhisasa's development involved liminal processes bridging old and new systems through diverse interventions like digitisation drives and user training (Hoefsloot & Gateri, 2024).

Efficiency gains are evident the system fast-tracks searches, valuations, and title issuances, slashing backlogs that once plagued manual processes (Chesang, Masese & Rugiri, 2025). Modernisation efforts, including process optimization, have enhanced performance, allowing online transactions for registrations and payments. Within the National Land Information Management System (NLIMS), Ardhisasa supports data-driven planning, preventing unplanned settlements and promoting sustainable use. Yet, challenges persist, such as digital divides in rural

areas, where low internet penetration limits accessibility (Kuria & Mwikya, 2024). Transparency International Kenya (2021) notes that while Ardhisa curtails corruption opportunities, full success depends on continuous updates and public education. This "phygital" hybrid blending physical and digital elements offers a nuanced model, where biometric verification and audit trails directly counter impersonation and tampering seen in Zimbabwean cases.

Blockchain and Emerging Technologies in African Land Registries

Blockchain technology has gained traction as a secure backbone for land registries, promising immutable records that deter fraud (Chesang et al 2025). In Africa, initiatives such as Ghana's Bitland use blockchain to register untitled lands, partnering with local communities to build trust (Mhlanga, 2023). Broader applications span Bermuda to Rwanda, where decentralised ledgers help lift people out of poverty by formalising ownership (Hughes et al., 2022). Conceptual frameworks for blockchain land registration emphasise roadmaps from conceptualization to deployment, validating systems against real-world fraud scenarios. In Ghana, stool land acquisition frameworks enable objections via blockchain, reducing disputes in customary systems (Mhlanga, 2023). South Africa's explorations require policy amendments to integrate blockchain legally, highlighting the need for regulatory alignment (Amadi-Echundu, 2021). However, offline challenges such as power outages and digital literacy undermine electronic registries, as seen in piecemeal African digitisation efforts (Rokgoale, Bag & Pretorius, 2024). Blockchain's transparency could recalibrate Zimbabwe's Deeds Registry, but integration demands addressing these practicalities.

Comparative Insights and Lessons for Zimbabwe's Digital Transition

Zimbabwe's shift to digital deeds under SI 76/2025 draws lessons from regional models, emphasising risk management and confidence-building in electronic systems. E-conveyancing challenges include transitioning from paper to digital, with solutions such as computerised databases to streamline registrations. The 24-month validation phase risks invalidating unverified titles, urging proactive compliance to secure properties. This enhances integrity across land categories but requires public awareness to avoid rushes. Comparative studies stress motivating citizen compliance and sustaining funding. Zimbabwe's electronic registration involves hybrid systems, blending manual and digital for rural planning. Databases like Alpha and Oracle illustrate phased digitisation, but full adoption needs addressing gaps in infrastructure. Law firms need to guide holders through the process, of modernisation to prevent fraud. Blockchain's practicality for Zimbabwe lies in protecting rights via decentralized tools. In synthesis, literature reveals that while digital systems like Ardhisa offer robust fraud mitigation, success hinges on contextual adaptation, stakeholder buy-in and addressing digital divides. For Zimbabwe, this means going beyond SI 76/2025's mandates to integrate biometrics and audit trails, filling gaps in biometric verification to fulfill constitutional property rights.

4. Methodology

This study adopts an interpretivist epistemological framework, grounded in the ontological premise that institutional transformations in land governance are shaped by contextually embedded social practices and inter-subjective meanings rather than objective, detached realities. This paradigmatic stance aligns with the need to explore the complex interplay between Zimbabwe's syndicated land fraud crisis and the potential of Kenya's Ardhisa platform as a model for reform. A qualitative approach is employed, emphasising documentary analysis as the primary method to engage with textual artifacts across both jurisdictions. This method facilitates a hermeneutic exploration of legislative, judicial, and technical documents, enabling a nuanced understanding of fraud pathologies and digital governance solutions. The choice of qualitative methodology reflects the study's aim to interpret institutional dynamics and propose context-specific recommendations rather than quantify fraud occurrences, which would be less suited to capturing the socio-legal intricacies involved (Creswell, 2014).

