

Urban land conflict in the Global South: Towards an analytical framework

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Abstract

In cities of the Global South, access to land is a pressing concern. Typically neither states nor markets provide suitable land for all users, especially low-income households. In the context of urban growth and inequality, acute competition for land and the regulatory failures of states often result in conflict, which is sometimes violent, affecting urban authorities and residents. Conflicts are often mentioned in analyses of urban land, but rarely examined in depth. This paper develops a framework for land conflict analysis, drawing on relevant literature and the papers in this special issue. In order to explore the drivers, dynamics and outcomes of urban land conflicts, diverse disciplinary perspectives are discussed, including environmental security, political ecology, legal anthropology, land governance, conflict analysis and management, and urban conflict and violence. The papers focus on conflicts in the peri-urban areas of Xalapa, Mexico, and Juba, South Sudan, and during informal settlement upgrading in eThekweni (Durban), South Africa, and Nairobi. A second paper on South Africa examines how current tenure law reflects the characteristics and outcomes of previous conflicts. We suggest that an analytical framework needs, first, to consider definitional categories, including the material and emotional dimensions of access to land, conflict and violence, and tenure. Second, it needs to identify and examine the interests and behaviour of the many actors involved in urban land conflicts. And third, it needs to analyse the interactions and relationships between those involved at different levels, from the individual/household, through the local to the citywide, national and international.

Keywords

conflict, low-income communities, tenure, urban land, violence

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Introduction

In cities of the Global South, access to land is a pressing concern for citizens and states

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alike. Competition is acute for land that is well-located, suitable for a variety of urban uses, especially affordable housing, and serviced (or relatively easy to service). Both state institutions and markets frequently fail to provide sufficient serviced land in suitable locations to accommodate rapid urban growth and address inequality, particularly relating to access to housing, and regulatory arrangements are often inadequate. As a result, conflicts related to land and claims on land are common, with potentially negative effects for both urban authorities and residents, especially low-income communities who tend to be most vulnerable to these effects. Many studies of urban land mention conflict in passing; occasionally they identify the actors involved, but often they focus on disputes between individual claimants and/or landowners, and few have undertaken detailed analysis of land-related conflicts at a broader scale aimed at developing an in-depth understanding of their characteristics and dynamics. Perhaps because relatively few studies have *focused* on the drivers, dynamics and outcomes of urban land conflicts,¹ a coherent framework to guide such analysis is lacking (Lombard, 2012).

In response to these concerns, this paper has two aims. The first is to assess the contribution of a broader literature to developing a framework for urban land conflict analysis, in order to identify outstanding theoretical and empirical questions. We review some of the available literature, drawing, *inter alia*, on recent work from the fields of land governance, urban violence and conflict analysis. We build on this and insights from the case studies included in this special issue to identify the key dimensions of an analytical framework, in support of the expansion and consolidation of this critical research agenda. Rather than presenting a definition of 'urban land conflict' as an object of study, we suggest that the specific characteristics of urban land conflict are heavily context-dependent

and so cannot be pre-determined. However, we do suggest that an analytical framework for studying urban land conflict must incorporate a consideration of definitional categories, as well as the actors involved, and the relationships between them.

Second, the special issue which this paper introduces responds to calls for empirical research on urban land conflict by presenting five papers drawn from the contributions to a workshop held at the University of Manchester in March 2013, which brought together researchers from urban planning, development studies and conflict management. Participants identified the primary determining factors of urban land conflict in cities of the Global South, assessed the similarities and differences between these factors across different contexts, and analysed the role of institutional and private actors, with contributions from South Africa, Namibia, South Sudan, Kenya, Cambodia, Pakistan, Lebanon, Turkey and Mexico. The five papers included here present recent research from Mexico, South Sudan, Kenya and South Africa, and represent the participants who have been able to contribute to the special section.

In order to address the geographical unevenness of the papers, in this introduction we purposely draw on a wider literature, which enables us to refer to additional cases from South Asia and Latin America. While it is not possible to generalise at the regional level about the nature of urban land conflict, similarities and differences in the key explanatory factors are related to contextual characteristics such as the colonial legacy (patterns of land ownership, the principles on which the legal system is based and the history of urbanisation), level of national/per capita wealth (which influences demand for land, prospects for international investment and governance capacity), and the changing nature of political regimes (whether pro-poor, statist or some other

tendency). These factors are particularly salient in the countries of the Global South (with all the caveats that the term entails), but all have regional- and national-level inflections. Continued rapid urbanisation; cities' contribution to national economic development; and evolving links between investors and property interests at global, national and local levels all make this publication especially timely.

Key debates: A critical overview

Van Leeuwen and Van der Haar's (2016) recent attempt to 'theoris[e] the land-violent conflict nexus' is a useful starting point for a review of the key literature related to land conflict. This paper classifies the relevant literature into three broad categories: environmental scarcity, political ecology and legal anthropological. Such a classification offers a point of departure for sorting through the rather fragmented body of literature dealing with land conflict, in order to identify what might be required of an analytical framework.

