

A member of the Dinka tribe protects his cattle from raiders,
Rumbek, South Sudan. January 2009. © Joerg Boethling



Survival at Stake

VIOLENT LAND CONFLICT IN AFRICA

INTRODUCTION

In Africa, land is not only an economic good, but also the very basis of security and survival for much of the population. A primary source of livelihood for many, land is not only directly linked to agriculture and production, but also intimately tied to the politics of the countries, the social dynamics of the people, and the status, power, wealth, and security of those who control it. Access to land increases security and reduces the vulnerability of the individual, the family, and the community. Yet competition for scarce resources, the political manipulation of access to land through ethnic, religious, and economic discrimination, and the forced removal of the poor from productive lands have sown the seeds of violence for decades. Violent land conflict—historically and today—revolves around questions of land use, land access, land ownership, and ultimately who benefits from the land and what it produces.

Examples of violent land conflict abound in Africa. *Resource conflicts* became the catch phrase of the 1990s, when civil wars erupted across the continent in places such as Angola, Côte d'Ivoire, the Democratic Republic of the Congo (DRC), Liberia, and Sierra Leone, fuelled by diamonds, timber, oil, and other natural resources (Klare, 2002). Resource conflicts are not always civil wars; they also include localized violence over particular resources, as in the Niger Delta, where armed clashes and kidnapping were commonplace in 2003–09, and in the Kivus of eastern DRC, where the most recent violence has involved the killing and raping of dozens of civilians, the forceful recruitment of hundreds, and the displacement of hundreds of thousands.

Other forms of land conflict, such as *communal clashes*, are frequent in pastoral areas of East Africa; these include clashes between farming and herding populations as well as cattle raiding among pastoralist communities. Some land conflicts percolate for decades, only to come to international attention in the most violent ways. The disputed 2007 Kenyan elections, for instance, spurred weeks of violence, killing more than 1,100, injuring at least 3,500, and destroying at least 115,000 homes. The election violence in Kenya can be traced back to the land policies of the colonial era and the ethnic politics of the post-independence period. Even *social conflicts*—such as protests and riots—have erupted due to contests over land and land resources, and the costs have been high. Despite the frequency and significant costs of violent land conflict, efforts to address the violence are often reactive and short-term in nature, rarely addressing the underlying causes of insecurity and conflict.

This chapter reviews the types and characteristics of conflicts in Africa that are either the direct result of land-related disputes, or that have important land issue components. These include resource conflicts, communal clashes, and social conflicts. The discussion considers the risk factors that can lead land disputes to escalate into armed violence, and the consequences of these conflicts for affected populations. Among the chapter's key conclusions are the following:

- Violent land conflict in Africa is common, widespread, and deadly.
- Almost every armed conflict in Africa has had a land dimension to it, but very few are concerned solely with land issues. In almost all cases, land is one of many contributing factors—such as economic inequality, political competition, discrimination, and exclusion—that fuel violence.
- Violent land conflict in Africa—including resource conflicts, communal clashes, and social conflicts—has resulted in tens of thousands of direct conflict deaths and the displacement of hundreds of thousands over the past decade.
- Violent land conflict is more than just fighting over a plot of land. It includes community clashes over ways of life, political struggles for power, and economic struggles for wealth.
- Land disputes are most volatile, and at highest risk of violence, when grievances are high, security is threatened, mechanisms for adjudication are absent, and violence entrepreneurs are able to mobilize aggrieved populations.
- The failure to manage communal conflicts over land, the inability of states to provide basic security, the resulting cycles of retaliatory violence, and the availability of small arms are all factors that have contributed to increasing the costs of violent land conflict over the past decades.

This chapter begins with an examination of the importance of land in the African context. The second section defines violent land conflict and identifies the primary factors that contribute to land disputes and raise the risk of disputes escalating into violence. The third section discusses three manifestations of violent land conflict in Africa: resource conflicts; communal clashes; and social conflicts over land-related resources. This chapter emphasizes that violent land conflict can take many forms, but in all of its guises it remains a widespread, common, and deadly phenomenon in Africa.

Land is crucial for the livelihoods of large portions of the population.

LAND: A VITAL RESOURCE

In order to understand land disputes in Africa, and why they can serve as a critical driver of violent conflict, it is important to recognize the centrality of land in most African societies. Land has specific economic, social, and political meanings in the different African contexts, which affect the various permutations of how land plays an integral role in the daily lives of Africans. This section reviews some of these roles and meanings in an effort to enhance our understanding of how land disputes can become violent conflicts.

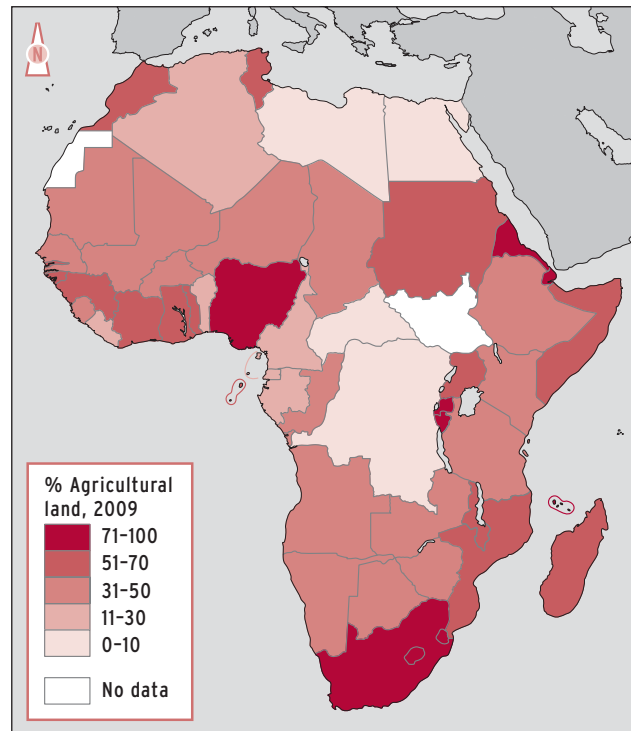
Land as an economic resource

Land is an essential economic resource in Africa. It is necessary for housing and a fundamental element of household wealth. As one Sierra Leonean put it: ‘The soil is our bank’ (Moore, 2010). In Uganda, one observer noted that ‘land constitutes between 50 and 60 percent of the asset endowment of the poorest households’ (Deininger, 2003, p. xx). Through agricultural and pastoral practices, land is crucial for the livelihoods of large portions of the population. Indeed, the majority of the African population depends on working the land and on land-based resources as primary sources of income and food (van der Zwan, 2011, p. 2). An estimated 85 per cent of Acholi households in Uganda sustain themselves through agricultural activities (McKibben and Bean, 2010, p. 23). Even in cases where populations have switched to non-agricultural employment, land and subsistence farming remain their safety net in tough economic times (Oxfam, 2011, p. 9).

The availability of arable land is particularly important for agriculture-based societies. In African countries, agricultural land accounts for anywhere from 3.7 per cent of national land (Egypt)—or 8.4 per cent (Central African Republic)

if only sub-Saharan Africa is considered—to 83.7 per cent (Burundi), with the continental average hovering around 45 per cent (see Map 5.1).¹ The importance of land as an economic resource underscores the necessity of *access* to land for the security of the population, especially for those surviving on subsistence agriculture or pursuing pastoral livelihoods, while the inability to access land increases insecurity and vulnerability. However, the availability of useable land and access to this land do not necessarily correspond. The various possible and competing uses of land—housing, grazing, farming, tourism, mining—as well as the threats to land availability and quality through changing weather patterns, expanding desertification, mechanized farming, growing populations, and declining access to water—all add to the pressures on land use and increase the likelihood of disputes over how any particular parcel of land is used.²

Map 5.1 Agricultural land in Africa, as a percentage of the national area, 2009



Source: World Bank (2012)

The symbolic meaning of land

In Africa, land holds special social or cultural significance for particular groups. The significance may be related to the cultural practices or history of a group. In Uganda, for example, the Acholi fear that, if a deceased family member is not buried on ancestral land, his or her spirit will not pass on and will haunt them forever (McKibben and Bean, 2010, p. 23). For some groups a particular parcel of land is important because it is where generations of ancestors have lived, or where particular ceremonial or cultural events can be held, or traditional or religious beliefs can be practised (Oxfam, 2011, p. 9). Access to land is often secured by tradition, rather than by title, and an estimated 90 per cent of the population in rural Africa still access land that their ancestors accessed (Moore, 2010).

Land may have a cultural or psychological significance to a group based on ethnicity or religion (van der Zwan, 2011, p. 2). Certain regions in Guinea are identified with particular ethnic groups. In Nigeria, the population views the northern half of the country as predominantly Muslim land ruled by sharia law, whereas most see the south as Christian land. These defining characteristics of the population living on a particular piece of land or in a specific region have been used to identify those who belong, and those who do not, thereby enabling the identification of 'indigenous' people and discrimination against non-natives, even when those non-natives are nationals of the same country.

While competition over land will persist, it can threaten to escalate into violence when land is viewed as 'indivisible'—something that cannot be shared or parcelled out to different groups or individuals. When emotion interferes with

attachment to the land, this may foment dissent. Many secessionist wars, ethnic conflicts, and religious clashes are characterized by these attachments. When land is linked to a specific identity, such as ethnicity, the situation tends to be more volatile, and small disputes can escalate into larger, more violent clashes because defending the land is perceived as defending the group and ensuring its survival (Putzel, 2009, p. 4). The combination of land, ethnicity, and politics has driven conflict in countries such as the DRC, Kenya, and Rwanda, while the explicit use of political mechanisms to avoid the ‘ethnicization’ of land has helped to reduce the frequency of violent incidents over land in Tanzania and Zambia (pp. 5–9, 11–13).

Land as a political resource

Land is an important political resource: ‘It’s power; it’s status; it’s security. It’s the most powerful asset people have’ (Moore, 2010). In part, the political importance of land relates to its economic function, since those who control the means of production and sources of extraction benefit most financially from the ownership of land. In many African countries economic power equates to political power, and vice versa.