Data collection involved purposive sampling of diverse documentary sources to ensure relevance and evidentiary rigor. Key materials included Zimbabwe's legislative instruments, such as the Constitution of Zimbabwe, 2013 and the Deeds Registries Act [Chapter 20:05], alongside Kenya's Land Registration Act, No.3 of 2012. Judicial decisions, such as *Zavazava v Tendere & Ors HH 749-15*, were analysed to elucidate fraud mechanics and judicial responses. Executive publications, including Ardhisa's technical specifications and Zimbabwe's Statutory Instrument 76 of 2025, provided insights into digital implementation frameworks. Parliamentary proceedings from both nations, scholarly critiques on African e-governance, and professional advisories from legal and surveying bodies were also curated. All sources were retrieved from authenticated platforms, including governmental portals, legal databases such as ZimLii and Kenya Law Review, and academic repositories, ensuring credibility and traceability. The analytical process followed Boyatzis' (1998) thematic analysis framework, beginning with inductive coding to identify emergent patterns such as "custodial vulnerability," "biometric remediation," and "procedural subversion" across the documentary corpus. These codes were deductively mapped onto the e-governance paradigm's core dimensions transparency, interoperability, and accountability reconfiguration as articulated by Dunleavy et al. (2006).

Limitations of the methodology include its reliance on textual sources, which may not fully capture lived institutional dynamics or stakeholder experiences. However, triangulation across diverse authoritative documents mitigates this by providing a comprehensive view of governance challenges and solutions. The methodology's strength lies in its ability to synthesize legal, technical, and scholarly perspectives, offering actionable insights for Zimbabwe's digital transition under SI 76/2025. By aligning with e-governance scholarship, the study contributes to debates on institutional recalibration in African land registries (Bannister & Connolly, 2014).

5. Research Findings

The author provides a summarized view of types of revealed land fraud, which might serve as a warning to readers from both, considered and other countries (see Table 1 below).

Table 1. Types of land fraud in Zimbabwe's Conveyancing system

Types of Fraud	Description	Common Method/Vector
Impersonation Fraud	Fraudsters pose as legitimate property owners using forged or stolen identity documents to execute unauthorised sales or transfers	Fake national identity documents, death certificates or power of attorney
Custodial document manipulation	Insiders within the deeds registry physically extract, alter or replace title deeds to facilitate fraudulent transfer.	Collusion with registry officials, removal or tampering of physical deed records.
Procedural subversion in transfers	Unauthorised transfers conducted by conveyancers or estate agents without the knowledge or consent of the rightful owners	Abuse of professional access and failure to verify owner authorisation
Fraudulent sales or deceased estates	Property of deceased persons is sold by imposters or unscrupulous agents before lawful succession is concluded.	Exploitation of delays in estate administration, false affidavits and signatures
Syndicated insider collusion	Organised networks involving deeds officials, lawyers, real estate agents, and bureaucrats collaborate to fabricate transactions	Multiple actor coordination, bribery, and manipulation of transaction documents
Fraud through forged court orders	Use of fraudulent court orders or letters of administration to legitimise illegal transfers	Fabricated judicial or administrative documents
Land highjacking & unauthorised developments	Fraudsters sell land that they do not own often to multiple buyers, sometimes with fabricated planning permits	False advertisements, fake title deeds, and corrupt local planning officials

Source: Author's own systematization

The qualitative documentary analysis undertaken in this study uncovers a multifaceted landscape of land governance challenges in Zimbabwe, juxtaposed against the transformative potential demonstrated by Kenya's Ardhisa platform. By synthesising patterns from Zimbabwean court litigations, such as *Zavazava v Tendere & Ors HH 749-15*, *Chirimuta v Action Property Sales HC 871/05*, Mutumbuka's high-profile case, and *Mariko v*

Stohill Investments HH 279-23, with implementation insights from Ardhisa's rollout and broader theoretical perspectives on e-governance, the findings highlight how digital interventions can disrupt entrenched fraud networks. Central to this analysis are three e-governance dimensions: enhanced transparency, institutional interoperability, and algorithmic accountability. These elements not only address the systemic vulnerabilities exposed in Zimbabwe's deeds registry but also offer a blueprint for recalibrating the institution under Statutory Instrument 76 of 2025. The synthesis reveals that while Zimbabwe's fraud pathologies stem from manual processes prone to manipulation, Ardhisa's blockchain-backed system has yielded measurable reductions in disputes and inefficiencies, underscoring the need for Zimbabwe to adopt hybrid "phygital" strategies during its 24-month validation phase.

