

Grounding Land Governance



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

Conflict about land is increasingly seen as a core challenge for post-conflict peacebuilding. Land is a source of local and national conflict, while conflict strongly impacts land governing institutions. Many interventions to deal with land conflicts include support to decentralization. Thereby, responsibilities for managing land and resolving disputes are transferred to local authorities and institutions. Generally, decentralization is considered an important strategy for conflict transformation and state-building from below. Yet, in practice, decentralization appears to be an ambiguous process, and its contribution to peacebuilding is not evident.

This research programme investigates how land governance evolves in post-conflict situations, as an outcome of the interaction between multiple stakeholders, including government, traditional authorities, NGOs, and local people. Thereby, it looks in particular at how decentralization influences relations of governance, how it impacts the legitimacy and authority of local land tenure institutions, and how it affects the resolution of land conflicts. It builds around comparative analysis of case studies from Uganda, Burundi and southern Sudan. The programme will generate an analytical framework for the study of land governance after conflict that aims to inform decentralization policies in post-conflict situations and to promote dialogue with policy-makers about land governance.

Key questions are:

- How has civil conflict impacted the workings and legitimacy of land governance institutions and in particular, their capacity to deal with land disputes/competitive claims to land?

- How does decentralization influence land governance and reconfigure relationships of governance, in terms of empowerment, local participation, gender relations and downward accountability?
- How does decentralized land governance affect the legitimacy and authority of different institutions involved in governing land, and how does this impact the resolution of land conflicts, tenure security and the kind of justice promoted?
- How do (local) land conflicts relate to other conflicts in society, and how does decentralization restructure those relationships and so impact political stability and peace?
- How can (inter)national development organizations, donors, and local governments contribute to more effective land governance?

A central aim of the project is to foster learning and stimulate exchange between academics, development organizations, local community institutions, and local governments. To facilitate this, representatives of NGOs, grass-roots organizations and local governments will be involved in identifying questions, collecting data, interpreting findings, and formulating policy recommendations through a series of workshop. A steering committee will be established to oversee this process, involving research staff, representatives of local governments and interested NGOs. The programme further aims at establishing a regional training programme on land governance, and a virtual international network of experts and practitioners from the region.

This research programme is a collaborative effort of:

- Faculty of Development Studies, University of Science & Technology, Mbarara, Uganda
- African Studies Centre, Leiden, the Netherlands
- Centre for International Conflict Analysis and Management, Radboud University Nijmegen, the Netherlands
- Law and Governance Group, Wageningen University, the Netherlands
- Disaster Studies, Wageningen University, the Netherlands
- Royal Tropical Institute, Amsterdam, the Netherlands
- VNG International, the Netherlands
- Resource Based Conflicts Management Network, Nairobi, Kenya
- LOGO South - Millennium Development Goal Program, Kampala, Uganda
- Bureau de la Coopération suisse, Burundi

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http://www.wotro.nl/nwohome.nsf/pages/NWOA_6UB9S8_Eng

For more information on the programme, please contact the coordinator of the programme: [Mathijs van Leeuwen](#). Email: m.vanleeuwen@fm.ru.nl

PhD's:

[Peter Justin](#)

[Doreen Kobusingye](#)



Embedding Land conflict

Decentralized land governance and conflict transformation in Uganda

Decentralization in Uganda has a long history. Though serving as an example for many other African countries, results of the programme are mixed in terms of local participation in decision making and downward accountability of office holders. This research project explores the experiences with decentralization of land governance in particular. Disputes about land often represent a complex blending of intra-family tensions, local politics and corruption, patronage, institutionalised dispossession or exclusion, and wider economic developments. The project explores such complex relationships between (local) land conflicts and conflicts at other levels in Uganda, identify how those relationships are restructured as a result of decentralization, and what this implies for post-conflict stability.



