LAND & VIOLENT CONFLICT

• A third or more of the conflicts that destabilize fragile states and lead to destabilizing violence involve land

• Violent conflict generates new conflict, due largely to displacement

• Unresolved conflict over land can contribute to a conflict cycle, the recurrence of violent conflict in fragile and failed states

• Such conflict posing a primary obstacle to national development

• Moreover, it fosters the development of -- and provides safe havens for -- terrorist and other extremist groups that can carry violence to other countries
LAND CONFLICT: KENYA
CAUSES OF LAND CONFLICT
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• What are some causes of land-related conflict?
  – Land scarcity: absolute, distributive, environmental
  – Land loss and fear of impending land loss
  – Grievance: long-standing resentments over earlier displacements

• Certain causal factors create a potential for violent conflict. This is like kindling, and violence most often occurs when “trigger events” ignite the kindling
LAND AS CAUSE & OBJECT 
of CONFLICT

• Most conflict over land arises out of intensified competition for land resources, which may be caused by
  – Population growth, in-migration, new crops/markets;
  – Reduction of available land through climate change, concentration of ownership, or takings by government; or
  – Land grievances and demands for return of land taken earlier

• A violent conflict fought for control of land may or may not have been caused by competition for land

• The event that triggers a conflict may not have been the cause of the conflict
What triggers violent conflict? Political events

Displacement Events
- Drought
- Deforestation
- War and civil disorder

Events Intensifying competition
- New markets, or other demands for land
- Technological change
- Land disputes

Political Events
- Reforms allowing emergence of suppressed claims
- Failed states
- Political vacuums
VULNERABILITY:
INSERCURITY OF LAND TENURE

• Insecurity of land tenure, in which landholdings are at risk, is a source of vulnerability to conflict. It can invite “land-grabbing”

• Insecurity of land tenure may be due to:
  – Lack of legal recognition of asserted customary rights;
  – Land rights which, as defined by law, are weak and offer little protection;
  – Land rights are difficult to prove because of poor rights documentation; and/or
  – Lack of a reliable rule-of-law environment and effective enforcement
PREVENTION & MITIGATION
VULNERABILITY: INSERCURITY OF LAND TENURE

• Let’s review some basic options for preventing and mitigating land conflict:
  – Land governance capacity-building;
  – Community capacity-building;
  – Communication facilitation; and
  – Provision of land to meet intensified demand
• The first three can play important roles in conflict management as well as conflict resolution
• The fourth focuses on conflict resolution
Strengthening Land Governance

• These measures increase the capacity of government to manage conflict. They include:
  – Capacity building in land governance, for example in implementing land rights recording and surveying, to facilitate proof of rights (e.g., reconstituting deed records in post-conflict Liberia);
  – Land law reform, changing rules that discriminate against those involved in conflict (leveling the playing field) (e.g., legislating to protect customary rights in post-conflict Liberia); and
  – Improvement of land dispute and land conflict resolution mechanisms, strengthening the rule of law (e.g., NGO-led mediation of land disputes in post-conflict Liberia)
IMPROVING COMMUNICATIONS

• These measures include:
  – Bringing conflictual land issues within what government sees as allowable public discourse (e.g., creating a national discourse on land in post-conflict Mozambique);
  – Promoting clearer articulation and greater mutual understanding of the issues (e.g., public education initiatives such NGO “land literacy” programs in post-conflict Mozambique);
  – Creation of public and other “safe-space” opportunities for constructive interactions among leaders of groups in conflict (Land Commission and the Land Forum in post-conflict Mozambique)
ENABLING COMMUNITIES

• These measures include:
  – Support in securing titles for their endangered resources (e.g., group registration in Uganda, Mozambique, Liberia);
  – Enabling them to articulate their claims more effectively (e.g., community-based paralegals in Liberia and Lesotho); and
  – Providing legal aid that allows them to understand and test laws that affect their rights (de-collectivization in Kazakhstan, Southern Sudan)
REDUCING VULNERABILITY: LAND TITLING

• More than half of international (and USAID) funding for land projects goes to land registration efforts

• Land titling confers new rights, and land registration make them more secure.

• Systematic programs can extend defensible land rights to previously unprotected land users or groups of land users relatively rapidly

• But when designed badly, land titling efforts can create normative confusion and conflict, and even serve as a tool for land grabbing

• The remedy is more participatory processes
LAND TITLING & REGISTRATION
IN ETHIOPIA
GPS
PROBLEMS & CHALLENGES
THE SAD TRUTH
(HUGGINS)

- 40% of conflicts which have ended restart within ten years
- Underlying root causes of conflict must be addressed to arrive at lasting peace and stability
- Otherwise, conflicts fester and are expressed through many forms of passive and active resistance
MEETING DEMAND: 
RESETTLEMENT

• Resettlement seeks to move the landless and land-poor from crowded and conflict-prone areas to ‘unoccupied’ public lands

• But resettlement provides modest and temporary relief in the sending areas but sparks new conflicts in the receiving area

• The public land given to the settlers is often on a frontier and the users are often minorities, whose land rights government does not recognize

• Resettlement often has a sub-text: to strengthen the presence of politically loyal groups in insecure border regions

• There is almost always a potential for conflict between those resettled and existing land users, but intensity varies from case to case
ETHIOPIA:
DISPLACEMENT OF SETTLERS
MEETING DEMAND: RESETTLEMENT

- Proposals and pilots from the 1970s in which gov’t provide funds to groups of associated landless to purchase large holdings and divide them among members
- Market mechanisms should decrease costs and lack of compulsion should reduce litigation and further conflict
- Most of these benefits have materialized but
  - Governments have proven remarkably good at bureaucratizing the process,
  - Land offered by owners will in some cases be their more remote and poorer quality land
  - The politics of these reforms remain challenging
A REALITY CHECK: 
TAKING SIDES

• Consider the most common situations threatening violent conflict over land and how we respond to them:
  – An unmet demand for land threatens violence and we try to pursue strategies that satisfy that demand; and
  – Those already in possession of land are threatened with loss of their land in violent conflict, and we search for ways to protect them

• Do we seek to deploy strategies that satisfy demand or defend existing landholding? Do we do both?

• Does dealing with land conflict mean taking sides?
BALANCING ACT

• Do those seeking to address land conflict simply choose the strategy most likely to prevent violent conflict? Not really…

• Our strategies seek to prevent or minimize conflict but also seek to pursue preferred land policy outcomes

• This influences our approach to conflict management and prevention

• At the same time, we seek compromise and solutions that do not leave one side feeling ill treated, as this only invites new conflict
CHINA: URBANIZATION CONFLICT
TAKE AWAYS
TAKE AWAYS

• Land conflict is pervasive and affects both programmatic and strategic objectives
• A strong analytical base is needed to understand land-related conflict well enough to address it effectively
• There are strategies and tools that can be used to manage and even prevent conflict.
• Prevention requires addressing root causes of conflict
• Strategies in practice reflect both the conflict prevention objective and land policy preferences
• Lasting conflict resolution is best served by compromise