Zimbabwe's litigation trends illustrate a persistent crisis of syndicated fraud, where impersonation, unauthorised transfers, and insider collusion erode property rights. In *Zavazava v Tendere & Ors HH 749-15*, for instance, the court dealt with a fraudulent transfer orchestrated through estate agents Thermo-Dynamics Real Estate, who advertised and sold the property without the owners' consent, leading to development by innocent third parties. Justice Mathonsi highlighted the "alarming frequency" of such cases, attributing them to procedural weaknesses in conveyancing that allow fraudsters to exploit gaps in verification. Similarly, the *Chirimuta v Action Property Sales HC 871/05* case exposed impersonation vulnerabilities, where imposters used fabricated IDs to sell a vacant property, defrauding buyers after substantial deposits were paid. The Mutumbuka case further exemplifies custodial betrayal. Deeds Office supervisor Lynna Mlambo extracted physical deeds, enabling forgery and a distress sale at US\$140,000 against a US\$600,000 valuation, costing the victim over US\$131,000 in recovery efforts. A recent resolution in November 2024 saw Mutumbuka regain his property, but it exposed deep-rooted networks involving insiders (*The Herald 19/11/2024*). *Mariko v Stohill Investments HH 279-23* involved estate agents relying on superficial deed searches, allowing an imposter to sell property of a deceased owner, defrauding buyers of US\$50,000. These cases collectively demonstrate interconnected modalities impersonation, procedural subversion, and document tampering that generate market paralysis, particularly affecting diaspora owners and undermining credit security.

In contrast, Kenya's Ardhisa integrates blockchain and digital tools to mitigate similar issues. Implementation data from 2024-2025 indicates a shift toward tamper-proof records, with the platform facilitating online transactions like transfers and searches, reducing physical interactions. By January 2025, Kenya transitioned from old mutation forms to digital ones via Ardhisa, enhancing accountability and curbing fraud risks. An assessment of the Land Registration (Electronic Transactions) Regulations 2020 reveals that biometric verification and electronic signatures have curtailed forgery, addressing patterns akin to Zimbabwe's impersonation cases (Kenya Law, 2022). Theoretical insights from e-governance scholarship, such as those emphasizing transparency-through-technology (Khan, Krishan & Dhir, 2021), align with Ardhisa's immutable audit trails, which prevent the kind of document extraction seen in Mutumbuka.

Delving into the first dimension, enhanced transparency emerges as a cornerstone for disrupting fraud. In Zimbabwe, opaque manual registries enable collusion, as evidenced by the *Zavazava* case where transfers occurred without owner mandate, violating *nemo dat quod non habet*. Litigants often discover fraud post-transaction, leading to frequent court interventions. Ardhisa counters this by establishing a single authoritative source for land records, allowing real-time verification and eliminating uncertainty. Implementation reports from 2024 note that digitised records have minimised disputes, with users accessing ownership details 24/7, reducing bribery opportunities. For example, blockchain ensures tamper-proof security, making alterations "virtually impossible," as per 2025 evaluations. This transparency has boosted efficiency, with transaction times slashed and corruption curtailed, supporting national planning through accurate data. Theoretically, e-governance paradigms position transparency as restoring state capacity (Dunleavy et al., 2006), a view echoed in African contexts where digital platforms like Ardhisa foster trust by democratising access. For Zimbabwe, integrating such features

during SI 76/2025's validation could validate titles transparently, preventing the "procedural minimalism" in Mariko where agents skipped identity checks.

