



Causes of land conflict in Puntland state of Somalia the case for Garowe city

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Abstract

This project research sets out to deepen our understanding the causes of land conflict in Puntland. The research aimed to explain Land ownership trends, Analyze Puntland state of Somalia land tenure system and their relation to land conflict and finally, to assess the existing institutional arrangements and their contribution to land conflicts; The project research have Applied a qualitative and quantitative research method, exploring the causes of land conflict in Puntland. The study has drawn on a combination of theories, including Clan manipulation, structure and agency, institutional analysis, uneven development, ground theories and group interest these was helped in the analysis and inform the data collection approaches in addition, it was assisted in the development of appropriate explanations of the dynamics between factors such conflict dynamics and Clanity, corruption, and the market, among others. The research findings shown over half 66% of surveyed participants reported own land. The most common form of land acquisition identified by all participants was by purchasing it 57.9%, followed by receiving it as inherited 31.6%, Other identified methods of acquisition included: got it us gift 5.7%, Grabbed forcefully 5.7%; The majority 89.5% of respondents believes that communal land should be set aside. However, only 45.2% respondents reported communal land within their area. In drawing conclusions, the causes of land conflict in Puntland have from social, political and economic factors. The factors are mediated by several factors are institutional, Clan and patronage-based. The research revealed the linkage between Clanity and corruption, and the simultaneous relationships between power, corruption, institutions and Clanity toward land conflict. The study suggested number of recommendations such as Strengthen the Judicial System and Local Governments and revision and Implementation of Land Legislation Implement, strengthen Public Awareness Campaigns, Provide Traditional and Religious Leaders with Training on land management. The study concluded by proposing areas for further study, including urban dynamics and land ownership in Somali's, Puntland urban areas; corruption, politics and landlordism in Garowe; land markets and conflicts in urban areas; the development of appropriate models for urban land management, and the links between land tenure and conflicts over land in urban areas.

Keywords: Puntland, land ownership trends, politics and landlordism

1. Introduction

In the past years, Somalia has become the most prominent example of state-failure in Sub-Saharan Africa. It is important to note, however, that not the entire country is plagued by the breakdown of civil and state order. Quite on the contrary, parts of Somalia seem to be better off now than twenty years ago. In the northeastern part of Somalia, Puntland declared its autonomy within Somalia in 1998 in what led to a phase of relative peace and stability. Somalia today is a highly fragmented country, but much of the fighting and instability commonly associated with Somalia is concentrated in the south, and particularly around Mogadishu and in the Lower Shabelle and Jubba valley.

There is a saying in Somali, "*Ku qabso ku qaadi maaysid*" which means, "*If you claim it, you will not go without*". (Harris, 2013) ^[16]. Examining the causes of land related disputes and their corresponding resolution mechanisms this study show that challenges to land ownership are endemic in Puntland. They present a major barrier to realizing people housing, land and property rights and an obstacle to the

establishment of a durable solution. This report will demonstrate that land grabbing and attempts to renege upon tenancy agreements with people are pervasive practices. It will highlight how such practices are enabled by weak institutions, inadequate documentation, the negative impacts of humanitarian investment, corruption, clan power politics and the lack of harmonization between the pluralistic legal framework of traditional or customary law (xeer), religious law (Sharia) and secular justice.

In relation to the foregoing debate, this study hopes to deepen the understanding on the interactions between various factors that affect land relations and, consequently, land conflicts in an urban setting, in particular with regard to Puntland land reforms. Although this is explicitly an academic study, there is hope that key results and insights eventually will be disseminate in a form that would deepen the understanding of the stakeholders on Puntland land reforms. The process the study results would contribute positively to debate on land policy reforms in Puntland.

Given inadequacy of existing laws, institutions and the

market, the study will further attempts to deepen our understanding of the relationship between causes of land conflict such as corruption and political patronage on the one hand and Clarity tribalism and land conflicts on the other hand. This is because governance of resources, including land, which is an important resource in many African countries, is largely influenced by Clan and political considerations.

The study will select Puntland capital city Garowe as case studies in exploring and explaining these linkages. The city examined to establish the types, nature and dimensions of land conflicts and their influence on equitable access to land and on poverty reduction. This is against the background of increased problems of high population growth rates and urbanization amidst increasing poverty in Somalia (Obudho, 2002) ^[40].