Land ownership bestows traditional authority upon the owner (van der Zwan, 2011, p. 2). In many areas of Africa, lands are communally owned, and authority over land is vested in the traditional ruler of the community, often a traditional chief. The chief determines who can use the land, how it can be used, and whether it can be sold. Other community members can be granted the right to use the land and can sell the rights to work the land, but they cannot sell the land itself. In a number of rural communities, land rights are based on a chief’s oral agreements. If the chief dies or is displaced by war, confusion over land rights may ensue, throwing this system into disarray.

Increasingly, traditional rights are being challenged by more modern concepts of land rights as private rights. Governments have implemented privatization programmes, and many parties seek private land ownership rights for



Orma men stand around the remains of Pokomo people killed during a raid on Kipao village in the Tana Delta, Kenya. December 2012. © Ivan Lieman/AFP Photo

the security they can offer. But privatization threatens traditional power bases in many communities, leading to resistance by traditional rulers (van der Zwan, 2011, p. 2). Privatization has disrupted pastoralist traditions as well, through the parcelling out of land and redrawing of borders in ways that restrict the traditional transit routes of pastoral communities and their access to grazing areas. Political elites and entrepreneurs, among others, have capitalized on privatization efforts to purchase communal lands, effectively displacing poor families that lack legal statutory rights to their land. While privatization can offer more secure tenure to individuals when it is backed by the enforcement of legal rights, it has also been a source of violent conflict when it has benefited a small percentage of a country's elite.

The authority to grant land rights is an important political power that can be used to manipulate or reward supporters and punish opponents. This has occurred in areas of traditional governance, as well as in modern governance systems. Politicians have manipulated political boundaries, altered borders, and reallocated land to gain supporters and win elections (see Box 5.1).

Box 5.1 Kenya's land disputes: the intertwining of land, ethnicity, and politics

Although Kenya fought a war of independence over land issues, the country still faces the pressing challenges of resolving the inequalities of the system and removing politics from the land question (Oucho, 2010, p. 4). As analysts have pointed out, 'The land questions are rooted in the colonial period and its attempts to polarize land relations around class, ethnic factors, and political affiliations' (Kanyinga, Lumumba, and Amanor, 2008, p. 101). The politicization has continued under the post-colonial regimes (Murunga, 2011, pp. 9-17; Wepundi, 2012, pp. 2-3). Land reform policies initiated in the 1950s only exacerbated tensions and generated disputes, rather than remedying them.

The main problem is that the system remains 'open to abuse by those involved in defining the existing structure of rights' (Kanyinga, Lumumba, and Amanor, 2008, p. 105). The consolidation of power in the central government following decolonization resulted in both the presidency and land becoming 'increasingly intertwined in the exercise of political power at the expense of popular democratic institutions' (p. 107). This trend became evident in the emergence of ethnic-based political parties, which had particular land interests and supported different approaches to resolving the land question, while also being deeply divided over land reform policies.

The Jomo Kenyatta regime (1964-78) generally tried to avoid the land question. In contrast, the Daniel Arap Moi regime (1978-2002) used regional conflicts over land and the unresolved land question as a political tool to build a support base and deny the opposition (Kanyinga, Lumumba, and Amanor, 2008, p. 114). Land became an ethnic patronage resource and a means of rewarding loyal ethnic elites, while land grabbing enabled the accumulation of political power (pp. 115-16; see Box 5.3). As pressures for liberalization mounted, the pace of patronage and land grabbing accelerated, concentrating land ownership in the elite and intensifying landlessness among the poor. Like Kenyatta's government, the Mwai Kibaki government (2002-present) has skirted around the land issue. The Kibaki administration reduced the use of patronage to gain the loyalty of the elite, merely shifting its focus to politically significant ethnic communities (p. 123). Patronage continues in a modified, but no less risky, form.

Electoral violence has occurred since the first multi-party election in 1992, characterized by protests, vigilante violence, the use of political thugs to intimidate opposition supporters, and large clashes between ethnic groups leading up to elections. Post-election violence has involved spontaneous, premeditated, and state-directed violence, including the killing and maiming of people and livestock, looting and destruction of property, and arson (Murunga, 2011, p. 24; Oucho, 2010, p. 1). The post-election violence in 2007-08 reached staggering heights, with the death toll topping 1,100. The ethnic groups with the highest number of deaths included the Luo (278 killed), Gikuyu (268), Luyia (168), and Kalenjin (158), with the police bearing the greatest responsibility for these deaths; 405 died from gunshot wounds. The police mainly targeted Nyanza province, where some 80 per cent of victims died from gunshots, followed by the Western province (73 per cent), the Rift Valley (26 per cent), and Nairobi (18 per cent) (Murunga, 2011, p. 39).

Several violent events took place in the lead-up to the March 2013 general elections. In September 2012, mass graves were uncovered in the village of Kilelengwani, in the Tana Delta region, the centre of recent violence. At least 100 people were killed with guns, machetes, and spears in clashes in a long-running conflict between the Pokomo—mostly farmers—and the Orma—semi-nomadic cattle herders (BBC News, 2012a; 2012b; 2012c). The clashes are over land and water, but also have their roots in politics. Kenyan officials have been able to use their positions to broker lucrative land deals, leasing extensive tracts of land for large-scale cultivation. As elections approached, tensions were rising and concerns growing that the volatile situation could erupt into a repeat of the widespread violence seen following the December 2007 polls.

VIOLENT LAND CONFLICT

Land disputes are ubiquitous in Africa as a result of competition for land use, poorly understood means of ownership, inadequate legal frameworks, unequal distribution of access, and the politicization of land; in addition, modernization and population pressures bring new constructions of ownership and force together competing users of land. Non-violent land disputes tend to be underreported because they are typically local concerns managed through local adjudication mechanisms. Disputes rarely make the news unless they turn violent, and even violent communal clashes may be reported only when they reach a significant scale, as with the aftermath of the 2007 elections in Kenya. One reason for low reporting is that, by the time land-based conflicts reach high levels of violence, they are usually characterized as political, economic, or ethnic conflicts, and the role that land plays in contributing to the eruption of violence is often minimized (Moore, 2010).

Defining land conflict

Almost every major episode of violence in Africa has had a land dimension.

There is no broad consensus on a definition of land conflict.³ The term can include everything from non-violent land disputes and interstate border disputes to intrastate secessionist conflicts. In this chapter, violent land conflict includes any instance of armed violence that occurs between individuals or groups resulting from disputes over land access, land ownership, or the spoils of land cultivation. This definition is sufficiently broad to include resource conflicts, communal clashes, and social conflicts.

Most violent land conflicts emerge from land disputes, such as disagreements over how land is owned, used, or distributed. Land disputes occur in many countries in Africa, but they are not inherently violent. Although land—its management, access, and use—is one factor that can contribute to violent conflict, not all countries with land scarcity challenges or issues of unequal access suffer from violent conflict (Huggins and Clover, 2005, p. 6). Most major violent conflicts result from not just land issues, but a mixture of underlying grievances, including economic inequality, political competition, discrimination, and exclusion. This can make it difficult to determine which violent conflicts result from land disputes, or to what extent such disputes played a role in an emerging armed conflict. Despite this difficulty, research suggests that almost every major episode of violence in Africa has had a land dimension to it (Putzel, 2009, p. 16). That said, focusing excessively on land issues can oversimplify the complexity of violent conflict and the multiple drivers that contribute to it.

While land disputes are usually only one factor in a violent conflict, they can provide an important indicator of future violent land conflicts. But not all African countries maintain comprehensive records of land disputes, making it difficult to track incidents over time and to determine which disputes turned violent and why. Increasingly, organizations such as the Norwegian Refugee Council have started documenting land disputes in post-conflict countries, tracking their frequency and identifying their characteristics while also contributing to effective dispute management systems (McKibben and Bean, 2010; NRC, 2011).⁴ These monitoring activities recognize that land disputes are an important part of the post-conflict environment and that, if not handled properly through legal and administrative means, they can turn into violent conflicts, as has happened in Côte d'Ivoire, Liberia, and Uganda (see Box 5.2).

Causes of violent land conflict

Four important factors contribute to the emergence of violent land conflict. First, poor governance and the lack of institutional mechanisms to adjudicate disputes fairly and manage grievances through non-violent means leave some populations marginalized by discriminatory policies. Second, the failure of states to provide basic security to populations

Box 5.2 Land-related post-conflict armed violence

While land disputes can contribute to armed violence, and even war, it is also true that civil wars can aggravate land disputes and perpetuate violent land conflict in the post-conflict period (OECD-DAC, 2001; Pantuliano and Elhawary, 2009). Indeed, civil wars have sown the seeds for post-conflict land violence in many ways. Wars frequently displace populations, sometimes for years or decades at a time. Refugees and internally displaced persons often return to find their homes and fields destroyed or occupied by settlers. Communal ownership of land can contribute to confusion over claims but, even in systems with individual titles, documents are often lost or destroyed during wars and documentation systems no longer function or lack the capacity to resolve conflicting claims.

Exacerbating the situation are animosities between groups that may have supported or fought on different sides during the war and that fear and distrust one another in the insecure post-conflict environment. Moreover, post-conflict governments, often struggling to manage numerous challenges at once, may not pay enough attention to land issues in the early post-war years.