The second dimension, institutional interoperability, addresses authentication gaps exploited in Zimbabwean fraud. In Chirimuta, manual verification failed to detect counterfeit IDs during transaction intervals, allowing superficial legitimacy. Mutumbuka's insider extraction highlights siloed agencies, where deeds offices lack cross-checks with identity systems. Ardhisasa's interoperability integrates biometric cross-verification across ministries, enabling real-time ID validation and closing gaps similar to South Africa's DeedsWeb (Napier et al., 2020). Data from Kenya's 2025 assessments show reduced impersonation through electronic tools, with the platform supervising stages to detect anomalies. Challenges persist, such as rural digital divides, but hybrid models mitigate this by maintaining manual backups. Theoretical frameworks underscore interoperability as countering fragmentation (Nagel, 2025), with insights from African research advocating collaborative model. In developing countries, this involves overcoming infrastructure barriers, as seen in Malaysia's e-Tanah, which integrated processes to boost revenue by 47% in one year. Zimbabwe could embed real-time checks in its deeds system, linking with births and deaths registries to prevent cases like Mariko's deceased owner impersonation.

Finally, algorithmic accountability reconfigures oversight to target procedural subversion. In Zavazava, conveyancers executed transfers without authorization, incubating corruption at discretionary points. Ardhisasa automates compliance, redistributing accountability via audit trails and mandate verification, akin to Australia's PEXA (PEXA, 2025). 2024-2025 data indicate curtailed bribe demands and faster processing, though user difficulties in tracking require improved customer support. Theoretically, this dimension transforms registries into fiduciaries (Bannister & Connolly, 2014), with African studies emphasizing frameworks for socio-economic context. Challenges like hacking risks necessitate robust cybersecurity, but benefits include sustainable land use planning. These findings affirm Ardhisasa's role in institutional triage, offering Zimbabwe pathways to fulfill Section 90 of the Deeds Registries Act. By adopting phygital systems, Zimbabwe can mitigate fraud, restore trust, and uphold constitutional rights.

6. Conclusions

This study has systematically examined the entrenched problem of syndicated land fraud in Zimbabwe, as exposed through high-profile litigation cases such as *Zavazava v Tendere & Ors HH 749-15*, *Chirimuta v Action Property Sales HC 871/05*, *Mutumbuka*, and *Mariko v Stohill Investments HH 279-23*, alongside recent fraud incidents reported in 2025. These cases underscore a crisis of institutional integrity within Zimbabwe's Deeds Registry, where impersonation, procedural subversion, and custodial document manipulation have undermined the constitutional guarantee of property rights under Section 71(1) of the Constitution of Zimbabwe, 2013. By drawing on Kenya's Ardhisasa platform as a comparative model, the research demonstrates how e-governance principles transparency, interoperability, and accountability offer a viable pathway to recalibrate the Deeds Registry into a robust guarantor of title security. Ardhisasa's blockchain-backed system, fully transitioned to digital mutation forms by March 2025 and expanded to counties like Isiolo by July 2025, has reduced fraud through tamper-proof records, real-time verification, and stakeholder-inclusive rollout, providing actionable lessons for Zimbabwe's ongoing reforms under Statutory Instrument 76 of 2025 (SI 76/2025).

The findings reveal that Zimbabwe's fraud pathologies thrive on manual processes vulnerable to insider collusion and lax verification, as seen in the Mutumbuka case's US\$131,000 recovery costs and the US\$419,000 scam affecting 16 home seekers in September 2025. In contrast, Ardhisasa's integration of biometric authentication, immutable audit trails, and automated compliance protocols has curtailed similar risks in Kenya, fostering trust and efficiency. The policy recommendations implementing a stakeholder-centric "phygital" hybrid system, embedding real-time identity cross-checks, and establishing blockchain-based audit trails directly address these

vulnerabilities. These strategies align with Section 90 of the Deeds Registries Act, transforming the registry from a site of exploitation into a fiduciary institution that upholds the titlary social contract.

However, challenges remain, including Zimbabwe's digital divide, low public awareness, and resource constraints. The 24-month validation deadline under SI 76/2025 risks invalidating unverified deeds, necessitating urgent action through mobile validation units, public campaigns, and inter-agency collaboration. Drawing from Ardhisasa's success, which saw over 2,200 records digitized in Isiolo alone, Zimbabwe can leverage partnerships and phased implementation to ensure inclusivity, particularly for rural and diaspora owners. The study contributes to African e-governance debates by highlighting the need for context-specific digital reforms that transcend technological fixes, emphasizing stakeholder engagement and institutional accountability.