Environmental security perspectives identify land scarcity as one of the primary causes of conflict (e.g. Deininger and Castagnini, 2006). In this view, land conflict is attributed to growing populations combined with land scarcity, which may derive not just from a shortage of land but also from a lack of access to suitable land because of high prices, concentration of landholdings, poor quality terrain or the colonial history of expropriation, law making and regulation (e.g. Bruce, 2011). Land is subject to market exchange but cannot be manufactured, underpinning its limited nature as a resource. Land scarcity can, therefore, be absolute, but more often, shortages are the result of legal hindrances or market competition (Bruce, 2011: 2). Lund et al. (2006), highlighting the perception of scarcity as a factor in land conflicts in Africa, suggest that, while rapid

population growth seems to be accompanied by a high incidence of conflict, the lack of empirical evidence means causal linkages are largely speculative. Additionally, explanations which emphasise scarcity risk obscuring contextual factors, the agency of actors involved, and in particular, the social production of conflict (Van Leeuwen and Van der Haar, 2016), suggesting a need to examine the 'social construction of scarcity' (Lund et al., 2006: 7).

The political ecology literature acknowledges the role that scarcity can play in generating land conflict, but seeks to explain why and how (relative) scarcity and competition over resources are produced, through exploring structural factors such as globalisation, social injustice and identity. It acknowledges that scarcity may be socially produced, but also that it is related to economic, political and social factors (e.g. Simmons, 2004). For example, Peluso and Lund's (2011) exploration of 'new frontiers of land control' seeks to identify emerging regimes, environments and actors that contribute to the ability to control access and claims to or exclusion from land. In their account, land grabbing, territorialisation, legalisation and the use of violence may all be employed by a variety of actors, including local elites, corporate and state actors, and global NGOs. Van Leeuwen and Van der Haar's critique of this literature is based on its failure to explain how the structural factors identified, such as globalisation, result in land conflicts and violence on the ground – although they acknowledge that this may be due to the lack of evidence.

Finally, legal anthropological perspectives focus on governance frameworks and 'the power and politics at play in land allocation and conflict resolution' (Van Leeuwen and Van der Haar, 2016: 97), thus generating an understanding of how institutional interventions and regulatory frameworks both act on and may contribute to land conflict; for

example, Brown et al. (2005: 4–5) on land disputes in Guatemala, or Hasan (2015) account of the formal and informal processes by which land becomes available for development in Karachi. Such in-depth studies contribute to a deeper understanding of land conflict in different contexts, but their focus on the micro-level and juridical dimensions and effects of conflict may, according to Van Leeuwen and Van der Haar (2016), lead to a neglect of wider structural issues.

Several further bodies of literature may contribute to the analysis of urban land conflict, of which the most relevant are reviewed here.² First, a strand of the land governance literature focuses explicitly on land conflict and its management or resolution. For example, Appendini (2001) uses an institutional approach to investigate conflict resolution mechanisms within the agrarian landholding system in Mexico, analysing both the legal framework and formal and informal institutions. Within this literature, debates have emerged around mismatches between the different norms and institutions governing land tenure – what Bruce (2011: 2) calls ‘normative dissonance’ – and their role in land conflict. Writing on land conflict in African cities, Rakodi (2006) suggests that, while evictions, demolitions and state expropriation generate disputes, the underlying issue is conflict between occupiers and government agencies over the recognition of rights. This is linked to the disjuncture between different land regimes – which may be formal or informal, statutory or customary – and actors’ understandings of the institutions governing them. Indeed, informal land delivery mechanisms may have greater social legitimacy than formal systems, leading to complex and contested relations between the two (Rakodi, 2006; see also McAuslan, [1987] 2003).

Complementing this work, conflict analysis and management perspectives may offer

theoretical insights, analytical tools and approaches to conflict transformation (e.g. Azar, 1990; Miall et al., 1999).³ Conflict management perspectives focusing on land, which are often aimed at policy audiences, suggest categorical frameworks which can be used to identify not only causal factors but also potential responses (e.g. USAID, 2005; Wehrmann, 2008).

Additionally, there is a growing body of literature on urban conflict and violence, referring to both conflict and violence in cities, and the links between wider civil conflict and urban development. The 10 years between two landmark issues of *Environment and Urbanization* (Moser, 2004; Moser and McIlwaine, 2014) has seen a wealth of work on the causes, consequences and conceptualisation of urban conflict and violence (e.g. Muggah, 2012; Rodgers, 2004), while a special issue of this journal focused on cities and conflict in fragile states (Beall et al., 2013). Despite the general omission of an explicit focus on urban land conflict in this literature, issues of access to and control over land are often implicit in accounts of urban violence, and some do identify land issues as a major causal factor in escalations of conflict. For example, Moser and Rodgers (2005: 11–14) assert that ‘conflict [is] fundamentally interlinked with urban land strategies for and by poor households’, such as land invasion, or attempts to evict them from land they have occupied (e.g. Durand-Lasserre and Royston, 2002; UN-Habitat, 2007, 2011). More widely, Omenya and Lubaale (2012) suggest that political violence in Kenya is generally linked to spatial issues, including land and housing inequality. Lastly, a few studies deal explicitly with land disputes in conflict and post-conflict settings (e.g. Leckie and Huggins, 2011). For example, McMichael (2014; see also McMichael, 2016, this issue) discusses the ways in which armed conflict has been replaced by land violence in Juba, South Sudan.