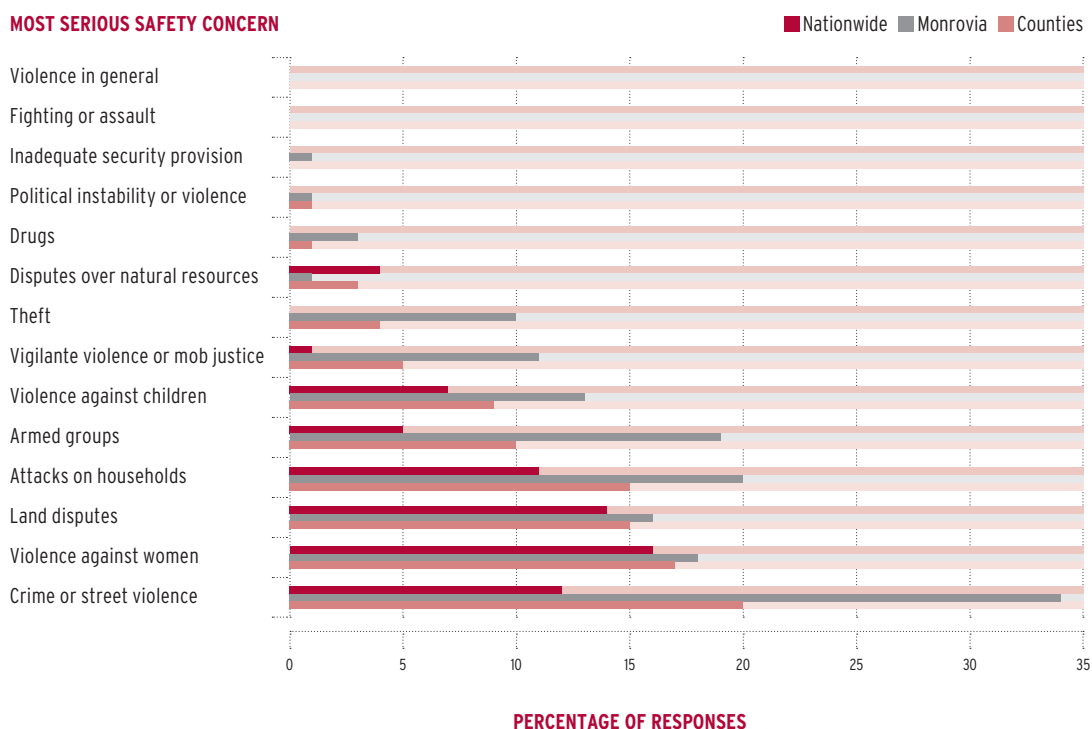
Angola, Côte d'Ivoire, Liberia, Sudan, and Uganda, among other African countries, have been facing post-conflict challenges in managing land disputes and preventing violent land conflict. In Uganda, more than 30 northern districts face the prospects of land wars as a result of land grabs during and after the war, boundary disputes, lack of documentation, and insufficient attention to and management of the disputes (Mabikke, 2011, pp. 1, 5-7).

In Liberia, where as many as 90 per cent of civil cases in the court system involve land disputes, violent land conflict persists as one of the top five security concerns (see Figure 5.1 overleaf). Liberian residents claim that, if they fight a war again, it will be over land (Gilgen and Nowak, 2011, p. 10). Another study of post-conflict land disputes in Liberia indicated that in the three counties studied—Grand Gedeh, Lofa, and Nimba—at least 40 per cent of survey respondents reported violence taking place in relation to disputes over land that had been appropriated during the war; between 35 and 50 per cent of respondents reported violence taking place in relation to a boundary conflict; and at least 40 per cent reported violence taking place in relation to other types of land disputes, such as inheritance or rent issues (Hartman, 2010, pp. 24, 28, 32).

In Côte d'Ivoire, land disputes that began in the 1990s were exacerbated by the civil war (2002-10) and continue to be aggravated by widespread displacement and weak dispute mechanisms. As wartime refugees and displaced persons return to their homes, contradictory legislation hampers the resolution of increasing numbers of land disputes. Despite the 1935 law rescinding customary land rights, 98 per cent of rural land is still subject to management by customary law, the basic premise of which holds that land is communal and rights to use it can be bought and sold, whereas the land itself cannot be sold.

Land use is usually granted by the traditional ruler in exchange for some form of compensation by the user. Over time, the price of compensation has increased to the point that many believe they are buying the land, not leasing it (IDMC, 2009). This has led to numerous disputes between leasers and renters, which have been increasingly portrayed as disagreements between indigenous people and migrants, or between the young and the old. This characterization has brought ethnic and nationalistic dimensions into land disputes, tying them into a broader and highly contentious national dialogue about who is Ivorian.

Côte d'Ivoire's government has responded by beginning to implement the 1998 law to settle disputes by formalizing and privatizing land rights. But the law allows only citizens to own land, and its implementation would disenfranchise the large migrant population that had been enticed to immigrate in the 1950s, 1960s, and 1970s to work on large plantations. In the west of the country, less than a quarter of the population is indigenous. The strict implementation of the 1998 law would create widespread confusion and contestation of land ownership. Many are concerned that the land issue could be a source of serious violence if not managed in a way that is deemed both fair and largely free of the ethnic and nationalistic rhetoric that has long divided the country (IDMC, 2009, p. 11).

Figure 5.1 **Common security concerns in Liberia, 2010**

Source: Gilgen and Nowak (2011, p. 8)

increases insecurity and the likelihood that communities will resort to self-help mechanisms, including armed violence. Third, unresolved grievances over land access and use create fertile ground for land disputes. Fourth, the presence of violence entrepreneurs who are able to take advantage of opportunities for economic and political gain by mobilizing popular grievances about land issues raises the risk of violence (Huggins and Clover, 2005, p. 6). Such mobilization is more likely in areas where there is a history of poor group relations and of land distribution based on ethnicity, as well as the marginalization of particular groups. When these conditions occur, the 'ethnic card' and 'us versus them' rhetoric can easily inflame communities. These factors can be seen as additive in that poor governance and the lack of state-provided security generate popular grievances that can then provide opportunities for violence entrepreneurs to mobilize disaffected populations. These four factors are discussed briefly below.

Insufficient governance and adjudication mechanisms

Good governance entails the creation, implementation, and enforcement of fair laws, and the effective and unbiased adjudication of disputes. Customary law and formal statutes, and their implementation, provide a framework for land rights and land use, determining the distribution of land within a population and across users. In some cases, policies clarify the rules and the rights clearly. In other cases, statutory and customary laws contradict one another. Furthermore, competing centres of authority between national and local governments can create confusion and conflict. The insecurity of tenure systems in many countries can leave families and communities at constant risk of losing their lands.

Governments must address competition for land, a scarce resource, while also managing competing claims for its use. Competition for access to land occurs not just between farmers and herders, but also between industrialists and

Box 5.3 Land grabbing

Sales of large parcels of agricultural land—a relatively recent development in Africa—has only exacerbated problems of access to land and inequality in the distribution of land rights. Greed has encouraged land grabbing by politicians, elites, and international companies. Land grabbing is defined as ‘the acquisition of land by a public or private enterprise or individual in a manner that is considered to be illegal, underhanded or unfair’ (McKibben and Bean, 2010, p. 4). The practice has involved the forceful removal of communities from their lands, as was the case in Uganda, where more than 20,000 were forcefully evicted, and even beaten in the process, between 2006 and 2010. In some instances, communities may agree to leave after being told they have no legal right to remain or because they are compensated in minor ways (Oxfam, 2011, pp. 3, 15–16, 21).

Limited domestic production capacity and the food price crisis of 2007–08 have driven some states to purchase land in Africa and elsewhere for production. Rather than relying on buying food on international markets, which may be prohibitively expensive or too unreliable an option, wealthy countries that lack arable land at home—such as China, India, Kuwait, and Saudi Arabia—are purchasing large plots of land in countries such as Kenya, Mozambique, Sudan, and Tanzania to ensure access to both food crops and biofuel production. Map 5.2 (overleaf) indicates some of the countries that have sold large plots of land to foreign entities. Due to the secrecy of many land deals, it is difficult to ascertain the extent and nature of many land deals.⁷ In some cases, land has been expropriated by the state to be sold to the highest international bidder (Deininger and Byerlee, 2011).

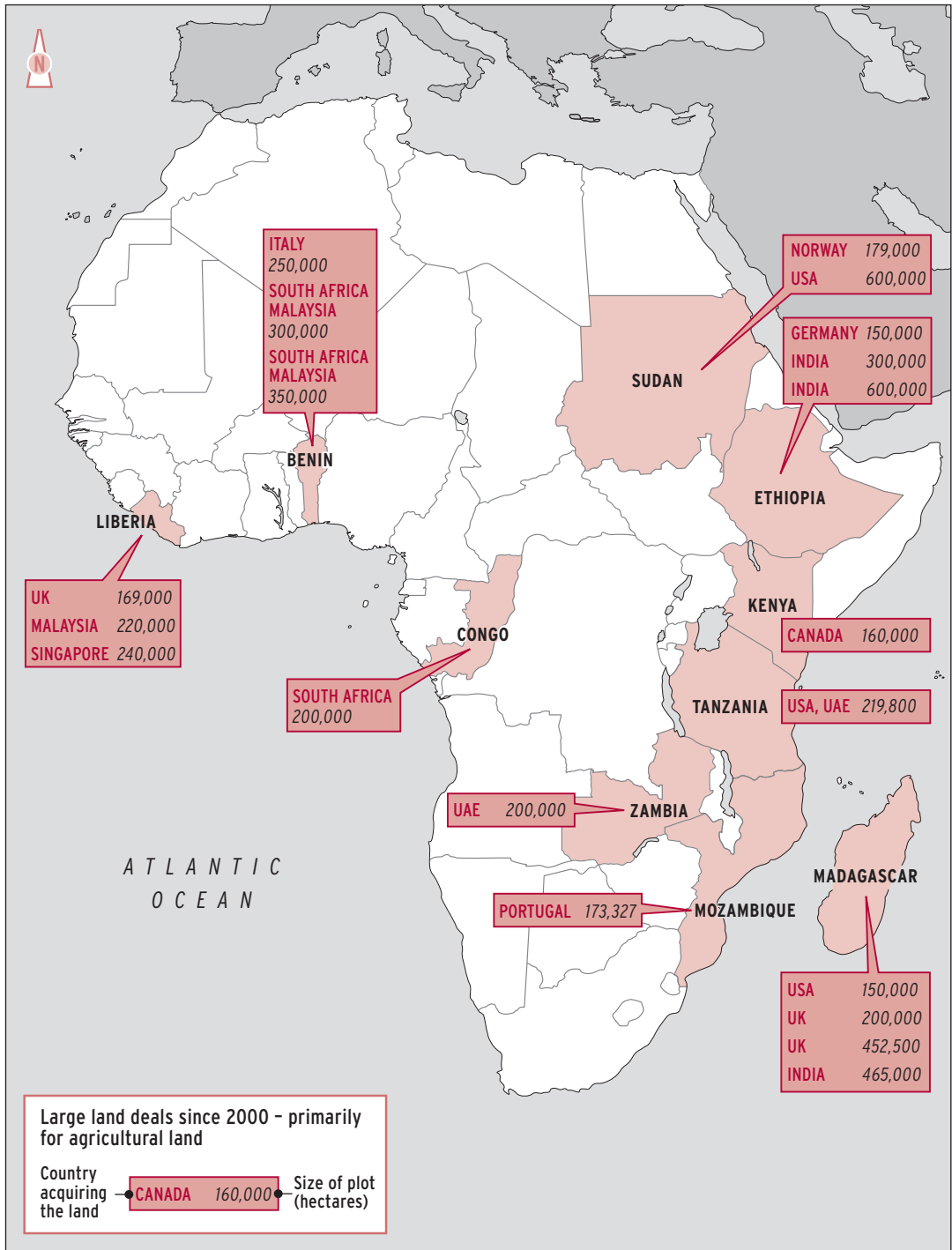
Since 2001, more than 30 million hectares—an area almost the size of Germany—have been leased or sold in Africa (Oxfam, 2011, p. 5). While some observers argue this is a good deal for poor countries, which benefit from the investment of resources and new technologies, others suggest these are simply ‘land grabs’, an expression of neo-colonialism, that push poor farmers off their lands, line the pockets of corrupt politicians, and contribute to already volatile situations (*Economist*, 2009a; 2009b; von Braun and Meinzen-Dick, 2009; Oxfam, 2011; 2012). The majority of land deals for agricultural production yield export commodities, which do little to address local demand for food and can exacerbate food security challenges in African countries (Oxfam, 2011, p. 10).