In conclusion, Zimbabwe stands at a pivotal juncture to restore public trust and economic stability by adopting Ardhisasa's proven mechanisms. By implementing the proposed reforms within the SI 76/2025 framework, the Deeds Registry can safeguard property rights, reduce the estimated 2,000 plus annual fraud cases, and support sustainable land governance. Future research should explore the long-term socio-economic impacts of these digital transitions, particularly on marginalized groups, to ensure equitable access to secure land ownership.

7. Recommendations

Drawing from the analysis of Zimbabwe's persistent land fraud challenges, alongside the proven efficacy of Kenya's Ardhisasa platform this section outlines a set of comprehensive policy recommendations. These proposals aim to recalibrate Zimbabwe's Deeds Registry under Statutory Instrument 76 of 2025 (SI 76/2025), transforming it from a site of vulnerability into a robust guardian of property rights as enshrined in Section 71(1) of the Constitution of Zimbabwe, 2013. The recommendations build on the e-governance paradigm's pillars of transparency, interoperability, and accountability, emphasizing a "phygital" hybrid approach that blends digital innovation with physical safeguards to address procedural gaps exposed in litigations such as *Zavazava v Tendere & Ors HH 749-15* and Mutumbuka's recovery in November 2024. They also incorporate lessons from Ardhisasa's stakeholder-inclusive rollout, which has reduced fraud by providing tamper-proof records and real-time access, while adapting to Zimbabwe's context of urban-rural divides and diaspora ownership.

The overarching goal is to mitigate syndicated fraud characterised by impersonation, document tampering, and insider collusion through institutional reforms that extend beyond mere digitisation. As highlighted in the Deeds Registries Regulations, 2025, gazetted on July 18, 2025, the 24-month validation window for old title deeds presents a critical opportunity for implementation. Failure to act decisively risks perpetuating the "alarming frequency" of fraud noted by Justice Mathonsi, with recent reports indicating over 2,000 property fraud cases reported to the Zimbabwe Republic Police in 2024 alone. These recommendations are structured around three core strategies, supplemented by enabling measures for sustainability, with phased timelines, stakeholder roles, and monitoring mechanisms to ensure feasibility and impact.

Integrate Stakeholder-Centric "Phygital" Hybrid Systems During the 24-Month Validation Phase

Zimbabwe should prioritise the adoption of a hybrid physical-digital ("phygital") framework modeled on Ardhisasa's successful deployment, which has onboarded counties like Isiolo by July 2025 through collaborative digitisation forums. This approach would involve maintaining physical deed submissions for validation while simultaneously building a digital registry, ensuring accessibility for rural and low-literacy populations who may lack reliable internet. Under SI 76/2025, Section 40 mandates validation of existing deeds, with non-compliance leading to invalidation after 24 months—a deadline that has sparked public concern, as seen in online discussions urging immediate action. To avoid chaos, the Deeds Registry should establish mobile validation units and pop-up centers in high-fraud areas like Harare and Bulawayo, like Ardhisasa's county-level stakeholder engagements that digitized over 2,200 land records in Isiolo.

Key actions include: (a) Partnering with local governments and NGOs to conduct awareness campaigns, targeting diaspora communities via embassies and online portals, to encourage timely submissions; (b) Issuing digitized deeds with QR codes linking to a secure online database, allowing instant verification by buyers and lenders; and (c) Incorporating user feedback loops, as Ardhisa did through multi-stakeholder forums in Mombasa in July 2025, to refine the system and address teething issues like data entry errors. This hybrid model directly counters the procedural subversion in cases like the August 2025 Windmill land fraud scandal, where unauthorized sales by "land barons" exploited opaque processes. Phased implementation could begin with a six-month pilot in urban registries, scaling nationwide by mid-2026, with funding sourced from transaction fees and international donors like the World Bank, which has supported similar African digitization efforts.