This review reveals the fragmented nature of the relevant literature and the need to draw on approaches developed in a range of disciplines. An analytical framework thus needs to adopt a multidisciplinary approach, despite the epistemological challenges that this entails. In response to the deficiencies they identify, Van Leeuwen and Van der Haar (2016) suggest focusing on how individuals' agency shapes the construction of land conflict from the bottom up and linking conflicts at different scales, specifically local disputes to larger scale conflicts. Drawing on conflict studies, they propose a focus on the alliances that influence local actors' interpretation of issues, leading to their mobilisation in the service of wider agendas; and how certain issues are 'framed' by powerful actors, to reveal the discursive construction of conflict and responses to it (Van Leeuwen and Van der Haar, 2016: 95).

We suggest below that three areas are critical to any analysis of land conflict in urban contexts. First, an understanding of land conflict as socially produced suggests the need to interrogate the categories used to define and identify land conflict, to examine how these are used by those who are directly or indirectly involved, and to consider what may be missing from or obscured by these categories. Second, recognition of agency requires identifying the actors involved in land conflicts and how they interact, which may involve alliance but may also be antagonistic. This is especially important in urban areas, which are characterised by density and heterogeneity, and contain a multiplicity of actors with diverse interests, although analysis should account for both individual agency and structural factors. This leads to the third area, the need to understand interactions between levels or scales, particularly important in the context of decentralised urban governance. Throughout this discussion, we consider how the papers in this issue contribute to our understanding of these

dimensions. Finally, we identify some of the gaps and outstanding issues, highlighting the key challenges for research and policy.

In the next section we interrogate key categories frequently used in land conflict analysis (land, conflict/violence, tenure and informality) and identify four challenges relating to these categories, which emerge from the papers in this special section but also from the wider literature.

Towards an Analytical Framework

Interrogating categories used to understand land conflict

Land is often seen as a key cause of structural conflict, 'a central element in the varied and complex social relations of production and reproduction within which conflicts between individuals and groups are bred' (USAID, 2005: 2–3). This stems from the vital economic and social importance of land as 'the foundation of shelter, food, work, and a sense of nationhood' (McAuslan, [1987] 2003: 30) and is particularly the case in contexts characterised by rapid urbanisation, extreme inequality and the legacies of colonialism. However, alongside understanding land as the basis for livelihoods, and an object of sale and exchange, we suggest a need to pay close attention to its emotional dimension, which is often ignored in the urban setting, and its entanglement with group identity. Marx's and McMichael's papers in this issue suggest that, in contexts where ethnicity is mobilised as a factor in conflict, the emotional significance of land may feature in discourses around national or ethnic identity and indigeneity/belonging, with particular effects in cities (Marx, 2016; McMichael, 2016). The fact that land 'excites intense emotional and psychological attachment in a way that services, materials and finance do not' (Payne, 2001: 416) suggests a

need to pay closer attention to this dimension of land conflict.

Conflict is often regarded as inherent to urban life, especially in contexts of rapid urban growth,⁴ and is not necessarily destructive. 'Conflict' is often understood to arise out of the existence of two or more incompatible goals. Urban conflict includes 'many forms of low-level instability ... [which are] difficult to categorise, but seem to be increasingly important in a general global context of rapid urbanisation', and which are often exacerbated by inequality and weak institutions (Beall et al., 2013: 3067–3068). 'Violence' is commonly defined as the intentional use of physical force or power, resulting in injury or harm (World Health Organisation (WHO), 2002). While both conflict and violence are concerned with power, the former does not necessarily inflict physical harm, while the latter characteristically does (Moser, 2004). The fact that urban conflict does not necessarily result in violence means that it may be less visible to external observers than war or insurgency. In practice, however, latent or everyday conflict may be highly damaging, especially for urban poor populations (Moser, 2004), while 'protracted social conflict' (Azar, 1990) may be more intractable than insurgencies and civil wars. As Patel's and Lombard's contributions to this special issue show, ongoing latent conflict, occasionally spilling into violence, can be highly damaging for urban poor populations, affecting their social relationships, and claims to secure tenure and services (Lombard, 2016; Patel, 2016). A second analytical challenge is thus for notions of conflict to take account of both its overt and latent manifestations.

In support of this, frameworks that distinguish between degrees of conflict and violence are helpful, such as Obala and Mattingly's (2014) distinction between non-violent, intimidating and violent opposition, or Bruce's (2011) distinction between

disputes, conflict and violence, even though the distinction between conflict and violence may be blurred. A land dispute 'involves conflicting claims to rights in land by two or more parties, focused on a particular piece of land ... which can be addressed within the existing legal framework' (Bruce, 2011: 1). When standard dispute resolution procedures fail, disputes over land may become intractable and escalate into conflict. Land conflict often 'involves competing claims to large areas of land by groups, of a breadth and depth *not easily resolved within existing law*' (Bruce, 2011: 1, emphasis added). Such conflict may escalate into violence when specific vulnerabilities 'heighten unproductive competition and exacerbate tension' relating to land, especially when intensified by trigger events such as eviction and displacement, shifting power balances, or the intervention of 'conflict entrepreneurs', as in recent Kenyan elections (Bruce, 2011: 3). Sometimes, such violence is low intensity and localised, but it may spread and intensify, leading to wider social unrest. Consideration of the characteristics and intensity of conflict and violence may be particularly important in the aftermath of civil conflict or where general levels of urban violence are rising.