Shifting Legitimacies

Decentralized land governance and legal pluralism in Burundi

The transition from war to peace in Burundi is marked by multiple land disputes related to displacement and return, a surge in land grabbing, as well as structural land scarcity, persisting inequality and a lack of alternative livelihood options. This research project explores how state authorities as well as customary institutions and new institutions created through aid interventions deal with these multiple land conflicts. Currently, there is considerable debate about the attributes and interplay between these different institutions, which each have their limitations. With a view to more effective responses to land conflict, decentralization and land governance reform have been introduced in Burundi. These developments reshape the authority and legitimacy of the different institutions and legal frameworks and intensify a situation of legal pluralism. The project explores such changes in relative authority and legitimacy of locally prevailing institutions, and how this impacts local capacities for resolving land conflicts.



Reconstructing the state

Decentralized land governance and relations of governance in Southern Sudan

In Southern Sudan, decentralization policies are implemented after a very long civil war, in a context where the state has largely been absent in the past. Reforming land governance in such a context is a process of reordering and re-negotiating power relationships between local people and the state. Legitimacy of both local institutions and newly emerging state structures is contested, and it remains unclear how local people will participate in decision making about problems related to land allocation. The project explores how decentralization develops in the interaction between emerging land governance by the state and ongoing local land governance processes. The project focuses on the challenges for outsiders' intervention in dealing with such institutions, which are often preconceived in terms such as 'patronage' or 'nepotism', yet may be deeply rooted in local communities. It explores how public authority gets shape, and how political legitimacy, downward accountability and accessibility of both state and non-state institutions comes about at the local level.



Discourses, policies, and practices of decentralized land governance

To better understand why particular decentralization policies work better in certain contexts than others, this project analyses discourses of decentralized land governance and the assumptions and 'theories of change' underlying them, and assesses their applicability in the real world. In fact, discourses on decentralizing land governance are not 'neutral', but highly political, assuming certain ideal relationships between citizens and state representatives, and how resources should ideally be managed. Further, discourses of decentralization are adopted by different stakeholders to advance different political projects. Our understanding of decentralized land governance is incomplete without assessing how policy actually gets shape. This research project investigates how interveners may better take account of the local dynamics of land governance reform.

[Dr. Matthijs van Leeuwen's profile at Radboud University](#)



Partners in the programme

The **African Studies Centre** in Leiden, the Netherlands, is the only multidisciplinary academic research institute in the Netherlands devoted entirely to the study of Africa. It welcomes African scholars through its visiting fellowship programme, has a monthly seminar programme and an extensive library that is open to the general public. Its current research and education programmes focus on the following themes: Connections and Transformations: The Social Construction of Linking Technologies in Africa and Beyond; Economy, Environment and Exploitation; and Social Movements and Political Culture.

Website: <http://www.ascleiden.nl/>

The **Faculty of Development Studies** (FDS) at Mbarara University of Science and Technology (MUST), Uganda, contributes to the interdisciplinary analysis of development in Uganda, by focusing practically on the comparative problems and prospects for Uganda and the Great Lakes region. Other faculty objectives include advancing capacity in development studies by contributing to local, national and international policymaking. It faculty offers degree programmes in development studies as well as community based training focusing on the practical applications of physical and social science to the needs of the community.

Website: http://www.must.ac.ug/view_fac_ins.php?faculty_id=3&faculty_code=ds

The **Centre for International Conflict Analysis and Management** (CICAM) of the Radboud University Nijmegen, the Netherlands, is an interdisciplinary institute that offers education and carries out research in the field of conflict studies. In addition to offering elective education in the

Bachelor's stage, the CICAM participates in the Human Geography Master's programme 'Conflicts, Territories and Identities'. Its research deals with questions regarding possibilities of conflict prevention and conflict intervention, with special attention to post-conflict reconstruction and peacebuilding processes.

Website: <http://www.ru.nl/cicam>

Disaster Studies, Wageningen University, the Netherlands, offers education, research and policy advice on the issues of conflict and natural disasters, the relations between these crises and processes of development, and the dynamics of aid interventions during and after disaster and conflict. It contributes with qualitative research to multi-disciplinary approaches. Disaster Studies combines academic teaching and research with a desire to enhance policy discussions and local and international responses to disaster and conflict. Research is interactive in nature and builds on dialogue with policy-makers and people in the field.