Moreover, to enhance inclusivity, the policy should mandate multilingual interfaces (English, Shona, Ndebele) and offline modes for initial validations, drawing from Ardhisa's emphasis on reducing physical visits while accommodating diverse users. Expected outcomes include a 30-50% reduction in fraud disputes within two years, based on Kenya's post-Ardhisa metrics, and strengthened economic transactions by bolstering credit markets reliant on secure titles.

Embed Real-Time Identity Cross-Checks and Biometric Verification

A critical gap in Zimbabwe's current system is the absence of automated identity authentication, which perpetuates impersonation as seen in the *Chirimuta v Action Property Sales HC 871/05*. To address this, policymakers should integrate real-time cross-verification with national databases, including the Registrar of Births and Deaths and the Zimbabwe National Identity System, using biometric tools like fingerprints and facial recognition. Ardhisa's biometric integration, part of its 2025 expansions, has minimised forgery by enabling instant ID validation during transactions.

Implementation steps: (a) Amend Section 41-44 of SI 76/2025 to require biometric enrolment for all deed holders during validation, with data securely stored on a blockchain-backed platform to prevent tampering; (b) Develop API linkages between agencies, ensuring compliance with data protection laws under the Cyber and Data Protection Act [Chapter 12:07]; and (c) Train conveyancers and registry staff through mandatory certification programs, partnering with institutions like the University of Zimbabwe to build capacity. This mirrors Kenya's approach, where Ardhisa's interoperability with national IDs has curtailed bribe demands and sped up processes.

For diaspora owners, virtual verification via secure video links and e-signatures should be enabled, addressing vulnerabilities in cases like the August 2025 international scam targeting Zimbabwean women abroad. Budgetary allocations could include US\$5-10 million for initial tech infrastructure, offset by reduced litigation costs—estimated at millions annually from fraud cases. Monitoring via quarterly audits would track adoption rates, with penalties for non-compliant officials to deter insider collusion, as exposed in the July 2025 Supreme Court confirmation of a 10-year sentence for a former Harare estates manager.

Implement Immutable Audit Trails and Algorithmic Compliance Protocols

To fulfill Section 90 of the Deeds Registries Act, Zimbabwe must embed immutable audit trails using blockchain technology, ensuring every transaction is logged transparently and irreversibly. This directly tackles custodial manipulation, as in the Mutumbuka case and the July 2025 US\$320,000 land barons' fraud. Ardhisa's blockchain foundation, enhanced in 2025 updates, creates tamper-proof records that have significantly lowered corruption risks by providing a single authoritative source for land data.

Specific measures: (a) Roll out a centralized digital ledger for all deeds post-validation, with automated alerts for anomalies like duplicate registrations; (b) Automate compliance checks to eliminate discretionary decisions,

requiring algorithmic approval for transfers only after multi-factor verification; and (c) Establish an independent oversight body, comprising legal experts and civil society, to review audit logs and investigate irregularities. Inspired by Ardhisasa's data-driven planning tools, this could support national land use strategies, preventing unplanned settlements.

Timeline: Integrate within the first 12 months of SI 76/2025's enforcement, with pilot testing in fraud-hotspot registries. Costs could be mitigated through public-private partnerships, like Kenya's collaborations for Ardhisasa's county rollouts. Impact assessment via key performance indicators, such as reduced court caseloads, would validate effectiveness.

Enabling Measures: Public Awareness, Capacity Building, and Inter-Agency Collaboration

To sustain these reforms, complementary policies are essential. Launch nationwide education campaigns via media and community workshops to demystify the validation process, countering misinformation as seen in Reddit discussions on SI 76/2025. Invest in training for 500+ registry personnel by 2026, focusing on cybersecurity to prevent hacks. Foster inter-agency ties, including with the Zimbabwe Anti-Corruption Commission, to prosecute fraudsters swiftly, building on the July 2025 government moves to curb Deeds Office chicanery. Finally, allocate resources for ongoing evaluations, adjusting based on feedback to ensure equity.

These recommendations position Zimbabwe's Deeds Registry as a pillar of constitutional property rights, fostering economic stability and public trust. By adapting Ardhisasa's blueprint, Zimbabwe can disrupt fraud networks and pave the way for sustainable land governance.

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