In concurrence with much of the literature (e.g. UN-Habitat 2007; USAID, 2005), insecure or informal tenure is identified in all of the papers in this special issue as a contributing factor in land conflict. Tenure refers to a bundle of property rights, including rights to use, exchange, transfer, bequeath and inherit land and property. For many in urban areas, especially low-income households, aspirations to accumulate capital or make a profit take second place to the value of a secure place to live, a location that can enable them to earn a living and an asset to bequeath to their children. Common responses to insecure tenure have included tenure formalisation, legalisation and/or regularisation. Despite critiques of large-scale

titling programmes, many urban households aspire to ownership, and desire a formal title (Varley, forthcoming); however, an emphasis on titling underestimates, or does not account for, the diversity and legitimacy of other tenure arrangements, increasingly portrayed as a continuum of tenure systems (Payne and Durand-Lasserve, 2013). Despite some evidence of shifts towards flexible tenure arrangements, emphasis is still mostly placed on ownership based on individual (or joint) property titles; however the success of titling programmes is heavily context-dependent. There is increasing evidence that titling is both difficult to implement in many urban situations and does not deliver all the benefits claimed for it (Payne et al., 2009; Rakodi, 2016). This consideration underlines a third analytical challenge relating to the potential for tenure formalisation or legalisation to create as well as ameliorate conflict, as discussed in Lombard's, Rigon's and Patel's papers (Lombard, 2016; Patel, 2016; Rigon, 2016).

Tenure arrangements are embedded in social, political and economic structures and land use may be affected by local variations in the nature and content of rights and their recognition. Similar to historical analyses of property frameworks (e.g. Blomley, 2003), Marx's paper shows how categories of tenure themselves may be the product of earlier conflicts over the nature of property and property rights (Marx, 2016). However, this is often obscured by the enduring privileging of 'formal' tenure and processes of urban land development at the expense of informal ones. A final challenge, then, is to interrogate dualistic and hierarchical categories and consider their implications for understanding and addressing urban land conflict. Roy (2009), for example, emphasises the heterogeneous nature of informality, and notes that it cannot be equated with low cost development. As suggested above, there is a great deal of interaction between formal and

informal land delivery systems. There is, therefore, a need to move away from dualistic understandings of land tenure, illegality and informality in order to develop a more nuanced set of categories and to recognise their dynamic characteristics.

Identifying the actors in land conflicts

Both land markets and administrative systems, and conflicts over land involve a minimum of two parties. Conventionally, competition for access to and rights in land is regulated through the market. However, the demand for urban land invariably exceeds supply because of its geographical fixedness in desirable locations, so the need for contract enforcement and the importance of balancing private gain with public goals mean that the market cannot function satisfactorily without coordinating mechanisms. Competition may become conflict when the parties have incompatible goals, needs or interests, but the coordinating mechanisms needed to enforce (formal or informal) contracts, resolve disputes and safeguard public interests are lacking (Azar, 1990).

To understand land conflict it is, therefore, necessary to identify the parties involved and to understand their positions, attitudes and behaviour, as well as to analyse the context in which the conflict occurs (Miall et al., 1999). Position relates to the real or perceived incompatibilities between parties' goals, needs and interests. Attitudes incorporate values and beliefs, which are shaped by previous relationships and may include emotive, cognitive and conative elements (feelings, such as fear, anger or hatred, beliefs and intentions). Behaviour can range along a spectrum from cooperation to negotiation, hostility, threats, coercion and destructive attacks. If the needs of the parties involved are not met and a dispute is not satisfactorily resolved, the outcome contains the seeds of future conflict (Azar, 1990).

The actors potentially involved in urban land conflicts include both state and non-state entities and individuals, whose disputes over land reflect not only their immediate interests but also longer term political and economic goals, as well as the sedimentation of past grievances. They include state bodies, private-sector actors, residents and local leaders, and civil society organisations. Conflicts may arise among as well as between these broad groups. State actors may include political and bureaucratic agencies such as central and subnational government, line ministries, autonomous agencies and the courts. For example, policy makers' visions of the future city and the interests of those who stand to lose through dispossession of their land or undermining of their political influence are often incompatible (e.g. Denis, 2011).

Private-sector actors include international financiers who fund infrastructure and real estate development, and international and local firms and individuals who seek to speculate in or develop land for profit or for their own business or residential needs. In addition, they include intermediaries and professionals such as contractors, surveyors, lawyers and brokers, who may foment or exacerbate conflict by advancing the interests of one or more actors vis-a-vis others. Land and real estate development are potentially extremely lucrative and so may attract (and potentially be controlled by) criminals ready to use violence to further their own interests (see e.g. Weinstein, 2008 on Mumbai). Political actors may use their ability to provide access to land to establish an electoral power base, sometimes employing private enforcers willing to use violence to maintain monopolistic control over particular neighbourhoods, for example in Nairobi (Obala and Mattingly, 2014) and Karachi (Gazdar and Mallah, 2013).