Sources: Deininger and Byerlee (2011); *Economist* (2009a; 2009b); von Braun and Meinzen-Dick (2009); McKibben and Bean (2010); Oxfam (2011; 2012)



Maasai protesters demand that land leased to British settlers be given back to them, Uhuru park, Nairobi, Kenya, August 2004. © Radu Sighet/Reuters

Map 5.2 Examples of land grabbing in Africa since 2000



Notes: This map shows deals concluded since 2000 that entail: 1) the transfer of rights to use, control, or own land through sale, lease, or concession; and 2) the conversion of land from local community use or important ecosystem service provision to commercial production.

Source: Land Portal (n.d.)

entrepreneurs focused on mining, tourism, and other potential business ventures; increased land competition contributes to the volatility of areas struggling to satisfy the demands of various actors (van der Zwan, 2011, p. 3). Governments can regulate competition through policies and land management, but poor management can lead to inequalities in access and distribution, as well as discrimination against particular groups based on ethnicity, religion, origin, wealth, or political leanings. Corrupt or greedy politicians can use policies to serve their own purposes, rather than the needs of the population (see Box 5.3). When poorly implemented, policies—whether fair or ill-conceived—can result in confusion, create competing claims on land, and exacerbate difficulties inherent in enforcing the rule of law.

When competing claims arise, various mechanisms can be used to adjudicate disputes through non-violent means; these include customary rules and practices and the formal legal system. In many countries, however, government institutions and laws are inadequate to respond to the task. Weak institutions offer few (or poor) mechanisms to adjudicate disputes or settle ownership issues in cases of competing or unclear ownership. Judiciaries are often slow, and the poor typically lack access to formal courts. Legal titles may have been lost or issued multiple times for the same plot of land. Official land records, often still kept only in hard-copy paper format, may be missing or in some cases not even maintained. In areas far from cities and with weak local governance structures, individuals are more likely to pursue local remedies to their land disputes, often through traditional chiefs, as they are the most familiar and most accessible.⁵ Yet such mechanisms are not always able to end disputes or to settle them in ways deemed fair by complainants.⁶ Without reliable adjudication mechanisms, individuals and communities can be left on their own to resolve their land disputes; at times, they may resort to violence to ensure the security of both their persons and of their land.

The inability of government forces to provide security can leave communities vulnerable.

Failure to provide security

The inability of government forces to provide security can leave communities vulnerable to attack and dispossession of their land or their livestock. This vulnerability, especially in areas where cyclical attacks are common, heightens feelings of insecurity and inspires communities to pursue their own means of security, often by procuring arms, supporting local defence forces, or refusing to disarm (Bevan, 2008, pp. 26–27; Kingma et al., 2012, pp. 29, 33–41). These steps are important contributing risk factors for violent land conflict.

In some cases, security forces are incapable of providing security. They may lack sufficient resources—salaries, food, housing, vehicles, personnel, or arms—to conduct patrols and enforce laws across the country. This is especially true in rural areas, where greater resources to patrol or establish a police presence may be required. Providing security for mobile populations, such as pastoral communities, imposes even greater costs and difficulties for security forces. Poorly trained, under-equipped, and under-resourced, security forces in many countries may simply lack the ability to confront raiding or other armed forces, and may be overwhelmed when intervening against them. When these conditions apply, communities are less likely to trust government forces to provide security.

In other cases, security forces actually heighten insecurity and instability, for instance by backing one community against another or by arming one community and not another. A number of governments have armed local defence forces as a way of providing security in communities that cannot be secured by the national security forces. Some governments have exacerbated poor security situations by committing human rights abuses while carrying out their duties, intervening in raids, or disarming communities. In particular, East African governments have conducted a number of forced and violent disarmament campaigns to remove weapons from communities.⁸ Moreover, some disarmament programmes have reduced community security and even promoted localized arms races, especially if they were forced, conducted in some communities and not others, or not complemented by the provision of state-led security. The failure of governments to provide security not only heightens insecurity, but also pushes communities to devise their own solutions. In many cases, this entails arming themselves.

Grievances

In many cases the main challenge is not sheer scarcity, but rather the perception that access to and distribution of land are unfairly and unequally granted (Huggins and Clover, 2005, p. 2; van der Zwan, 2011, p. 3). Discriminatory policies and poor governance can produce popular grievances. Unequal access and distribution of land—by family, tribal affiliation, ethnic group—can be linked back to local and national policies of allocation, distribution, and ownership; to whether scarce land is properly managed, protected, and controlled; and to how economic opportunities are granted. When groups believe they are being intentionally harmed by government policies, grievances against the government grow. When groups believe these policies specifically benefit other groups, at their expense, grievances against other communities grow. These grievances provide fertile ground for mobilization.

Grievances also arise from perceptions of insecurity. Groups that believe they have been mistreated or simply left to their own fates by governments that are unwilling or unable to provide security are likely to lack trust in the government and view discriminatory policies as targeting them and their livelihoods. Insecurity contributes to poor relationships between communities and governments as well as between communities. Histories characterized by grievances among groups, fuelled by decades of discrimination and violence, increase the sense of insecurity, lead communities to take measures to protect their livelihoods and families, and form the basis of retaliatory attacks.

Land represents a lucrative prize and an important tool in violent political struggles.

Examples of cycles of violence can be seen among the pastoral communities engaged in cattle rustling and at the intersection of pastoral and agricultural communities. The fact that both governments and development agencies have largely overlooked land disputes has provided unmonitored space for related grievances to grow and fuel violent conflict (Putzel, 2009, pp. 14–16).

Violence entrepreneurs

While institutional mechanisms for dispute resolution, fair policies, and good governance are important, there is also a need to curb the intentional manipulation of land management for political advantage and the instrumental use of land for economic gain. Violence entrepreneurs—whether elites, politicians, or businessmen—are those who capitalize on situations of instability and insecurity to mobilize aggrieved populations for political or economic gain. Examples of such entrepreneurship abound. Land represents a lucrative prize and an important tool in violent political struggles between elites in places such as Kenya, South Africa, and Zimbabwe (USAID, 2005, p. 19). Politicians have not only granted land to those whose votes they need, but have also given weapons to those communities to defend that land, increasing the risk of violence and enhancing the capacity to injure (Huggins and Pottier, 2005, p. 384). This goes beyond bad policy. It is the intentional mobilization of groups to commit violence in order to achieve political ends. On the economic side, businessmen have capitalized on the poor economic prospects of young men living in pastoral communities by offering them opportunities to engage in commercial cattle raiding and other illicit activities that utilize the young men's warrior skills for economic gain.

Violent conflict is more likely when localized disputes are linked to broader patterns of political, social, and economic exclusion and discrimination (UN, 2010, p. 6). This linking of the local with the national often expands the nature of the conflict beyond the simple issue of a plot of land to that of broader injustices against communities. Violence entrepreneurs are able to link the local to the national and mobilize aggrieved populations. The risk of widespread violence increases as conflicts involve groups of people, rather than just individuals (Bruce, 2011, p. 1). Violence is most likely when these injustices appear targeted at particular groups, when they threaten the survival and future prospects of that group, and when non-violent, legal action is no longer perceived as a viable path to remedying injustices or delivering security to threatened communities. The confluence of these factors can escalate minor, localized conflicts into large-scale armed conflicts with devastating consequences (OECD–DAC, 2005, p. 1; Deininger, 2003, p. 157).

VIOLENT LAND CONFLICT IN AFRICA

'Violent land conflict' is treated in the literature in a number of ways: as armed conflicts between countries over borders; armed conflicts within countries over natural resources or secessionist goals; and armed clashes at the community or neighbour level.⁹ Armed conflicts over identified pieces of territory—border wars and secessionist wars—are clearly violent land conflicts but with political and economic considerations. Civil wars tend to offer less obvious external indicators of the role land plays in the conflict. In some cases, land may be at the core of the dispute—as in Rwanda; in other cases, it may be one of many drivers—as in Sudan and Mozambique. In cases where civil wars are clearly fuelled by natural resources—diamonds, oil, gold—the link to land is more evident, while in other cases the role of land may be less apparent, though not necessarily a less important driver of conflict. Clashes at the community level between pastoral and agricultural communities are easily identifiable as violent land conflicts, but many community conflicts may not have evident links to land. In addition, numerous short-lived but violent events erupt over disputes about land and land-related issues, such as food, water, subsistence, environmental degradation, and access to natural resources.

This section focuses on three types of violent land conflict: resource conflicts, which take place at the national and local levels; communal conflicts, which are more localized conflicts; and social conflict events, which include protests and riots. This discussion focuses on violent conflicts that have a clear relationship to land but that are not typically considered *wars* or *armed conflicts* in the traditional sense (NON-CONFLICT VIOLENCE).