1.1 Statement of the problem

The conflict in Somalia has drawn academic attention in various ways. The majority of the academic research has focused on the dynamics of state failure, foreign military intervention, and clan structures. The scarcity of natural resources, in particular of land, however, has played a significant role in fostering conflict and in the collapse of the government in 1991 and has drawn significantly less scholarly attention. On the one hand, pastoral societies have regularly crossed the border into neighboring Kenya and Ethiopia, raising the threat of possible spill-overs. On the other hand, the scarcity of land has fueled inter-clan rivalries, especially when specific clans have had access to government resources and posts, while others have been marginalized and not represented in the country's political landscape. Although there are numerous researches on Somalia conflict dynamics have undertaken limit information and research have been done on the root causes of land conflict in Somalia which have great influence on economic and political stability of the country. This research will through the light the root causes of land dispute in Puntland and their relation to one another to propose possible remedies and mitigation strategies.

1.2 Objectives

1.2.1 General Objective

To analyze causes of land conflict in Puntland state of Somalia

1.2.2 Specific objectives-

1. Explain Land ownership trends and their effect on land conflicts;
2. Analyze land tenure system and their relation to land conflict.
3. assess the existing institutional, land governance arrangements and their contribution to land conflicts;

1.3 Research Questions

1. How land ownership trends in Puntland state of Somalia affect land conflict?
2. Assess land tenure system and their contribution to land conflict?
3. Explain the existing institutional, land governance arrangements and their contribution to land conflicts?

1.4 Justification of the study

Land policy reforms are currently being undertaken in

Puntland state to facilitate efficient land market operations, including the public land allocation processes. The stakeholders in this process hope that reforms in the land market operations will facilitate easy access to land by both the poor and investors. The reforms are also viewed as one of the ways of addressing problems of land conflicts that seem to be on the increase in many urban areas in Puntland. However, different actors have limited understanding of what really constitutes land conflicts. Given inadequacy of existing laws, institutions and the market, the study will further attempts to deepen our understanding of the major causes of land conflict in Puntland and linkages between causes of land conflict such as corruption and political patronage on the one hand and Clarity tribalism and land conflicts on the other hand. This is because governance of resources, including land, which is an important resource in many African countries, is largely influenced by Clan and political considerations. The research will benefit Puntland policy makers, land institutions, conflict resolutions tribunals and institutions to comprehend causes of land conflict in Puntland state of Somalia.

1.5 Scope

The study focused on Garowe district, Nugal province, the capital city of Puntland state of Somalia, one of the largest cities in Puntland. The researcher chose to focus on Garowe city because of the view that land disputes were rampant in Puntland state of Somali Garowe district, and there are wide range of illegal land grapping, inequalities of land share.

1.6 Research Design

The research project has used both qualitative, and quantities (mixed research) where necessary in the data collection process. This is because, as pointed out by (Stake, 2005) ^[53], although qualitative and quantitative approaches work differently, they reinforce each other, when planned carefully. In the process Stake (2005) ^[53] adds that qualitative surveys or methods work with episodes of unique relationships to tell a story or give a unique description of a case. It is clear that the more quantitative the approach, the more inclusive it is of repeated observations to get a representative coverage of the relationships, while a qualitative approach means finding good moments to reveal the unique complexity of the case.

In this study attempts were made to ensure a middle ground so that it could use the best of the mixed method. This is because the study phenomenon is both cross-cutting and complex. However, the use of the mixed research approach is adequate for obtaining the necessary information. This involved working closely with the youth for deeper understanding of the events and /or activities taking place within the settlements in Garowe. It also was required that I spent relatively long hours within the Garowe village settlements, participating in local discussions and debates. This was helped in acquiring deeper insights into the study problems. It was necessary to undertake this due to the suspicions from respondents which inhibited them from divulging information. It is for this reason that I felt it was necessary to become-partl of the -community.

2. Research findings

2.1 Demography

This section presents personal information of the respondents

who participated in the research study. 99% of respondents have fully participated the research exercise. More than half 55% of surveyed population were male, while 45% respondents were female, the land ownership status of surveyed population were more than two third 64% of male respondents have reported owning land. More than half 55.0%, of all female participants owned land. Overall, males are slightly more likely than females to own land.

2.1.1 Respondent’s Age

Slightly more than half (58%, n=297) of respondents between 15 and 24 years of age indicated that they did not own land, while 55% (n=283) of participants between 25 and 34 years of age reported owning land. The frequency of reported land ownership was higher for respondents 45 to 54 years of age (68%, n=349) and those aged between 35 and 44 years (65%, n=332). More than half (63%, n=323) of participants over 55 years of age reported owning land. The frequency of reported land ownership was low (32%, n=164) among respondents who did not indicate their age.

2.1.2 Level of education of respondents

The data suggests that the level of education attained appears to have marginal bearing on land ownership. As shown in the above figure, nearly two-thirds 62% of respondents who attended Madrasa reported owning land. More than half 51% of primary school educated participants also reported owning land. 46.5% among respondents with an intermediate level of education. More than half of secondary 58%, and land ownership was lowest in tertiary level 36%, and self-educated 58%% respondents indicated owning land. Over three-fourths 78% of respondents who did not indicate their level of education reported owning land.