'Residents' include people with different levels of wealth and income, migration

histories, family and household structures and marital statuses, and forms of land tenure. Their needs, interests, resources, social and political status and therefore their capacity to act vary enormously. Conflict over access to land and the maintenance of secure tenure may take the form of disputes between individuals, for example, landlords and tenants, neighbours (over boundaries) and family members (over ownership, use and inheritance). Such disputes may take on collective dimensions where residents draw on ethnic or religious identities to advance their interests, resist discrimination or make claims based on indigeneity or original settler status versus non-indigeneity or later immigrants, as in the papers on Juba (McMichael), Durban (Patel) and Johannesburg (Marx) in this issue. If land conflict is (framed as) associated with identity, it is not only likely to exacerbate already fractious relations between identity groups but also to result in increased inequality and segregation, as seen in Ahmedabad (Chatterji, 2014) and Karachi (Ahmed, 2016).

Occupiers' ability to challenge the actions of others partly depends on whether they have backing from local leaders, politicians or civil society organisations. Low-income residents may lack the knowledge and resources to defend their interests, take legal action or organise, as shown in this issue by Rigon in the case of renters in Nairobi's informal settlements and Lombard in the case of unprotected 'squatters' in an informal subdivision in Mexico (Lombard, 2016; Rigon, 2016). However, nearly one-third of the households who received eviction notices in housing areas affected by urban renewal in Ahmedabad challenged them in court (Patel et al., 2015). While low-income residents' ability to organise may depend on the support of activist civil society organisations, non-poor residents may have greater capacity to challenge government actions,

influence discourse and policy and promote their own interests (e.g. Arabindoo, 2009). The nature and basis of local leadership, whether community-based, political and clientelist, or customary (e.g. Yaro, 2012) is therefore relevant to understanding the organisational capacity of residents seeking to advance or protect their land-related interests. Similarly, the nature of civil society organisations varies greatly, ranging from well-meaning but sometimes politically naïve NGOs concerned to improve living conditions for poor occupants of informal settlements (see Rigon, 2016) to organisations and parties with a covert or overt political agenda, such as Hindutva in India.

Our analytical framework thus reflects the stress placed by Van Leeuwen and Van der Haar (2016) on identifying the multiple actors likely to be involved in urban land conflict and examining the ways in which they exercise varying degrees of agency. It also acknowledges the importance of considering actors' perceptions and motives, both explicit and implicit, in order to understand how competition, conflict and violence are discursively constructed by and influence the actions of different individual and corporate actors. It recognises how different actors play specific roles in the urban setting, given pressures on land there, with implications for policy and practice, particularly the need for mechanisms to manage, resolve or transform conflicts.

Recognising interactions between levels

Land conflicts are often seen as local, involving individual occupants or communities, and disputes over claims, rights, boundaries and transfers (sales and inheritance). Analyses concentrate mainly on households or individuals, often without differentiating between individuals by their gender, marital status and position in the household, and often in a rather static way,

as if individuals' social and familial ties or the composition and fortunes of households do not change over time. There has, however, been increasing recognition that many conflicts at this level are linked to household members' differential access to and rights over land, affecting individuals' wellbeing and security, who has a say in household decision-making and the nature and outcomes of inter-generational transfers (see, for example, Rakodi, 2014, 2016).

In India, for example, intra-family gender-based conflict may be associated with the dowry system or the aftermath of marriage breakdown (through divorce or widowhood), followed by the disinheritance and displacement of women; the latter occurs in many societies (Rakodi, 2014; see also Varley, 2010, on Mexico). Inter-personal and intra-household conflicts over land can sometimes be resolved by those concerned, but more often, the underlying reasons for and means of tackling such conflicts involve systems and organisations outside the household, such as customary authorities, local leaders, political actors, land administrators and/or the legal system. Thus conflicts between individuals and within households cannot be fully understood without examining their complex links to the wider social relations which govern access to land and security of tenure at the local and city levels. As the papers in this special issue show, in-depth case studies of individual settlements or neighbourhoods can reveal the legal, relational and perceptual characteristics of land conflicts, placing them within a wider context, including discourses over land rights and governance arrangements, and enabling the historical factors that help to explain contemporary conflicts to be traced and understood.

The perceived association of land conflicts with informal settlements is because these lack the legal entitlements and access to formal dispute resolution mechanisms of

planned areas. However, in practice informality is more widespread and complex: governments and political actors often use it as a means of exerting power and extracting rents, riding roughshod over residents' rights to land in the name of progress or modernity, or to reinforce patron–client relationships that are instrumental in maintaining political power and legitimacy (for example in India, see Roy, 2009; Shatkin and Vidyarthi, 2014). Similar complex relationships between actors at different levels and the instrumental use of informality in the exercise of power are revealed by McMichael's analysis of Juba and Rigon's of a settlement in Nairobi in this issue (McMichael, 2016; Rigon, 2016).