A Congolese miner bags raw chunks of cassiterite, the base element of tin, which is exported daily, July 2004, Mubi, Democratic Republic of Congo.
© Finbarr O'Reilly/Reuters

Resource conflicts

Resource conflicts tend to occur either at the national level or at the local level (see Table 5.1). At the national level, resource wars are typically intrastate armed conflicts fought between the government and at least one organized non-state armed group (UCDP, 2012b). In these conflicts, the goal of the armed group is often to overthrow the government. These wars are highlighted here because the conflict parties—both the government and the armed groups—fight over access to valuable land resources, which they also use to finance their wars. Such resources include diamonds in Angola, Côte d'Ivoire, the DRC, Liberia, and Sierra Leone; oil in Angola; cocoa in Côte d'Ivoire; and timber in Liberia. While some resource wars have resulted from land-related issues, land is usually only one of the underlying drivers of the conflict.¹⁰

National-level wars have often been of long duration, or they have recurred numerous times over a decade or more. While estimates of battle- and conflict-related deaths are often unreliable, they suggest that these conflicts have claimed tens of thousands of lives in battle and many more in war-related circumstances such as disease or lack of water, food, or shelter (Geneva Declaration Secretariat, 2008, chs. 1, 2; HSRP, 2012, p. 194).

In addition to being extremely costly in terms of the numbers killed, injured, and displaced, these wars have also had a negative impact on development, the health of the population, and the infrastructure and economy of the afflicted country. The widespread availability of small arms—and the capacity of armed groups to purchase weapons using substantial profits from the natural resource trade—arguably contributed to the high death tolls and costs of these wars.

Table 5.1 Resource-related conflicts, 1975–present

Country	Natural resource(s)	Type of conflict	Dates
Angola	Oil, diamonds	Civil war	1975–2002
Angola (Cabinda)	Oil	Secession	1975–2006
Côte d'Ivoire	Cocoa, diamonds, cotton	Civil war	2002–11
Democratic Republic of the Congo	Diamonds, gold, timber, coltan, cassiterite, copper, cobalt	Civil war; localized armed conflict	1996–97, 1998–2003, 2004–09, 2012–present
Guinea-Bissau	Illicit drug trade	Coups	1998–99 Coups: 2003, 2004, 2009, 2012
Liberia	Timber, diamonds	Civil war	1989–97, 1999–2003
Nigeria (Niger Delta)	Oil	Localized armed conflict	2003–09
Republic of the Congo	Oil	Civil war	1997–99
Senegal (Casamance)	Cashews	Secession	1982–2004
Sierra Leone	Diamonds	Civil war	1991–2002
Sudan	Oil	Civil war	1983–2005

Notes: This table only includes African conflicts that were clearly fought over or fuelled by natural resources. In some cases, the sale of the natural resource provided financing; in other cases, it was the taxation of the growing, harvesting, transportation, or sale of the resource that provided financial gain to one or both of the warring parties.

Years are approximations of start and end dates. Consulted databases list different dates depending on battle-related death levels, periods of inactivity, and cease-fires and peace agreements.

Sources: Hazen (2013); Klare (2002); Le Billon (2005); UCDP (2012a)

Box 5.4 The Kivus: land conflict and armed groups

The Democratic Republic of the Congo provides an important reminder of the challenges of managing natural resources, the legacy of colonialism, and the need to address long-standing grievances and conflicts over land rights. This is especially true in the eastern part of the country, the Kivus, which have suffered bouts of extreme violence since before colonial times (see Map 5.3 overleaf). The chronic instability in the Kivus has its roots in local disputes over land, citizenship, power, and identity, which over time have been tied to local, national, and regional political dynamics, exacerbating existing grievances and spurring more violent conflict.

The colonial practices of the Belgians in the Congo provided a basis for altering the ethnic balance in the east and the political balance among local groups. The Belgians implemented policies that reduced the role of customary law, expropriated large tracts of land deemed 'vacant' for settler farming, and facilitated the mass migration of Rwandans for labour on plantations and in mines (Huggins, 2010, p. 13; Stearns, 2012b, pp. 10–16). As a result, indigenous populations such as the Hunde were displaced. The Hunde refused to work for the colonialists and became a minority population, while the Tutsi population grew in size and status. The Hunde resented their loss of land and power; these grievances and the resulting tensions between the Hunde and immigrant populations (mainly the Banyarwanda Tutsi) served as the foundation for decades of conflict (Stearns, 2012b, p. 17).

Independence and democratization exacerbated fears among the population. For indigenous groups, these changes stoked fears of repression by immigrant communities; in contrast, the immigrant populations feared the loss of citizenship rights and with them access to and ownership of land. Through elections and decentralization indigenous groups, such as the Hunde, increased their power through control over administrative functions. Indigenous leaders proposed various measures to limit the rights of the Banyarwanda and went so far as to propose their expulsion from North Kivu, where they had been living for generations. A May 1965 uprising, dubbed the Kanyarwanda War and characterized by Hunde–Banyarwanda clashes, led to the labeling of Banyarwanda as rebels and drew further calls for their expulsion.

Policies under President Joseph Mobutu Sese Seko (1965–97) exacerbated the tensions between local groups, sometimes to the advantage of the Banyarwanda, and sometimes to their disadvantage, depending on the political goals of Mobutu (Stearns, 2012b, pp. 23–26). In 1972 he granted citizenship to anyone who had immigrated before 1960, enabling the Banyarwanda to amass large tracts of land. In 1981 Mobutu reversed this law, granting citizenship to those who had arrived in the country before 1885, thereby raising doubts about the land ownership of some 500,000 Banyarwanda. In 2004, the law would once again return to the 1960 reference point, but only after massacres in 1992, the 1994 genocide in neighbouring Rwanda, and the civil wars of 1996–98 and 1998–2003. Contestation over citizenship and deep-seated communal tensions persist and the continuation of ethnic discrimination and a weak state presence contribute to the ongoing instability in the east.

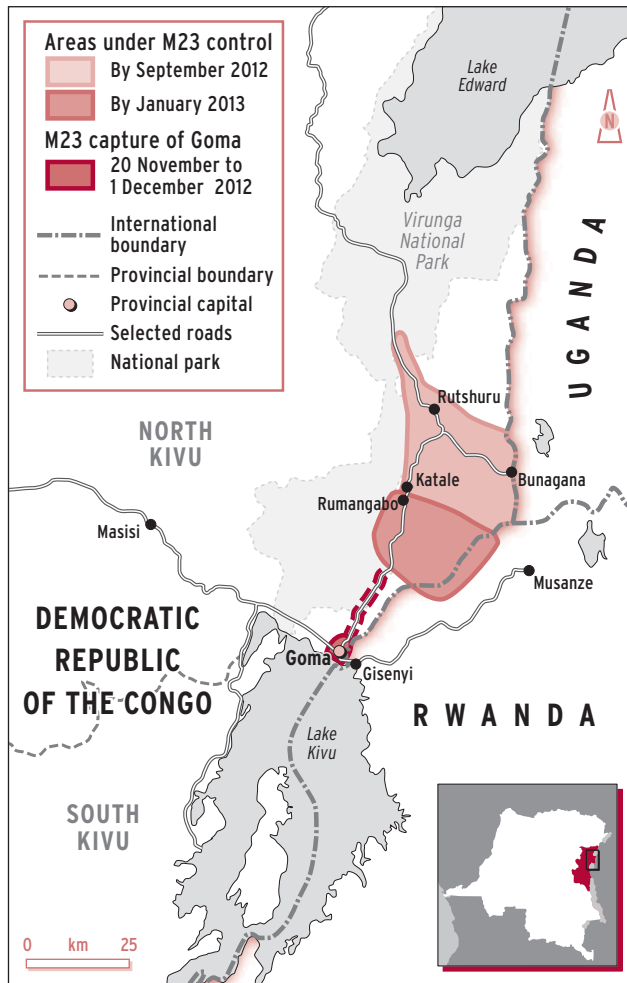
More recently, the Tutsi-dominated National Congress for the Defence of the People (CNDP) fought a rebellion from 2004 to 2009. The CNDP imposed control over much of North Kivu and enabled the return and migration of Tutsi to the region. These population movements generated concerns among the indigenous population that the CNDP was trying to shift the demographics in the area to favour the Banyarwanda–Tutsi population. The arrival of thousands of returnees and economic refugees exacerbated the existing competition over land resources and revived long-standing questions over land access and tenure (Bafilemba, 2010; Huggins, 2010, pp. 25–26). The CNDP signed a peace agreement with the government in 2009, but this did little to address the concerns in the region.

The latest rebellion began in April 2012, when the March 23 Movement (M23) emerged. The group consists primarily of ex-CNDP fighters who had been integrated into the DRC's national army as part of the 23 March 2009 peace agreement, from which the group takes its name. The M23 is Tutsi-dominated and operates mainly in the mineral-rich North Kivu province.

While the ethnic orientation of the group is important, given the region's history of ethnic tensions and anti-Tutsi sentiment, the current rebellion may be less about ethnicity than economics. There are different views on why the rebellion began. One argument is that the push to arrest the former CNDP leader, Gen. Bosco Ntaganda, who has two open International Criminal Court indictments against him, sparked the rebellion. Another holds that the split was prompted by the decision to rotate the Congolese troops out of the resource-rich area, which soldiers, including former rebels, had controlled and exploited. Rwanda, which reportedly turns a profit of USD 100–300 million per year from the mineral trade, allegedly supports the M23 rebellion with weapons, ammunition, and training, as well as troops, for security reasons but also to ensure a continuation of the resource flow (Hogg, 2012).

The M23 rebellion has taken a deep toll on the population. By September 2012 fighting had displaced at least a half million people (News24, 2012). Their abuses of the local population include summary executions, dozens of rapes, forced recruitment of several hundred people, and the abduction and use of children as soldiers (HRW, 2012). It remains unclear what the rebels want–stated goals have ranged from implementation of the 2009 peace agreement to the stepping down of President Joseph Kabila to the creation of a new state in the east—but the group is clearly capable and willing to continue fighting to obtain concessions. Meanwhile, the population continues to suffer from the lack of security and governance in the region.

Map 5.3 The Kivus and M23 areas of operation, September 2012–January 2013



The DRC is among the countries that have witnessed recurring resource-related conflict. It has experienced recurring armed violence since 1996, including civil wars (1996–98 and 1998–2003) and regional violence (2004–09). The majority of the violence has taken place in the eastern part of the country, an area rich in mineral resources. Although the last civil war officially ended in 2003 with the Lusaka Peace Agreement, violent clashes have continued in the Kivus, including the most recent 2012 rebellion by the M23 rebels (see Box 5.4).