Website: <http://www.disasterstudies.nl/UK/>

The Law and Governance group of Wageningen University, the Netherlands, focuses on the role of law and governance in the domains of food and natural resources. In research and teaching we pay attention to rules, agreements, and institutions devised and applied at different levels of socio-political organization. We analyze the often problematic and contradictory interaction of state and non-state rules originating from various sources of law and other forms of regulation, whether local, national or global. The group combines legal and social-scientific knowledge and expertise. It is our aim to analyze and understand existing conditions in the domains of food and natural resources, and to contribute to their improvement.

Website: <http://www.law.wur.nl/uk/>

The **Royal Tropical Institute** (KIT) in Amsterdam, the Netherlands, is an independent centre of knowledge and expertise in the areas of international and intercultural cooperation, operating at the interface between theory and practice and between policy and implementation. The Institute contributes to sustainable development, poverty alleviation and cultural preservation and exchange. KIT operates internationally through development projects, scientific research and training, and also provides consultancy and information services. These activities, along with those of its Tropenmuseum, Tropentheater and publishing house, are the Institute's means of bringing together people and organizations within the Netherlands and all around the world. One of its areas of

expertise is rural decentralization and local governance.

Website: <http://kit.nl/>

VNG International is the International Cooperation Agency of the Association of Netherlands Municipalities (VNG is the Association of Netherlands Municipalities). Its mission is to strengthen good local government worldwide. VNG International supports decentralisation processes and facilitates decentralised cooperation. It aims to strengthen local governments, their associations, training institutes and decentralisation task forces both in developing countries and in countries in transition. VNG International's work is financed by the Netherlands Ministries of Foreign Affairs and Home Affairs, the European Union, the World Bank, various United Nations agencies, and others.

Website: <http://www.vng-international.nl/>

The **LOGO South - Millennium Development Goal Program**, Kampala, Uganda, is a programme of VNG International that supports Dutch local authorities, their twinning partners and associations of local authorities in developing countries to execute projects.

Website: <http://www.vng-international.nl/projectsprogrammes.html>

The **Resource Based Conflicts (RBC) Management Network** is a coalition of civil society organizations that seeks to support peace building and conflict prevention efforts in the Horn and East Africa region by partnering with like-minded entities and seeking innovative strategies for equipping civil society organizations with the right skills and tools to be able to make a difference in the conflict prone areas of the region. A section of civil society organizations from Uganda, Kenya, Ethiopia, Somalia, Eritrea and Sudan have collectively set up a regional network as a strategy for building synergies towards a coordinated approach for tackling regional conflicts as well as managing the impacts of existing Resource Based Conflicts in the Horn and East Africa region.

Website: <http://www.rbc.or.ke/>

The **Swiss Agency for Development and Cooperation (SDC)** is the international cooperation agency within Switzerland's Federal Department of Foreign Affairs (FDFA). It is responsible for the overall coordination of development and cooperation activities, as well as for all humanitarian aid delivered from Switzerland. SDC has been active in the Great Lakes since the 1960s, helping to respond to the political, economic, security and humanitarian related challenges in Rwanda, Burundi

and the Democratic Republic of Congo (DRC). Switzerland's support for peace consolidation and reducing poverty in these three countries is envisioned in a framework of regional integration in line with the Swiss government's "Great Lakes Strategy 2009-2012." SDC promotes a comprehensive approach to development. For the execution of its programmes, SDC works cooperatively with the authorities, the concerned populations and different implementing partners. SDC works to improve the quality of life for the inhabitants of the Great Lakes through programmes in two sectors: basic health and good governance. SDC implements seven national programmes and several regional initiatives through the joint coordination of activities at its regional cooperation office in Kigali, Rwanda and programme offices in Bujumbura, Burundi and Bukavu, DRC.

Website : http://www.cooperation-suisse.admin.ch/grandslacs/fr/Home/La_cooperation_suisse_dans_les_Grands_Lacs