Peri-urban areas are also commonly seen as associated with conflicts, as discussed in Lombard's paper (2016, this issue) (see also Feitelson, 2001; Wehrmann, 2008: 20), often involving local and external individual and corporate actors. For example, Arabindoo (2009) describes the conflicting interests and confrontations between local fishermen, middle and upper class plot purchasers, and investors in tourism in a village on the periphery of Chennai. On the outskirts of Tamale in Ghana, traditional authority holders are increasingly selling community land, in collusion with land sector agencies, but without the consent of individual families (Yaro, 2012). Because of the continued prevalence of customary forms of tenure in many peri-urban areas, such conflicts can be important not only at the local and city levels, but also in influencing land reforms and political settlements at the national level (Boone, 2007).

Responsibilities for land administration are generally split between the local, city and national levels of governance. Bodies and officers at different levels have both developmental and administrative roles, including planning for urban expansion and renewal, conveying and protecting the rights held by owners and occupiers, and regulating

transactions. Fulfilling these roles may give rise to conflicts between claimants or occupiers and government agencies, or exacerbate conflicts with other origins, especially if a state does not define citizenship in universal terms and agencies are not even-handed in their treatment of all the actors. For example, around Chinese cities, conflicts between urban local governments and individual farmers concern land acquisition and levels of compensation (Hui and Bao, 2013), as do conflicts over peri-urban land around Indian cities that government agencies expropriate to facilitate urban expansion (Shatkin and Vidyarthi, 2014).

Finally, there may be international dimensions to the causes and characteristics of urban land conflicts, arising out of the role of international agencies, the changing agendas of foreign governments, the interests of the private real estate sector or the desire of diaspora members to invest in urban property in their country of origin. Currently, the model promoted by agencies such as the World Bank focuses on creating an urban environment attractive to international and national capital by funding large-scale infrastructure (roads and services) and legal reform (e.g. titling). In India, for example, the country's integration into the global economy since economic liberalisation in 1991 is seen as depending on new forms of industrialisation (IT-based) and urbanisation (world cities as centres of innovation in production and governance) (Shatkin and Vidyarthi, 2014). Facilitated by legal, financial and governance reforms, these visions are being promoted by the International Financial Institutions (IFIs) and transnational policy networks that bring together government and other local actors with international consultants. The main business of government in many Indian cities today is thus seen by critics to be land speculation and dispossession. Although many farmers are forced to sell their land piecemeal,

villagers may resist attempts to expropriate their land, through protests and court cases (Goldman, 2011).

In order to understand and explain land conflicts, therefore, it is necessary to examine the roles played by a variety of individual, group and collective actors and the interactions between them at different levels. These interactions may be 'alliances', as suggested by Van Leeuwen and Van der Haar (2016), or antagonistic.

Unpacking the dynamics of local land conflict: The contribution of this special issue

The review of some key debates and alternative approaches to analysing land conflict presented in the section on 'Key debates: A critical overview' identifies both potentially significant empirical and theoretical contributions, and also gaps and challenges, supporting the need to develop a consolidated theoretical and empirical research agenda in this somewhat fragmented field. The five papers in this special issue contribute to the evolving debate. Their presentation of in-depth case studies from diverse cities offers insights into the complex entanglement of perceptions, actors and relations underpinning particular land conflicts within given political and historical contexts.

The first two papers describe conflicts that occur as urban areas expand into the surrounding rural areas, where land tenure regimes and patterns of ownership usually differ from those within the official urban administrative boundaries. However, the drivers, nature and outcomes of the conflicts differ, depending on the historical, political, economic and social circumstances. Lombard's case study of an irregular settlement on the outskirts of the provincial Mexican city of Xalapa reveals how conflicts over informally developed land have escalated into violent clashes between groups of

settlers and the state and between groups of occupiers and those who claim original ownership (Lombard, 2016). She demonstrates how recent episodes of conflict can only be understood in the context of agrarian reform, the decline of Mexico's corporatist political system, and the outcomes of state attempts to adjudicate and maintain social control. The complex, intractable conflicts in this fairly typical settlement reflect the diverse interests of actors involved in land transactions, overlapping and inconsistent legal and governance frameworks, and power relations within and between local groups. However, they cannot be fully understood without taking into account wider processes of change, including economic liberalisation, changes in the political and legal regimes and the spillover into the area of violence associated with the drug trade.

McMichael also presents detailed case study material on peri-urban settlements, in her case around Juba in South Sudan (McMichael, 2016). In addition, her paper demonstrates some of the ways in which wider civil conflict can affect urban areas. Killings and displacements first affect cities during civil conflict, which is often protracted. Their legacy, following formal peace, forms the context and provides ingredients for ongoing contestations between those seeking to establish a life in the city, those who believe they have prior claims to land, and those responsible for urban government and management. In 'post-conflict' cities such as Juba, even more than elsewhere, functional political and administrative systems for managing urban land development are lacking. McMichael describes how conflicts over access to land in South Sudan and Juba are often framed in ethnic terms: ethnic identity is used both to make particularistic claims and to demonise the activities of others. However, she concludes that this construction conceals the

ways in which powerful actors intervene in informal land transactions to serve their own interests, increasing the insecurity experienced by poorer residents. It is not, in her view, mere incapacity that prevents the government from regulating informal settlement development. Rather, in the settlements and the city as a whole, informality is instrumental to power relations characterised by exploitative behaviour, the desire to accumulate wealth, the exercise of authority and the maintenance of patron–client relationships.