2.2 Research Findings

In this section highlights key thematic findings of the research.

2.2.1. Land Ownership

During FGD the relation between land-use and land ownership, and the redistribution of land ownership in urban areas has largely disappeared from political debate over the past twenty plus years in Puntland. This research has identified that the current land disputes between Puntland landlords in urban areas illustrate the type of problems which arise due to the skyrocketing prices of land selling among citizens on one hand, and the capacity of the government to officially sanction such practices by which is not present on the other. Overall, while the capacity of city authorities to govern the land is not the same as the capacity to invest, it can streamline, plan land-use and/or control, procedure and making better use of publicly owned land.

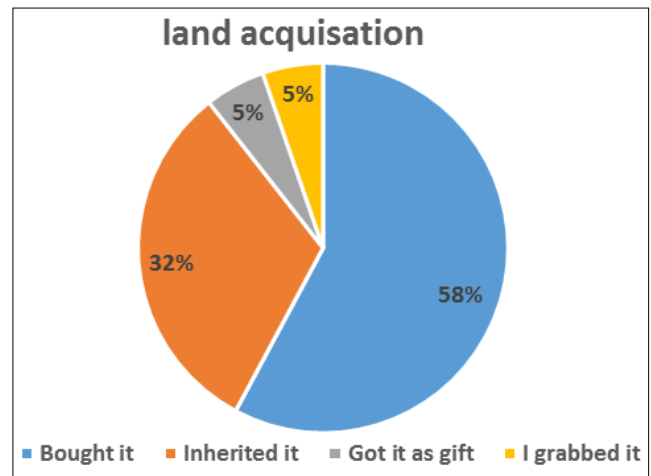


Fig 1: Method of land acquisitions, Garowe, 2016

As illustrated by the figure above, common forms of land acquisition were through Purchasing land was the most commonly identified form of acquisition across all respondents, 32% of respondents have reported acquired land through inheritance, while 5% reported Got it as gift and grabbed. In FGD Access to land and its ownership in puntland context can be obtained in three ways –purchase, inheritance and donation. In Puntland state of somalia, once somebody is given a plot the process starts with a legalization of the land introduced at the district level. The file is transmitted to the municipality that delivers a certificate of legalization, which includes very basic information. At this stage, the owner can start the process to obtain a building permit, also delivered and registered by the municipality, moreover, the current Law No 17 or Urban law management only refers to the integration of farmland into urban areas, but neglects and does not improve the general legal basis for the management of rural land.



Fig 2: Existing communal land, Garowe, 2106

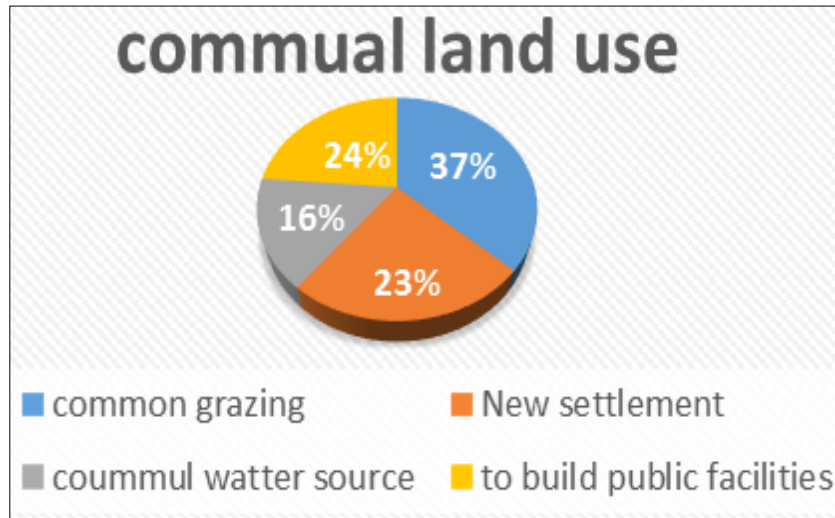


Fig 3: Reported opinions of best use of community land, Garowe, 2016

The majority 53% of participants who indicated that there was communal land in their area reported that local authorities manage the land. Community leaders 23%, the central government 21%. Nearly eighty percent 79.5%, of respondents believe that communal land should be set aside. FGD participants explained that communal lands are less protected than privately owned land due to weak local governments. FGD members noted that in some areas people grab communal land for personal use, blocking access to others. Greater oversight and protection of communal land is needed and will likely be supported by local communities. As indicated in the figure above, 24% of respondents felt that the construction of public facilities such as schools, mosques, health centers, and playgrounds is the most beneficial use of communal land. 23% of participants believed that new settlements would be the best use of community land. Communal grazing areas and communal water sources 37% were also identified as uses. One respondent identified charcoal production as the best use for communal land.

are represented by a male family member. According to 12% of respondents, women were not able to own land due to economic disadvantages. Less than ten percent 10% of participants surveyed reported that women are unable to inherit land. During qualitative interviews conducted for this study, respondents noted that in some cases male family members divide the land among themselves without providing a portion to female family members. Additionally, female respondents explained that traditional practices limited female land ownership because the land could be transferred to another tribe or clan when at the time of marriage, a practice which is still custom in rural areas. Traditional limitations on women’s land ownership likely contribute to land rights issues women face today.

