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Land, Natural Resources, and Violent Conflict

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Property Rights and Resource Governance

Issues and Best Practices

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Overview of the presentation:

- Land as a multi-dimensional resource
- Land and NR conflict
- Vulnerabilities to conflict
- Triggers of violent conflict
- Two case studies: Sudan and Eritrea
- Ethnicity and conflict
- Land in the conflict cycle
- Some best practices
- Take aways

Land as a multi-dimensional resource

- A means of production, basis of livelihoods
- An asset for economic and social security
- A source of political power and revenue
- A source of identity, social status and a sense of ancestral 'belonging'
- A deeply political and emotional topic as well as an economically important one

Land means different things to different actors, and is valued by them for quite different reasons

Land and NR conflict

- Multiple & overlapping uses (hunting, herding, farming), by different kinds of users (individuals, households, kinship groups) of different status (primary, secondary and tertiary)
- Competition for land among ethnic groups, political factions, economic classes
- The role of legal pluralism: Competition between customary & state land tenure systems

Vulnerabilities to conflict

- Land scarcity: absolute, distributive, environmental
- Insecurity of tenure: fear of loss of land access and/or displacement
- Grievance: long-standing resentments, often over earlier displacements



Triggers of violent conflict

- Events intensifying competition
 - Emergence of new markets or other demands for land
 - Technological change
 - Land disputes
- Displacement events
 - Drought, deforestation
 - War and civil disorder
- Political events
 - Reforms allowing emergence of suppressed claims
 - Failed states, political vacuums

Case study: Sudan

- In the east-central plains, land taken by state for rain-fed mechanized “shifting” cultivation leads to crumbling government authority
- In the South, undermining of custom clears way for imposition of shari’a and leads to civil war
- In the West (Darfur), climate change, migration southward and violation of “dars”, in the absence of customary mediation, results in war and atrocities.
- The combustible amalgam of land takings, ethnicity, religious fundamentalism
- Prospects for change? Efforts to re-establish native authorities, but how do you recreate custom?

Case study: Eritrea/Ethiopia

- May 1998: Clash between Ethiopian troops and Eritrean intruders in the border town of Badme, on a contested border.
- Mediation fails, calls for defense of sacred national territory on both sides, escalation into full war.
- By mid-1999 the confronting armies numbered some 400,000 men, and 50,000 soldiers had died.
- Peace negotiated in Algeria in 2000, ICJ adjudicates border but Eritrea refuses to agree. Tensions persist.
- Did the conflict have anything much to do with land?

Ethnicity and land conflict

- Specific conflicting claims to land/resources become a focus for discontent, polarizing groups
- As group identities become 'fixed' through media portrayals, there is a risk of politicization, especially by conflict entrepreneurs
- Disputes can then accelerate the development of tensions or trigger violence



Land in the conflict cycle

- Land as a structural cause of conflict: Land creates a vulnerability which events may trigger
- Land triggers conflict: Disputes over land can turn into violent conflict
- Land sustains conflict: Land with high-value resources sustain insurgencies and warring factions
- Land post-conflict: prior conflict often remain unresolved, and restitution to returnees can spark new conflict

Huggins estimates that 40% of conflicts which have ended restart within ten years. Underlying causes must be addressed.

Post-conflict best practice: Timor-Leste

- 2007 USAID launches project focused on policy/law reform, communications and consultations, land dispute resolution, creation of National Land Commission.
- The policy/law reform and institutional work has lagged, but the public education program has been creative and effective, and the land dispute resolution activity has achieved impressive results.
- Three person field teams (team leader, land dispute resolution specialist, and mapper) have resolved most conflicting claims. Only 5-7% of cases have gone into the formal dispute resolution process.

Best practices

- Fire-fighting (ad-hoc commissions, dispute mediations by NGOs, etc.) can play a vital role in building peace in the short term.
- But long-term national commitment to redress may also be required.
- Return to 'status quo' may mean eventual return to violence.
- This often means both supporting and challenging government.
- Sustainable change cannot be imposed, only facilitated.



Best practices (continued)

Tools that can avoid conflict include:

- Enhanced voice for grievances and concerns
- Land policy and law reform
- Land restitution
- Land governance reform
- Improved records of rights in land and mapping
- Fairer and more prompt land dispute resolution
- Improved land access and security of tenure
- Land programs with conflict-resolution objectives
- Support consciousness-changing initiatives

Take aways

- Many land conflicts are only in part about land.
- Conflict often involves disagreements over values as well as interests, with no consensus on the basic 'rules of the game'
- The parties therefore have fundamentally different conceptual models of the conflict
- Technical “fixes” and “fire-fighting” may buy time, but future conflict will not be averted unless the participants' understandings of the conflict are managed or transformed.
- Long-term solutions involve addressing complaints, changing perceptions and constructing common ground.