Access to land may be framed as a universal right, although power dynamics at the local and national levels commonly prevent the realisation of this right. In South Africa, the right to housing is framed as a citizenship right, and the process of upgrading informal settlements as a means of realising inclusive citizenship. However, as Patel shows in her analysis of the process and politics of housing allocation in three settlements in eThekweni (Durban), intense competition for housing, alongside ‘participatory’ processes dominated by settlement leaders, has resulted in a housing allocation process that breeds competition between residents along existing fault lines of ethnicity, nationality and party political allegiance (Patel, 2016). In a context where ‘in-situ upgrading’ involves the demolition of existing housing and allocation of a formal plot and subsidised house, eligibility criteria are manipulated by settlement leaders to favour some over others, leading residents to adopt strategies (particularly party political membership) to increase their chances of receiving what is supposedly an entitlement. How the housing allocation process is played out to the advantage of some and disadvantage of others, Patel suggests, reflects wider ethnic tensions, political competition (between parties and levels of government) and public debates over ‘foreigners’ entitlements. Conflicts over ‘small’ events, such as perceived injustices in housing allocation, could,

Patel believes, tip over into violence if the tensions are not recognised and addressed.

Rigon is also concerned with informal settlement upgrading, although in Nairobi upgrading is a more incremental and partial process than in South Africa (Rigon, 2016). In the settlement on which his case study focuses, the primary concerns are tenure regularisation, infrastructure installation and service delivery. An additional ingredient is the role of a well-intentioned external organisation keen to support the process, but not fully aware of the complex and contested nature of existing tenure, political and power relations within the settlement. Rigon’s account deals with the attempt to develop a consensus on the most appropriate form of tenure to minimise relocation of existing residents and prevent gentrification. Analysing specific interactions during the planning of upgrading, he shows how the negotiations were shaped by the different and often conflicting interests of the actors involved, both within the settlement and in the wider political and administrative contexts. In particular, he suggests, the adoption of collective tenure to avoid relocation of existing residents and prevent gentrification was not feasible because landlords considered that it would be incompatible with safeguarding their existing claims to land. Instead they sought to have their claims registered through the issue of individual titles. In a volatile wider context, owners’ ties with local, city and national politics provided them with powerful allies and lent credibility to the implicit threat that conflict at the settlement level might escalate into wider politico-ethnic violence. To avoid this, the government and donor agencies adopted a pragmatic approach, which enabled the local power holders to further their own interests over those of tenants by manipulating the planning and negotiation processes.

The case studies introduced so far explore conflicts over access to land and forms of

tenure; however, it is rarely recognised that the forms of tenure recognised in law reflect conflicts that occurred during the law-making process, which may re-emerge during land development or tenure regularisation. This issue is taken up by Marx in the final paper in this collection (Marx, 2016). His analysis focuses on a single housing area in Johannesburg, demonstrating how the property rights available are associated with social networks and so are linked to other conflicts: while nominally similar to property rights in other parts of the city, they are less well-protected and enforced than elsewhere. Thus the property rights adopted and promoted by the South African state are themselves the outcome of conflict, a channel for transmitting conflicts in the wider society and vulnerable to future conflict. Analyses of urban land conflict should, he argues, be extended beyond assessing the relative power of different parties struggling to gain access to land and living space. Rather, they should recognise different types of conflict over land, seek to diagnose the immediate causes of such conflict and identify the ways in which conflict over land can be a proxy for wider societal conflict. He concludes that the extent to which property rights can be protected and enforced varies, depending on the networks of agents involved, the socio-political power structures in which they are embedded, and the tools available to them, all of which embody the outcomes of power struggles during earlier political regimes and previous conflicts. As a result, he argues, property rights inevitably contain the seeds of further conflict, which may or may not be expressed violently. His arguments are, surely, valid more widely than in South Africa alone.

The challenge of synthesising a multidisciplinary framework from these cases is demonstrated by the distinctive theoretical approaches adopted in each paper. Nevertheless, there are several connecting

threads which underpin and reinforce the framework sketched out above. All the papers identify the pressures arising from urban expansion, which affect access to land for housing, primarily (although not exclusively) by the urban poor. How this group's claims are recognised and addressed, alongside those of other, more powerful groups, is linked to the broader issue of urban inequality, which may be ameliorated or exacerbated by existing legal frameworks, many of which reflect specific colonial legacies. Often, other factors such as ethnicity and security (of tenure and more generally) are also mobilised, compounding conflicts.

It seems that the cross-cutting issues revealed by these analyses are common to many land conflicts in cities of the Global South. They demonstrate the salience of the analytical categories proposed above and show the importance of discourses, particularly around identity, but also around categories such as formal/informal, in constructing differences in interests as conflicts. They reveal the inherently political nature of land conflicts, which are essentially disputes over the distribution of power and resources. Above all, they reveal the large number of actors who are typically involved, the diverse ways in which they interact, and the ensuing complexity of the issues at stake.