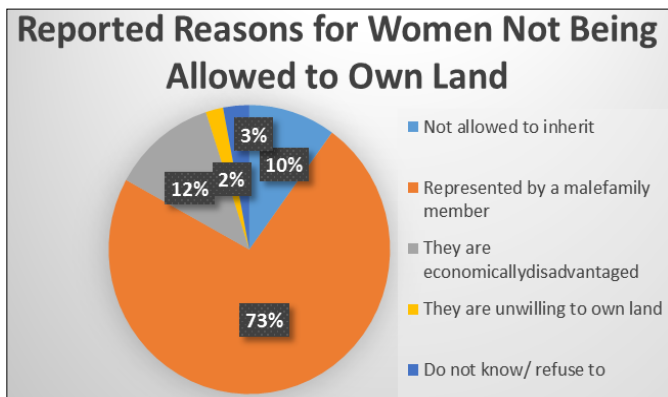


Fig 4: Reported reasons for women not being allowed to own land, Garowe, 2016

The majority of respondents interviewed 79.1% reported that women are allowed to own land. Of those who reported that women were not permitted to own land, more than three-fourths 73% indicated that this was due to the fact that women

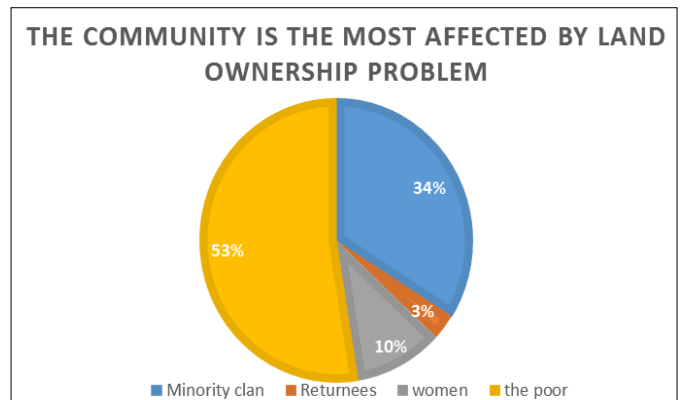


Fig 5: The community is the most affected by land ownership problem, Garowe, 2016

Overall, those who belong the poor 53% are more likely to encounter issues with land ownership. Almost 34% of the respondents identified the minority clan as being the most affected by land ownership issues. Participants in the women’s FGD in explained that the poor are particularly vulnerable, as they cannot defend their rights due to the financial costs. FGD participants mentioned that IDPs have access to land allocated by the government for temporary settlement. During the FGD, traditional leaders noted that disabled persons and orphans are

also affected by land ownership problems.

The most commonly identified reason for experiencing problems with land ownership was low socio-economic status 76.4%, Social segregation was identified by 10.7% of surveyed respondents, and 6.9% found cultural factors to be the cause behind land ownership difficulties. As previously discussed, in some cases cultural factors still impact women’s ability to inherit land.

2.2.2 Institutional arrangement on land conflict

Almost all 93.2%, respondents indicated that individuals in their community have the right to own land. The majority of respondents 70.5%, identified the right to sell land as a right of land ownership. Slightly less than half of respondents surveyed 44.4%, indicated that owners have the right to farm their land. The right to bequeath land was also identified by 42.9% of respondents as was the right to lease 33.3%, to develop 25.1%, to utilize land-based resources 23.0%; to use for grazing 21.5%, and to utilize for religious purposes 20.7%. Despite identifying rights associated with land ownership, nearly two-thirds 62.8%, of respondents were unaware of laws governing the transfer, utilization, and management of land. Of the 35.5% of participants who were aware of land legislation, the majority 80.8%, reported that the laws were enforced. Participants in FGDs were similarly unaware of land management frameworks and legislation. The lack of awareness of land rights and legislation signals a vulnerability of landowners and the need for improved public awareness campaigns to protect those rights.