Resource conflicts do not always rise to the level of widespread civil wars. There are numerous cases of localized or regional violence, with groups fighting one another or natural resources and related profits. In addition to the Kivus, the struggle over oil profits in the Niger Delta is a prime example (see Box 5.5). The groups fighting these conflicts often claim to represent aggrieved populations, but in many cases their primary aim is to control the extraction and profits of natural resources, or at least to gain a greater percentage of the profits. Natural resources play an important role in fuelling these conflicts, but political factors play a strong role as well.

Local resource conflicts vary in severity. While the conflict in the Kivus has led to mass displacement and numerous deaths, the conflict in the Niger Delta has created an atmosphere of insecurity through kidnapping and armed clashes, but the majority of the costs have been economic, through oil sabotage, oil bunkering, and limits on the ability of oil companies to operate. While the death toll has been lower in the Delta, the conflict has had far-reaching economic effects.

Violent land conflict among communities

Community conflicts over land are often related to the security of a group, whether in terms of economic security, political power, or the basic survival of a group that may be displaced from its lands. Violent clashes between farming and pastoral communities over land use have been common for decades in Central and East Africa, but their increasing frequency and persistence have turned regions into areas of low-intensity conflict (IRIN, 2012b). In some instances the

Box 5.5 The Niger Delta: a fight for more than just oil

A range of factors fuel armed violence in Nigeria, including politics and elections, democratization and political liberalization, the emergence of armed groups, natural resource competition, inter-group political wrangling over ethnicity and religion, and poverty. But at the heart of many conflicts is a struggle for access to resources and the distribution of benefits (Hazen, 2007, p. 6).

The Niger Delta offers a microcosm of Nigerian national politics. Political patronage remains at the core of local governance and determines the distribution of power and resources (Hazen, 2007, p. 22). Political power remains concentrated in the hands of a few elites who, with their access to money, arms, and private militias, can manipulate elections; in this political system, widespread corruption offers the opportunity to access vast government coffers for personal gain (p. 7). The enormous sums of money available to local, state, and national politicians explain the intensity with which candidates vie for public positions, including by spending considerable amounts on pre-election activities and engaging in violence and intimidation (p. 17). Winning an election, in some cases, is not unlike winning the lottery.

Elections have demonstrated the strong role of political godfathers and the willingness to use any means necessary and available to win elections, including violence. The 2003 elections marked an important shift in political violence. Candidates armed local youth groups as their personal militias, often referred to as *political thugs* among locals (HRW, 2007, p. 33). These private militias 'encouraged' support for the candidate, and 'discouraged' support for opposition candidates through intimidation and violence, including clashes with the militias of opposing candidates (Hazen, 2007, p. 6).

The militarized nature of politics combined with the prevalence of armed groups has allowed for an easy marriage between politics and violence. Armed groups are not new in Nigeria, but they are increasingly well armed and trained, and sophisticated in their tactics. After 2003, armed groups, hired for political purposes, were set free without being disarmed and have since evolved into economically independent and more politically savvy entities (Hazen, 2007, p. 79). As a result, some groups have tried to engage in and influence the political process themselves. Increased access to funding from oil bunkering and the access to arms by militant groups strengthened the militants' position. The military's heavy-handed response to militant activity and the failure of the government to address the underlying grievances of the population—even though the majority of the Delta residents still live in poverty, without reliable access to good roads, health care, education facilities, or employment—turned many civilians against military intervention (Hazen, 2007, p. 10).

While the grievances in the Delta are well founded, not all of the violence can be attributed to the fight for justice, development, or the equitable distribution of oil revenue. The Delta has played host to numerous armed groups over the past decade. Some groups agitate for political change and democratic governance, but many others fight for resource control. In some instances, groups simply take advantage of the uncertain situation to engage in criminal activities and oil bunkering for profit (Hazen, 2007, p. 10).

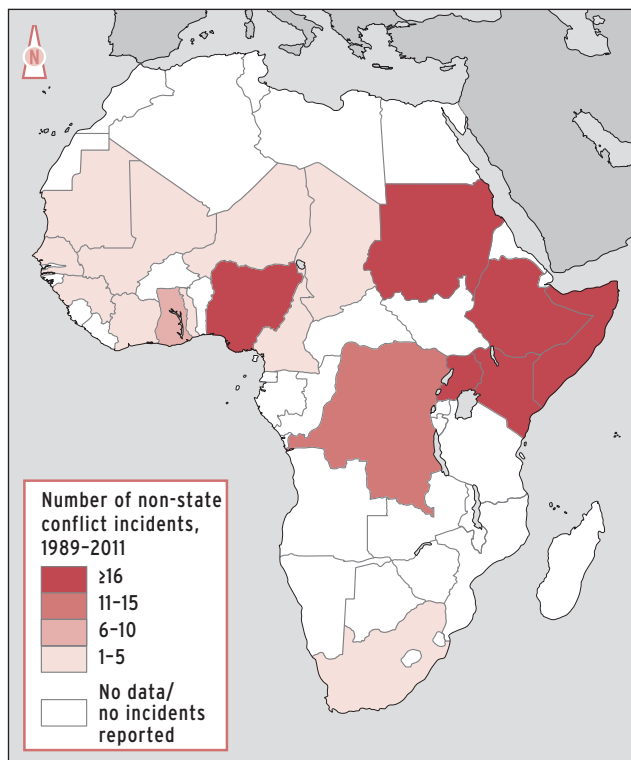
By 2008, mounting violence had reduced oil production by more than 50 per cent (Thurston, 2010). The government stepped in to offer an amnesty programme in 2009, essentially paying militants to stop the violence. The amnesty has held, for the most part, but many fear the end of the amnesty programme in 2014 will result in a return of violence in the Delta because little has been done to address the underlying grievances of the population.

Sources: Hazen (2007; 2009); Thurston (2010)

violence is short-lived and the damage minimal, while in other cases the active violence persists for weeks and months, leading to thousands of deaths. Histories of inter-group violence feed cycles of revenge, occasionally with months passing between attacks.

Community clashes take place not only over agricultural and grazing lands, but also over ancestral lands and access to natural resources. In Liberia, for example, disputes in rubber plantations in 2008 brought about the killing of at least 20, while riots over ancestral lands in Uganda left at least 20 dead in 2009 (Moore, 2010). The interlinking of community clashes with larger political conflicts, as in the eastern DRC, has inflamed already volatile situations. The current episode of violence at the hands of the M23 rebellion can be traced back to land disputes between ethnic groups, but the nature of the conflict has evolved over time, increasing in intensity and involving external patrons, as participants to the violence seek to control not only land but also the rich mineral wealth extracted from

Map 5.4 Non-state communal conflicts over land in Africa, 1989–2011



Source: UCDP (2012d)

it. Similar dynamics can be found in other pastoral communities in Ethiopia, Kenya, Somalia, Sudan, and Uganda, where bows and arrows have been traded in for more powerful weapons and violence has escalated as localized conflicts become fodder for national politics (Mkutu, 2001, p. 8).

Map 5.4 illustrates patterns of non-state communal conflict in Africa, meaning conflicts between non-state groups within a country.¹¹ It does not provide exhaustive coverage, but instead represents the best estimate of the number of communal armed conflicts over land resources, based on reports of violent clashes, or incidents, between communities.¹²

There is no comprehensive database that collects figures of those killed, injured, or displaced by violent land conflicts between pastoral and agricultural communities or between ethnic groups. A review of some of the available estimates suggests the impact of these conflicts has been high (see Table 5.2).

Violent communal conflicts over land and resources such as cattle have taken place for generations among various groups, including pastoralists (see Box 5.6). Yet their tactics and intensity are changing. Traditional bows and arrows, while still used in conflicts today, are now often accompanied by small arms, increasing the devastation of attacks. For example, while cattle rustling and clashes over farm land are common in East Africa, the availability of small arms across Kenya's borders, particularly from war-torn Somalia, has exacerbated an already conflict-prone situation, making it more violent (Akwiri, 2012). The Karimojong conflicts—stretching from Uganda into South Sudan and Kenya—have become more lethal and more protracted with the widespread availability of small arms (Bevan, 2008, pp. 26–27; Kingma et al., 2012, pp. 27–30). Bevan (2008) traces the evolution of the conflicts in Karamoja and the role of small arms in increasing violence and weakening the capacity of local authorities to manage the situation (see Box 5.7).

These conflicts are also changing in terms of their scale, frequency, and level of destruction. Historically, attacks focused more on cattle rustling than on attacking communities. This has changed in some areas, with attacks now focused more directly on civilians, including children, women, and the elderly; indeed, attackers have not refrained from killing, abducting, and raping victims while also decimating villages by arson (Burnett, 2012; Small Arms Survey, 2012, pp. 6–7). The escalation of clashes suggests a potential for an arms race among communities that view their security as threatened and their governments as unwilling or unable to protect them.

Box 5.6 Pastoralist communities and the struggle for land and livelihoods

East Africa—including Ethiopia, Kenya, Somalia, and the two Sudans—is home to the largest group of pastoralists in the world. A pastoral life involves more than the economic activity of raising livestock, even if these animals are at the centre of the economic, social, and political organization of pastoral communities. The ability of the pastoral system to survive depends on access to water and pasture lands. The drive to access water and land has brought pastoralists into conflict with agricultural communities, other pastoralist groups, and state security forces.

Pastoralists are semi-nomadic, moving their herds during dry seasons and times of drought to areas where there is better access to water and land. This movement has brought them into conflict with sedentary farming populations. Shifts in land ownership and changing state and national borders have made pastoral activities more difficult and led to increased conflict over land use. The privatization of land rights has led to the marginalization of pastoral areas and the weakening of traditional authority.

The privatization of rights has shifted land ownership from communal to private. This counters past practices of communal ownership among pastoral communities, which allowed for broader grazing areas, as well as negotiations among communities for grazing rights. The implementation of borders between plots of land effectively reduced the ability of pastoralists to move their herds. It also made communal land available for purchase, further displacing pastoralists. For example, the West Pokot district in Kenya has lost much of its pastoral land to agricultural activities (Mkutu, 2003, p. 11). The expansion of agricultural activities and the creation of national parks using traditional pastoral lands have reduced the amount of land available for pastoral activities, while also exacerbating the tensions between agricultural and pastoral communities, and between pastoralists and the state.