Conclusion: Key challenges for research and policy

Land in general is much talked about in policy and practice, although urban land is often neglected in international debates, national attempts at land reform, and empirical research. What research is available is geographically patchy, often methodologically weak and mostly comprised of case studies of individual cities and neighbourhoods from different disciplinary perspectives, limiting the generalisability of the findings. There are, therefore, significant

gaps in our knowledge of evolving urban land markets and the outcomes and impacts of changes in policy and practice. Developing an understanding of urban land conflict has been hindered not only by the data shortcomings that bedevil all research on urban land, but also by the difficulties and risks of researching it and the lack of a suitable analytical framework. This special issue therefore makes two key contributions to improving our understanding of urban land conflict – the analytical framework presented in the section ‘Towards an Analytical Framework’ and the five empirical papers introduced in the section entitled ‘Unpacking the dynamics of local land conflict: The contribution of this special issue’. The analytical framework has been developed through a process of mutual interrogation between the wider literature on land conflict and the individual case studies. The latter clearly demonstrate the need for both contextual analysis and the detailing of conflict dynamics to understand the structural and relational characteristics of particular, often protracted, conflicts.

Land policy and the practice of urban management both affect and are affected by land conflict, with implications for future policy and practice. However, not only are assessments of attempts to improve land dispute resolution mechanisms or resolve conflict over land rare, none of the authors of the papers included here set out to identify the policy implications of their findings. It is, therefore, impossible to do more than indicate a few ways in which the implications for policy and practice might be teased out.

First, there is a need to extend existing efforts to evaluate attempts to improve planning and administration (e.g. Payne et al., 2009; Rakodi, 2014, 2016) to situations characterised by conflict and violence related to land, in particular identifying the nature and effects of dissonance between different land

regimes and assessing whether land policy and interventions have ameliorated, exacerbated or even caused conflict over land. This issue is highlighted by Van Leeuwen and Van der Haar (2016), and emphasised in several of the papers, which compare a given policy’s intended outcomes with its effects in reality.

Second, work concerned with conflict and violence more widely can offer conceptual advances, increased empirical understanding, and mechanisms for tackling conflict. Moser and McIlwaine (2014), for example, identify a spectrum of possible interventions to reduce, manage and/or contest conflict and violence in the urban context, although they note that robust evaluations of attempts to intervene in the ways they suggest are lacking. Like Moser and McIlwaine, Beall et al. (2013) highlight the highly political nature of urban policy and interventions. However, these authors make only limited reference to the wider literature on conflict analysis and transformation.

Third, therefore, a systematic review of research and practice on conflict analysis and transformation could offer both conceptual insights and assessments of the effectiveness of alternative approaches to tackling conflict. The latter are typically grouped into three: management (limitation, mitigation or containment, for example to reduce violence), resolution (to address and resolve the underlying issues, so that attitudes are no longer hostile and behaviour violent) and transformation (of the parties and their relationships, as well as the situation in which the conflict arose) (for example, Miall et al, 1999; Wallensteen, 2007). Some add prevention as a separate category.

These bodies of research and practice offer a variety of ways of conceptualising, analysing and resolving conflict. Wehrmann (2008: 56), for example, suggests that the type of conflict resolution that is likely to be

feasible and effective depends on the stage a conflict has reached: consensual approaches including facilitation, moderation and consultation can be used to prevent a conflict from breaking out, third party assistance with conciliation and mediation is needed during a conflict, and third party decision-making through arbitration or adjudication (in a court or tribunal) may end it. For most of these to work, she suggests, a series of land dispute resolution bodies are needed at different levels, as well as technical instruments, especially to secure and register property rights. Wehrmann acknowledges the complexity of land conflicts, but believes that 'an integrated, system-wide approach' is capable of preventing and resolving them. However, many of those who stress the pervasive and political nature of most conflicts (e.g. Moser and McIlwaine, 2014) are less optimistic.

This tension between technical and more politically oriented approaches to policy returns us to the need to pay attention to how conflicts are socially constructed: how they are labelled as such, by whom, and on what terms. Certainly, there is a need, as many authors have pointed out, to make land policy 'conflict sensitive'. But to achieve this, more evidence is needed on the nature, causes and dynamics of land conflict. The papers contained herein make an important contribution in this respect; and this introduction has sketched out an analytical framework that can provide a starting point for the further detailed empirical work that is required to expand and deepen our understanding and to assess the impacts of land policy and practice in particular attempts to resolve, transform and prevent land-related conflict.

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Notes

1. Unlike rural land conflicts, to which considerable attention has been paid – see, for example, *Development and Change* (2013); Huggins (2010); USAID (2005).
2. Considerable attention has been paid in analysis and policy to environmental conflicts, which may relate to access to and use of land. In the urban context, these may concern competition for resources such as water, the location of bad neighbour uses (e.g. polluting industry, cemeteries), or waste management (see, for example, Feitelson, 2001). They are not our main concern in this paper.
3. In this respect, the linkages between the conflict analysis and peace-building literature and the wider field of contemporary and critical security studies, particularly relating to the role of citizen-level agency in terms of a human security perspective (see e.g. Kaldor, 2007), appear a fruitful line of analysis, although space prohibits us from expanding on this here.
4. It should however be noted that many researchers caution against assuming a causal relationship between urbanisation and violence (e.g. Muggah, 2012).

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