More than half 53.4%, of the survey participants felt that implementation of effective policies would be the best way to promote land rights within their community. More than two-fifths 45.0%, of respondents believed that the best way to promote land rights would be to hand land ownership to the government and this was also supported by respondents in qualitative interviews. The establishment of land dispute

courts was identified as the best solution by less than one-fifth 19.9%, of participants and 3.1% of respondents felt that making all land communal would be the most effective means of promoting land rights.

There are consensus among residents of the study settlements that corruption exacerbates land conflicts. Indeed a significant proportion reported that they have individually been required to pay bribes over land related issues. This is because decisions on issues regarding land are at the discretion of individual office holders - that is the Commissioner of Lands, Director of Planning and Town Clerks. As public officials there have been claims that they are vulnerable to corrupt actions.

2.2.3 Land tenure accommodation

Overall, more than two third 82% of survey participants reported ever being involved in a land tenure conflict. However, more than 95% of all respondents surveyed indicated knowing someone involved in a land tenure conflict. Again, reported knowledge of persons involved in a land dispute was higher among participants from new settlements and IDPS. The respondents who indicated knowing a person involved in a land tenure conflict, more than 42.0%, identified trespassing as the cause.

A form of trespassing mentioned during FGDs occurs when landowners expand their fences into their neighbor’s property. Less than one-fifth 29% of participants reported that the enclosure of land was the source of the conflict. Land enclosure was most commonly identified is predominantly pastoral, the enclosure of communal land reduces resource access, increases competition, and likely contributes to the marginalization of pastoralist. A minority 16%, of respondents informed that fraudulent eviction was the cause of the conflict. Fraudulent eviction may be the result of duplicate or forged land ownership certificates.

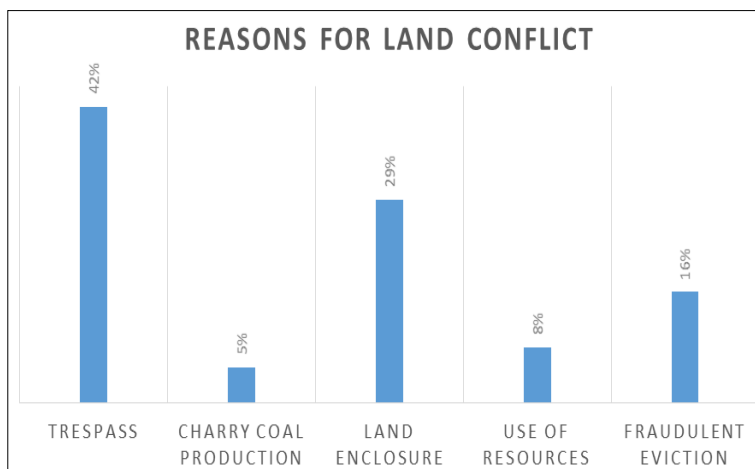


Fig 6: Reported reasons for land conflict, Garowe, 2016

The majority of respondents who reported knowing of a land dispute 88.7% identified civilians as the parties involved in land conflicts. The government 7.5%; IDPs and returnees 1.9%; and clans and other groups 1.9%, were also identified as actors in the disputes. Tribes in the village were identified as

the conflicting parties in water points, pasture, during a KII with the Deputy Governor of Nugal region and other duty bearer have narrated the cause of land tenure s emerge from interrelated causes including increasing population, land values, irregular public land allocation, historical injustices,

lack of security and ownership problems. The main causes of land conflicts can be classified as social, economic, political and institutional. There are those factors that are cross cutting such as tenure, Clarity, corruption and historical factors. For instance, land tenure is arguably a major cause of land conflicts in Garowe as it facilitates uncertainty over ownership, boundary disputes, unclear modes of access to land and fraud prone transaction processes. Thus it cuts across all issues.

Furthermore, it is evident from the study results that inappropriate land tenure is susceptible to manipulation particularly during land allocation processes. This would facilitate inequitable land allocation processes. The allocation processes thus favor the well-connected and rich individuals at the expense of the needy who happen to be the majority.

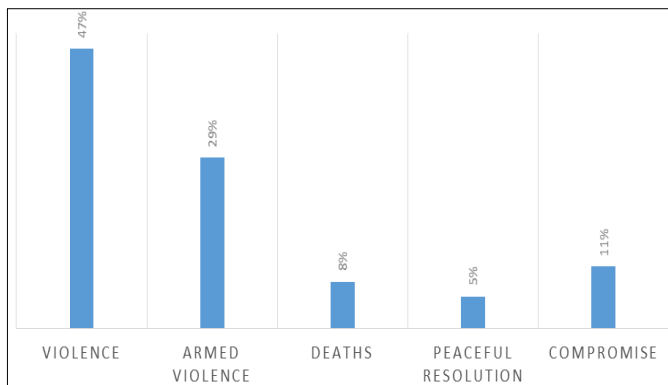


Fig 7: Presence of Dispute Resolution

As illustrated in the figure above, 5% of the conflicts reported were resolved peacefully. More than one-tenth 11% reportedly ended in compromise. However, 47% of the conflicts were said to have resulted in violence. While 29% of the disputes reportedly culminated in armed violence. Violence was reported in every sub-village in Garowe, indicating that it is not a rural or urban problem but a statewide issue.