Pastoralists have been largely marginalized in the political and economic systems of these African states. Pastoral areas are among the poorest and receive less representation in government and economic assistance than other regions. This means they have fewer options for protecting their way of life or coping with droughts that threaten their livelihoods. These are also areas that have received limited attention from governments, including the provision of law and order, leaving responsibility for security to the traditional authorities. The Karimojong in Uganda have responded to the lack of state-provided security by making their own guns (Mkutu, 2003, pp. 12-13).

The increase in private land rights and the shift to modern governance structures have weakened traditional governance structures, and at times placed traditional laws in contravention of national laws. Traditional governance provided means of distributing access to resources and mechanisms for resolving disputes, and imposed controls over cattle raiding. The weakening of these controls has reduced the ability to manage land conflicts and provided the opportunity for more frequent and deadlier raids. In Karamoja, Uganda, the impact of widespread raiding on pastoral communities has been devastating, depleting the key form of currency and livelihood (cattle) to such a point as to drive young men towards criminality, where economic opportunities appear better (Bevan, 2008, pp. 27-28).

Cattle raiding is an age-old activity, conducted to replenish lost stock, to expand grazing lands, or to obtain the costs of bride payments, an important cultural practice among pastoral communities. Traditionally, cattle rustling focused on the theft of livestock, but a number of factors have contributed to the changing nature of raiding and violent land conflict. Pastoralist communities have armed themselves with small arms in order to protect their cattle, defend their land, and even engage in cattle raiding themselves. Traditional authorities are no longer able to control raiding practices, and young men have demonstrated a willingness to conduct armed raids in order to acquire cattle and thereby enhance their stature in the community. There is also evidence of the commercialization of cattle raiding by businessmen who invest in the practice as a means of making money. In Samburu district in Kenya, the theft of more than 25,000 cattle during 1996-99 suggests that cattle raiding has become more organized, with few of the stolen livestock being recovered, and reports of the meat being sold as far away as South Africa and Saudi Arabia (Mkutu, 2003, p. 16). Raids have resulted not only in the loss of cattle, but also in the deaths of women and children, the destruction of homes, and the displacement of hundreds of thousands.

Ugandan and Kenyan authorities have responded in various ways. They have deployed the police to enhance security, but the police have often proved inadequate to the task, or in some cases complicit in the activities. They have provided arms to communities and minimal training to create volunteer forces to protect communities, but this has led to an arms race among affected communities and attracted armed vigilantes who conduct their own raids for profit. Governments in the region have also tried disarmament campaigns, but the forced disarmament programmes were marred by human rights violations, while the voluntary amnesty programmes produced few results (Mkutu, 2003, pp. 13-14, 28-30; Sheekh, Atta-Asamoah, and Sharamo, 2012, pp. 6-7). Insecurity in pastoralist areas and the inability of the state to provide security have left those communities feeling insecure without their arms, and unwilling to give them up. Without putting in place mechanisms for managing land disputes, measures to provide security, and programmes to address the economic needs of these communities, removing the arms will simply create more insecurity and increase the market for new arms acquisition.

Box 5.7 Cattle raiding, small arms, and violent conflict

Cattle raiding is an old tradition in the pastoral communities of Africa, such as in Ethiopia, Kenya, Sudan, and Uganda (see Box 5.6). Pastoral groups conducted raids in order to replenish depleted stocks after droughts, to recover cattle stolen in raids, to expand grazing areas, or to acquire new cattle for bride prices. Since the 1970s, armed violence in pastoral communities has expanded. It is now more frequent and more violent, and involves more than just traditional cattle raiding.

A number of factors have contributed to the escalation of armed violence in pastoral communities, which is most frequently expressed through community raids, commercial raiding, and criminal activities. These factors include:

- the reduction in available grazing lands;
- weak state presence;
- poor governance;
- a lack of security;
- few economic opportunities for young pastoralists who have lost cattle through drought and raids;
- the pursuit of economic profits by urban entrepreneurs who have turned cattle raiding into a formalized, albeit illegal, economic venture;
- the weakening of traditional dispute mechanisms; and
- the proliferation of small arms.

While small arms play an important role in the escalation of violence, they are a symptom, not a cause, of the violent conflict taking place in pastoral areas. The causes of the violent conflict are complex and not suited to simple prescriptive solutions.

Pastoralist communities have acquired small arms not only to protect their cattle and their land, but also to engage in cattle raiding themselves. Initially, raids focused on the cattle as the prize, and revenge raids often attempted to recapture stolen livestock. The cattle thus stayed within the pastoral community, providing opportunities for repeated thefts. In addition, there were strong traditional constraints on violence. Deaths were taken seriously, and those responsible were required to undergo ceremonial cleansing rituals and compensate the families of those killed. As pastoral communities have adapted to changing conditions, so have the traditions of cattle raiding and of the communities as a whole, contributing to more violent activities.

Today, many raids are conducted against communities that are far away or with minimal ties to the raiding party's community, reducing constraints on actions, and increasing the toll of raids as women and children are abducted or killed and homes are burned. The weakening of traditional authorities, who traditionally oversaw ritual cleansings and compensation, further reduces the accountability of raiding parties. Commercial raiding, conducted by pastoralists who are paid by urban entrepreneurs to steal cattle, has not only increased the economic incentive for raids, but has also led to a reduction in the overall stock in grazing areas as these cattle are not swapped among pastoral groups, but are sold on the market. The reduction in cattle has exacerbated the plight of pastoral communities, and desperation has spurred more frequent raids. It has also driven the traditional warriors into other economic activities, such as commercial raids or service as hired thugs.

From colonial times pastoralists gradually replaced traditional weapons with more modern ones. They initially used simple single-shot rifles, but in the late 1970s assault rifles became more common, and today they are the most widely used. Pastoralists have sourced weapons from Kenya, the Sudans, and Uganda, using established trade routes (Bevan, 2008; Mkutu, 2006). Yet they have also obtained weapons through domestic sources, including markets, barter, and state security forces. Groups obtain weapons during raids, by stealing the weapons of the communities they attack. Civil wars and unrest in neighbouring countries contribute to the influx of small arms into the region. The cost of small arms—although it varies based on location and demand—has dropped over time, making small arms affordable to many. The cost of ammunition, by contrast, has generally increased, though it is still affordable, and relatively easy to smuggle in small quantities.

The availability of small arms and their frequent use in violence have not only generated fear among communities but have also created a demand for weapons. The acquisition of weapons has been far from uniform. The strength of some groups, such as the Karimojong, has spurred victimized communities to seek to arm themselves. Governments have responded in some areas by arming local defence groups. Yet state security forces have been largely absent from conflict resolution efforts and, where they have intervened, they have often been outnumbered and outgunned. This has left communities to their own devices to ensure their security. The insecurity in the region has many causes, but the commonality is that communities are seeking to defend themselves through the possession of small arms.

Table 5.2 Examples of communal conflicts over land or land-related resources, Africa, 1999–2011¹³

Country	Year	Groups	Number killed in clashes
Democratic Republic of the Congo	1999	Hema, Lendu	5,000–7,000
	2002–03	Hema, Lendu	4,269
	2007	Bena Kapuya, Bena Nsimba	25
Ethiopia	2002	Afar, Issa	75
		Anuak, Dinka	35
		Dizi, Surma	35
		Ogaden, Sheikhal	435
	2009	Borana, Gehri	300
Kenya	2010	North-eastern groups	179
	2011	North-eastern groups	370
	2012	Orma, Pokoma	>100
Sudan	2007	Didinga, Toposa	>50
		Dongotono, Logir	67
	2009	Lou Nuer, Murle	>1,000
	2011	Lou Nuer, Murle	>600
Uganda	2003	Bokora Karimojong, Pian Karimojong	30
	2003, 2007	Bokora Karimojong, Jie Karimojong	133
	2009	Karimojong groups	>50

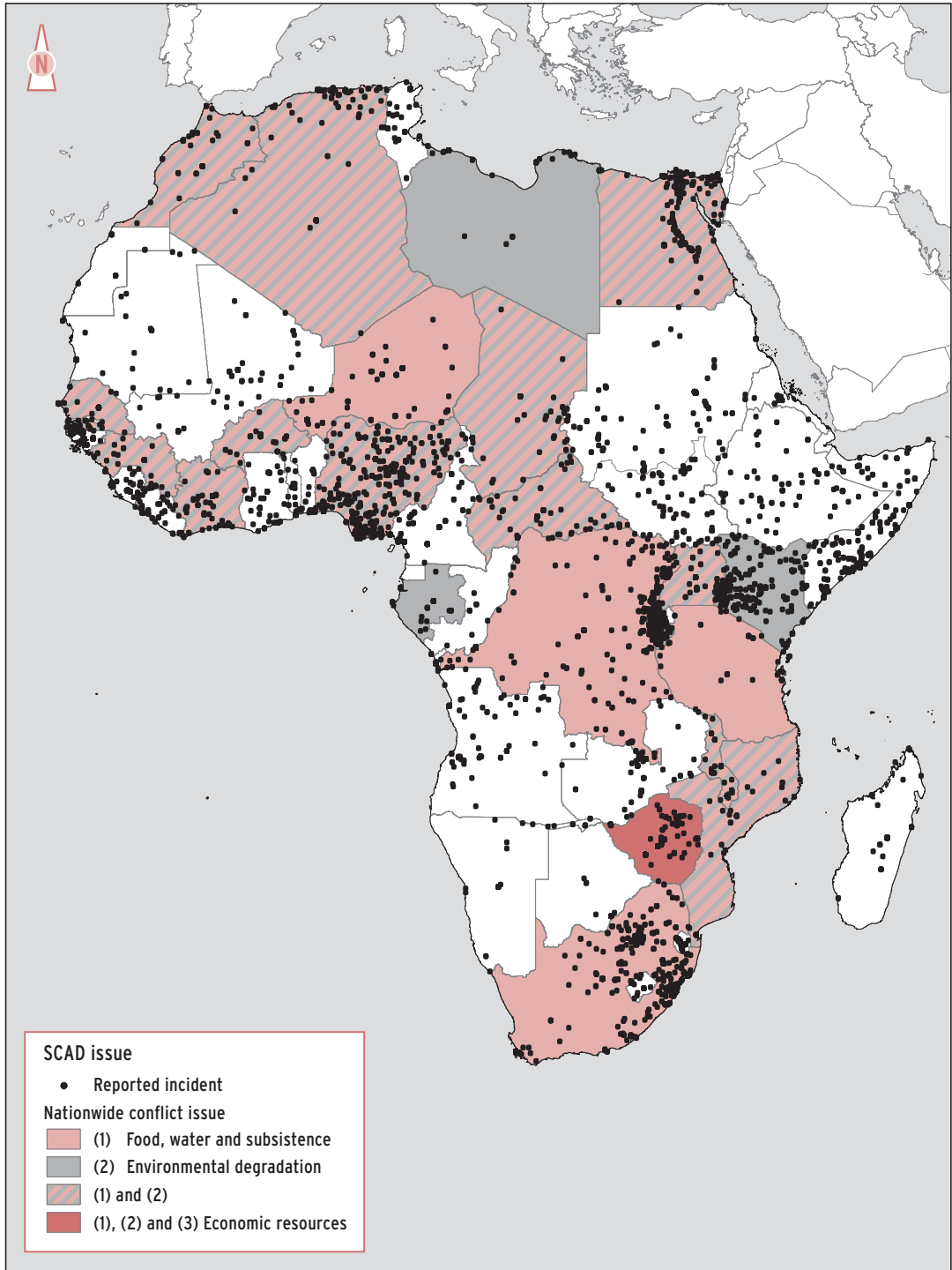
Sources: HIU (2009a); Petrini (2010)

