Claim-making, violence and (the politics of) land governance:

Introduction to the panels:

Violent Urbanization: Violence, mobility and the reshuffling of urban land

Who governs: Land claims of urban elites and the transformation of land governance

LandAc Conference
Utrecht, 30 June 2016
Cross cutting theme

• **Patterns of claim-making** at the intersection of conflict dynamics/violence, displacement/mobility, and political transformation;

• Implications regarding *in/exclusion*, increasing inequality?

• Concerns regarding **land governance**
Grounding Land Governance

Land Conflicts, Local Governance and Decentralization in Post-conflict Uganda, Burundi, and South Sudan

How land governance evolves in post-conflict Uganda, Burundi and South Sudan, and how land reforms – notably decentralization - impact the legitimacy and authority of local land tenure institutions, and the resolution of land conflicts

Watch our documentary ‘Governance off the Ground’ on YouTube!
How do current land governance programmes in DR C (Kivu) feed into local level statebuilding?
• Identify the diversity of land-related justice concerns + actual practices and politics of local land-governing institutions
• Investigate local and global discourses and strategies to enhance land governance, and how interventions impact local practices and alleviate justice concerns
• Enable debate between interveners on their assumptions on how interventions contribute to ‘just’ land tenure
Protracted conflict & Urbanisation

• Urban aspects of dynamics of violent conflict
• Conflict and rural-urban transformation
• Conflict -> urbanisation-> conflict
• Spatialities of peace and war
• Humanitarian urbanism
• Role of violent displacement
• Hybrid security governance
• Big-man politics and urban governance
CORE CONCERNS (analytical agenda)

• How do the interconnected dynamics of conflict, mobility, and political transformation shape patterns of claim-making?

• What new privileges and exclusions are produced? What new stakes develop e.g. around urbanisation and urbanising spaces?

• And what implications do these processes have for land governance?
CLAIM MAKING

• Claim-making: the process through which actors seek to establish control over land

• Drawing on idea of ‘shifting frontiers of land control’ (Lund and Peluso 2011), zooming in on process

• Claim-making has social, political, institutional and discursive dimensions: e.g. not just about occupation, but also negotiating legitimacy
1 - Displacement/mobility & changing patterns of occupation

- Urbanisation
- Land grabbing of ‘empty land’
- Overlapping claims as result of return & resettlement
- Overlapping dynamics of fleeing for violence & economic motives to come to the city

New privileges/exclusions/stakes:

- Risk of loss of land, increasing insecurity about claims, increasing risk of overlapping claims which are hard to solve
- Insecure rights to land in the ‘new’ place of residence
- Discourses about belonging, restricting citizenship
- Uncertain ‘right to the city’
2 - Violence and claim-making

• How ‘entrepreneurs of violence’ improve their position to make claims to land
• How (threat of) violence is used alongside discursive strategies to justify land claims
• Resistance to (new) claims

New privileges/exclusions/stakes:
• Privileges for entrepreneurs of violence and those connected to (new) power holders
• at the expense of old/other elites?
• Interfamilial land claims
3 - Erosion and reshuffle of institutions and governance practices (‘governance gaps’)

- Shifts in state control
- Shifts in customary capacity and/or legitimacy

New privileges/exclusions/stakes:
- New playing field with lots of uncertainties
- Potential avenue state formation
- Institutional competition- who loses? Importance of connections to public authority/access to justice
- Repositioning of customary/local authorities
- Privileging of formalisation/individual rights (effect on tenure security?)
4 - Post-conflict reforms

• With peace agreements, drive for land law reforms to improving tenure security & economic reforms to ‘kick start’ development; State reform

• Plus: Interventions to resolve land disputes (NGOs)

• Window of opportunity for land grabbing (capitalist of chaos)

New privileges/exclusions/stakes:

• Dispossessions related to foreign investments, special economic zones etc.

• Exclusion of people with rights that are less easily defended, less well-connected

• Stakes of international actors (entrepreneurial; donors)
Why is all this worrying?

► implications for land governance