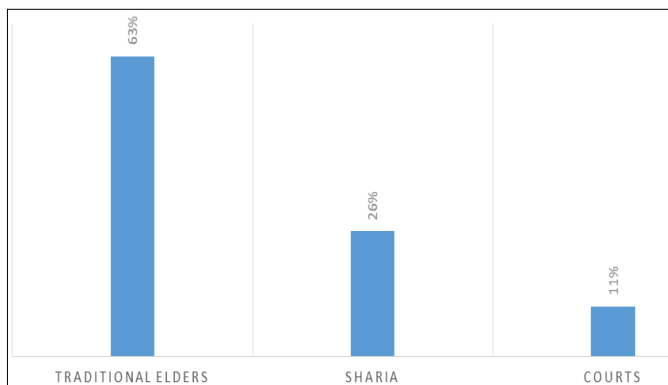


Fig 8: Use of Dispute Resolution Mechanisms

As illustrated above, more than half 63% of respondents identified traditional elders as the system utilized to resolve the land conflict. One traditional elder explained during an FGD, “we act as town inspectors since we are able to easily identify members of families who rights to a piece of land or not.” Another traditional leader detailed how the leaders

utilize customary practices to solve the conflict, sometimes by dividing the disputed land between the two parties. This type of solution suggests a strategy of finding a satisfactory solution for both parties, rather than ruling in favor of one at the cost of the other. Respondents indicated 79% for their satisfaction on process of mediation on

Despite majority of Somali people Muslim, Sharia become second sourced method of land dispute 26% reported use of sharia for dispute resolution. The FGD have mentioned that there are sharia tribunals recognized by the government that resolve dispute, the judgement of sharia court is enforced by the parts.

Courts were also identified by more than tenth percent 11% of the participants. FGD participants pointed out that courts and formal systems of resolution are most common in urban areas. However, some FGD participants and key informants expressed concerns over corruption in the formal justice system. According to a traditional leader in Garowe, bribery is very common in the formal system. Other FGD respondents noted that the formal systems take years. These reasons likely contribute to the continued reliance on traditional elders and customary systems.

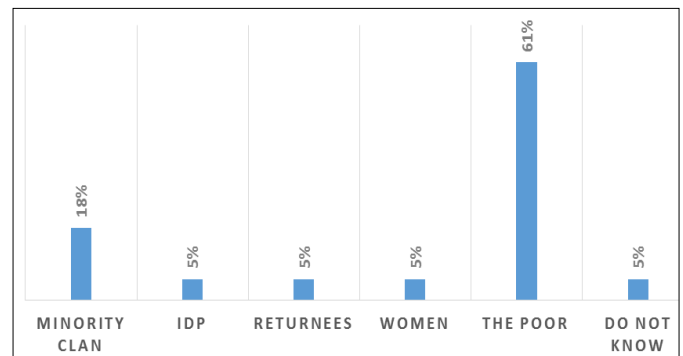


Fig 9

As depicted in the figure above, the poor were most commonly identified 61%, as the primary victims of land conflict. According to the Attorney General of Garowe, his office recognizes the vulnerability of those in disadvantaged socio-economic levels and does their best to defend the rights of the poor. Minorities were identified as the main victims of land conflict by 18% of respondents. As land ownership documents may have been lost or destroyed during the conflict, returnees may face difficulties reclaiming their land. Returns 5%, IDPs 5.0%, and women 3.7%, were also identified as victims of land conflicts.

According to FGD carried down, key informative interview Disputes over land fall into four general categories. Within these categories, conflicts may be separated into 35 different types and over 50 sub-types. This system of classification builds upon the kind of land involved (state, private or common property), the specific object of the conflict as well as the legitimacy of actions and the level of violence used by the parties.

3.1 Summary, conclusions and recommendations

The aim of this thesis from an ontological level has been to analyses the linkage between land conflicts and its causes. In

analyzing the linkage, the project established the role of land commodification on land ownership, access and inequity. It is this process that generated the key questions stated in Chapter One. Prosecuting the key questions has been critical in contributing to both epistemological and ontological contributions of the project.

3.1.1 Land ownership trends

One of the key results of the study is that land remains an important resource with diverse meanings. The meaning of land varies from community to community and is influenced by a multitude of factors embodying social and economic factors. It is these factors that influence use, access and ownership of land. Significantly, land gave people a sense of belonging in traditional societies and continues to do so in the modern society. Traditional communities had well-established ways of access and ownership which was influenced by the perceptions of specific Clan groups.