Violent social conflict related to land and resources

In addition to resource conflicts and communal clashes, various types of violent events can be considered ‘social conflict’; these are not normally counted in mainstream armed conflict datasets. Social conflict events include demonstrations, riots, protests, and strikes. Map 5.5 indicates which African countries experienced violent social conflict over three land-related issues:

- 1) food, water, and subsistence;
- 2) environmental degradation; and
- 3) economic resources (usually land-based).¹⁴

Map 5.5 Social conflict over land and natural resources in Africa, 1990-2011



Note: Shaded countries have experienced nationwide conflict over the identified issues; dots indicate the locations of incidents that erupted over any of these issues.

Source: SCAD (2012)

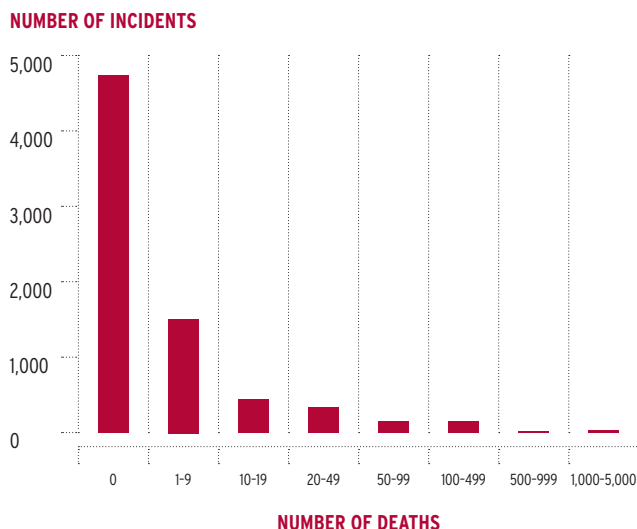


Ugandan soldiers watch over Karamojong pastoralists rounded up in a 'cordon and search' operation to secure weapons in Looyakaromwae village, Uganda, March 2007. © Euan Denholm/Reuters

While these incidents can all be considered social conflict events, not all of them resulted in violent deaths, which is often the barometer for inclusion in conflict datasets. The Social Conflict in Africa Database includes 7,473 reports of social conflict based on land-related issues. The vast majority of these events lasted only one day, while just a handful lasted more than one year. In the majority of these incidents, nobody was killed, yet a small percentage resulted in tens, hundreds, and even thousands of deaths (see Figure 5.2 overleaf).

The incidents with the highest number of fatalities resulted from land disputes, cattle rustling, and protests or clashes over economic resources. Land disputes and cattle rustling have occurred for decades in the DRC, Kenya, Nigeria, Sudan, and Uganda. Some long-standing communal conflicts have become cycles of revenge violence, fed by retaliatory attacks that have escalated in intensity over the years; such conflicts exist between the Hema and Lendu, the Nyanga and the Hunde, and the Munzaya and Eyele in the DRC; between the Murle and Lou Nuer in Sudan; among the Karimojong in Uganda; and between the Ogoni and Andoni in Nigeria. Many of the incidents that claimed the highest number of lives lasted several months, although some events that lasted only a few days resulted in hundreds of deaths.

Figure 5.2 **Incidents resulting from land-related issues in Africa, per number of deaths, 1990-2011**



Source: SCAD (2012)

tens to thousands killed, sometimes over long periods, but sometimes within days or weeks. In addition to loss of life, communities that experience land conflict also suffer injuries, kidnapping, the destruction of housing and land, the marginalization of conflict areas, and rising insecurity. The situation is likely to worsen as populations grow, resources become scarcer, competition over land increases, and small arms become more widely available.

Land issues are a pervasive characteristic of African society and governance challenges, but they are just one facet of the problem. They are often intertwined with many other factors that contribute to armed violence, making it difficult to disentangle the role of land grievances. A better understanding of the role of land in armed violence is required, as are informed policies to address the root causes of unrest. Unless land grievances are resolved, the politicization of land is reduced, and mechanisms are put in place to fairly adjudicate disputes and provide basic security to populations, violent land conflict will remain a risky and deadly phenomenon across Africa. ■

CONCLUSION

Land disputes are most at risk for turning violent when grievances are high, when mechanisms for adjudication are absent or produce biased resolution, and when violence entrepreneurs, often politicians, take advantage of the situation to encourage and finance violence for personal gain. These conflicts are fuelled by previous cycles of violence between communities engaging in revenge and retaliatory attacks. A history of inter-group violence, grievances, and fear reduce the sense of security and encourage resort to self-help tactics.

Violent land conflict takes the form of family feuds, communal clashes, and cattle rustling, as well as regional and national armed conflicts. The death tolls range from

LIST OF ABBREVIATIONS

CNDP	Congress for the Defence of the People
DRC	Democratic Republic of the Congo
M23	March 23 Movement
UCDP	Uppsala Conflict Data Program

ENDNOTES

- 1 According to the World Bank and the Food and Agriculture Organization of the United Nations, 'Agricultural land refers to the share of land area that is arable, under permanent crops, and under permanent pastures' (World Bank, 2012).

- 2 Bruce (2011); Moore (2010); Obioha (2008); Oxfam (2011); van der Zwan (2011).
- 3 Some authors speak of land-related violent conflict, rather than 'land conflict'; see van der Zwan (2011) and OECD–DAC (2005). The United States Agency for International Development distinguishes between 'land disputes', which involve competing claims over land rights to a particular piece of land that can be addressed within existing legal frameworks, and 'land conflict', which arises when legal frameworks are not sufficient to resolve competing claims, claims are between groups over large areas of land, and tension and danger of violence are implied, but violence is not necessarily occurring (Bruce, 2011, p. 1).
- 4 For a discussion of recommendations for managing land disputes and preventing violent land conflict, see Bruce (2011); OECD–DAC (2005); and Oxfam (2011; 2012).
- 5 See Hartman (2010, pp. 8–15).
- 6 See Hartman (2010) and Mabikke (2011).
- 7 The Land Matrix is an online public database designed to let users contribute data on land deals. For details, see Land Portal (n.d.).
- 8 For a discussion of the recent civilian disarmament campaign and its repercussions in Jonglei, South Sudan, see Small Arms Survey (2012, pp. 8–9).
- 9 An *armed conflict* is 'a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths'; a conflict reaches the intensity of a *war* when it results in 1,000 battle-related deaths. See UCDP (2012b).
- 10 The 1990s witnessed a long debate in the literature about the motivations for civil wars. The 'greed versus grievance' debate posited that the civil wars were fought either over money and resources (greed) or for the rectification of grievances. Key authors included Paul Collier, David Keen, Will Reno, and Michael Ross; see Berdal and Malone (2000) and Ballentine and Sherman (2003) for edited volumes on the debate. The debate has largely waned with the recognition that both greed and grievance play a role in civil wars, and that resources more often play a role in fuelling conflicts, rather than starting them. See, for example, Ballentine and Sherman (2003, pp. 3–6) and Hazen (2013). The debate did succeed in bringing economic factors back into the discussion of civil wars and prompted a shift away from a focus on political factors.
- 11 The Uppsala Conflict Data Program (UCDP) defines non-state conflict as 'the use of armed force between two organized armed groups, neither of which is the government of a state, which results in at least 25 battle-related deaths in a year' (UCDP, 2012b).
- 12 The data used for this map was derived from the UCDP non-state conflict database (UCDP, 2012d). The data was first sorted so that only events in Africa were included; it was then further sorted into only those labeled *informally organized groups*, which includes: 'Groups that share a common identification along ethnic, clan, religious, national or tribal lines. These are not groups that are permanently organized for combat, but who at times organize themselves along said lines to engage in fighting. This level of organization captures aspects of what is commonly referred to as "communal conflicts", in that conflict stands along lines of communal identity' (UCDP, 2012c). This incorporates the conflicts that are most likely to involve community conflicts over land, as opposed to political conflicts or rebel movements. A review of the data suggests that land is at least one factor in these conflicts.
- 13 See also IRIN (1999) on the 1999 DRC conflict; Asaka (2012) and Sheekh and Mosley (2012) on the 2012 Kenya conflict; IRIN (2012a) on the 2010 and 2011 Kenya conflicts; HIU (2009b) on the 2009 Uganda conflict; and Small Arms Survey (2007, p. 2) on the 2007 Sudan conflicts.
- 14 'Land' is not among the categories available for clustering data in the Social Conflict in Africa Database (SCAD, 2012). In creating Map 5.5, the author has thus used the three categories most closely associated with land issues.

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