The traditional perception of land among the Somalian communities was significantly influenced by colonialism. Indeed, a review of existing literature reveals that colonialism transformed land from being predominantly a social cum communal good to a commodity largely perceived as an economic good – with value that can be traded in the market. This transformation led to the evolution of new land tenure systems that have continued to define modes of access to land particularly in urban areas. Indeed, the laws that were introduced by the colonialists fundamentally changed the way land was owned and ensured that its value rose with infrastructural development. It is the emergence of new land tenure systems that have created inequitable processes due to the ease with which they are manipulated by economic and political elites. It is clear from this study that land conflicts can be traced to these processes.

During the study find out 79.1% of respondents indicated that women are permitted to own land, the qualitative data collected suggests that, in practice, women continue to face many challenges. Family members may prevent females from inheriting land, fearing that the land would transfer to another clan at the time of marriage. Study participants also raised issues that women face with land ownership once married, as husbands may take their wives land. Women's land rights appear to face the most challenges at the familial level.

3.1.2 Land tenure system

The majority of respondents who reported knowing of a land dispute 88.7% identified civilians as the parties involved in land conflicts. The government 7.5%; IDPs and returnees 1.9%; and clans and other groups 1.9%, were also identified as actors in the disputes. Tribes in the village were identified as the conflicting parties in water points, pasture, during a KII with the Deputy Governor of Nugal region region and other duty bearer have narrated the cause of land tenure s emerge from interrelated causes including increasing population, land values, irregular public land allocation, historical injustices, lack of security and ownership problems. The main causes of land conflicts can be classified as social, economic, political and institutional. There are those factors that are cross cutting such as tenure, Clarity, corruption and historical factors. For instance, land tenure is arguably a major cause of land

conflicts in Garowe as it facilitates uncertainty over ownership, boundary disputes, unclear modes of access to land and fraud prone transaction processes. Thus it cuts across all issues.

3.1.3 Existing institutional land governance

Survey data collected suggests that there is a need for the implementation of standardized land legislation across Puntland in order to safeguard rights and minimize land disputes. More than half 62.8%, of survey participants were unaware of legislation governing the transfer, utilization, and management of land. This signifies the need for increased public awareness of land legislation. Moreover, existing legislation needs to be reviewed in a consultative process that ensures it is brought in line with present day contexts and caters for the needs of both urban and pastoral communities. Some of the points that may need to be touched upon by the review process include, but are not limited to; a clear definition of what constitutes ownership of land, a distinction between private and public land that is responsive to present day conditions, legal guidelines for the interaction of the multiple legal systems during conflict resolution and a simplification of the review/appeal process in the formal land dispute resolution set up.

Public awareness and outreach campaigns are critical during this review process. The lack of government oversight allows for illegal land grabbing, which depletes communal land. Illegal enclosures limit pastoralists' access to grazing land and water resources. Additionally, the use of communal land for charcoal production results in rapid degradation of communal resources. The decline and misuse of communal land significantly affects the pastoralist whose livelihoods are dependent on access to grazing land.

Parallel systems of law appear to be active, with traditional elders governing land disputes by customary law, the local courts by civil law, and religious leaders by sharia. As formal courts are often viewed as corrupt and slow, traditional elders play a large role in resolving land disputes. Given the important roles the informal dispute resolution systems play, careful attention must be given to them during any attempt to implement and enforce legislation.

4. Conclusions

In conclusion, one man's meat is another man's poison. At the bottom of land conflicts are the need for land and shelter on the one hand, and the desire for profit on the other. Dealing with land conflicts, therefore, means reconciling conflicting interests over land.

While conducting the research which started with a review of existing theoretical literature, undertaking field work, analyzing data and interpretation of the same, it emerged that research of this nature is relatively complex and requires various theoretical frameworks for interpretation and explanation of land conflicts in urban areas. But even then it emerged that each of these has its shortcomings and none of the theoretical models could be used on its own.

Interestingly, land conflicts as a phenomenon in this thesis has unique and unpredictable dynamics that keep changing with diverse circumstances. This is further complicated by the study being set within an urban area like Garowe with the one

of the fastest population growths. The study results therefore confirm the postulation at the inception of the thesis that urban land conflicts are dynamic and keep changing with varying circumstances. Similarly, land conflicts are influenced by numerous factors which are social, political and economic. Thus it is realistic to conclude that to address land conflicts requires a complete overhaul of the social, political as well as economic systems.

4.1 Land ownership trends

The major findings of this research concluded that Land conflicts seldom result directly from any absence of rules or an overlap of regulations. They rather result from the egoistic exploitation and intentional continuation of institutional gaps and the disregard of formal institutions. The reasons for this are numerous and diverse: Many people are in need of land and shelter but cannot afford to follow formal rules for obtaining it. Others simply don't want to. This could be because of a desire to resist formal institutions because of previous experience of disrespectful treatment by them (e.g. through failure to grant recognition of legitimated customary or informal claims, or through a misuse of power) and the lack of trust or hurt feelings resulting from this. Another reason a person might choose not to follow the formal rules and regulations for obtaining land is because of a material desire for wealth or an emotional desire for status.

4.2 Land tenure system

The study concluded Land titling is viewed by many officials in the land administration system, the judiciary and provincial and district offices as a key mechanism in averting land conflicts. Although there were frequent references regarding conflicts arising from land titling, a closer examination of various data indicated that a significant number of these relate to problems and issues in the implementation of the process rather than land titling itself. For example, FGD mentioned that land title claimants do not have sufficient documentary evidence of land ownership, and lack family registration and personal identification. It is concluded that these types of problems relate to public awareness, lack of harmonized system. The public itself creates problems in the land titling process, because they sometimes do not understand the documentary requirements for titling land sufficiently, and therefore do not present sufficient evidence such as family registration and personal identification. The back log of unresolved cases in the Lands Offices needs to be dealt with to restore confidence in the land administrative agency.

4.3 Institutional and land governance

As a post-conflict recovering country, Puntland state of Somalia is suffering from problems of poor land governance in the urban land sector. However, the government has taken a number of steps to improve this situation. Puntland state of Somalia is doing well, however, has a long way to go in terms of registering land and improving land information systems, urban land management, and the management of public land, expropriation and dispute resolution. Given the fact that the population is growing and the demand on land resources both in rural and urban areas is increasing. Thus, there is an urgent need to improve governance in the land sector to ensure

economic sustainability, poverty alleviation and peace and security.

5. Recommendations

- **Strengthen the Judicial System and Local Governments**
This is an enormous challenge but imperative to implementing any legislation. NGOs may play a role in research on existing customary law, trainings, and policy recommendations. The central government will have to work with local authorities to develop a unified system of law that can be effectively implemented by the judicial system. Safeguards must be developed to prevent corruption at all levels.
- **Revision and Implementation of Land Legislation**
Data indicated that the vast majority participants were unaware of existing land legislation. The government should strengthen the Land Act, Policy so that it addresses rural and urban land with consideration of pastoral, agricultural, and urban needs. The courts must enforce the land legislation. Through implementing the law, the government could reduce the number of land disputes.
- **Implement Public Awareness Campaigns**
In conjunction with implementing land legislation, public awareness campaigns should be enacted. Disseminating knowledge will enable landowners to know their rights. The campaigns could also serve as a means to rebuild public confidence in the judicial system.
- **Provide Traditional and Religious Leaders with Training**
Data from the study found that traditional and religious leaders play key roles in handling land disputes. Providing training on land legislation will allow for local dispute resolution that is mindful of state legislation. While training may not result in local leaders abandoning customary law, they might adapt a hybrid system.
- **Safeguard the Rights of Vulnerable Populations**
From legislation to trainings and public awareness programs, special consideration must be given to the needs of vulnerable populations. Initiatives to educate vulnerable populations on their rights should be provided, as well as information on who to contact in case their rights have been violated.
- **Further Investigate Pastoral Communities**
Given the higher rate of land conflict within pastoral communities, further research should be conducted in those areas. Recognizing that pastoralists are losing access to land, which their livelihoods rely on, a closer examination is needed to assess impacts, coping strategies, and correlation with land conflicts.
- **Surveying Prior to Development Projects**
Conflicts over dams and canals highlight the importance of conducting impact studies prior to implementing development projects. Development projects, particularly related to resources, can result in communal conflicts. Thus, NGOs need to identify the potential for such conflicts and weight them against the intended benefits prior to implementing projects.
- **Introduction of gender-sensitive approaches to land policy**
As urbanization gains to take root, the traditional patriarchal outlook of a male-centered view of land ownership may face challenges from a quickly

modernizing community. In addition, it may be argued that policies that unduly deny women the right to own land are against the norms of international human rights laws which the government has acceded to and has pledged to uphold.

- There is therefore a need to engage in sensitization and to reform succession laws as the expectations of the general populace render them outdated.
- Empower the Ministry of Rural Development and Environment the Ministry of Rural development and Environment is well situated to put in place policies on the protection of the environment, set aside land for afforestation and undertake a process of delimitation so as to prevent conflicts between urban, agricultural and nomadic communities. Steps should be taken by the legislature to ensure that the Mistry is legally empowered to carry out such reform. The technical assistance of civil society organizations as well as experts would help to streamline these reforms.

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