Evolution of Collective Land Access Regimes in Pastoralist Societies: Lessons From East Africa

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Introduction

• Govts & Devt agencies favoured public policies promoted land liberalisation policies
  – land concentration and fostered social inequalities (Jansen & Roquas, 1998; Ghimire, 2001; Zoomers & van der Haar, 2001; Lohr, 2012)
  – Did not lead to increased investment in land (Atwood, 1990; Deininger & Binswanger, 1999; De Janvry & Sadoulet, 2001; Zoomers & van der Haar, 2001; Place,
Introduction

• Emerging Lit shows collective land access has advantages
  – Scale economies, reduce risks & cost of enforcing individual tenure, (Nugent & Sanchez, 1998; De Janvry & Sadoulet, 2001)
  – Enhanced access to resources (De Janvry & Sadoulet, 2001; Zoomers & van der Haar, 2001)
Introduction

Most dominant land tenure system is collective land tenure

Communities use customary systems

- Communities are now facing increasing pressure over their land
  - Alienation for private use
  - Mega public funded projects
  - Competing land use e.g. Mining
  - Public policy
Pastoral Communities in EA

Source: Fratkin, 2001
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<tr>
<th></th>
<th>Kenya</th>
<th>Uganda</th>
<th>Tanzania</th>
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<tr>
<td>Pre-colonial period:</td>
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<td>Collective land tenure</td>
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<td>by communities</td>
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<td>Colonial Era land laws</td>
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<td>Post independence</td>
<td>Followed colonial</td>
<td>Followed colonial</td>
<td>Adopted Ujamma policy</td>
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<td>laws interrupted by civil</td>
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## Kenyan Case

Land access regime typology for East Africa

<table>
<thead>
<tr>
<th>Collective-Choice Action (ownership and control)</th>
<th>Operational-Choice Action (access and withdrawal)</th>
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<tbody>
<tr>
<td>Individual</td>
<td>Collective</td>
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<td>Individual Private tenure</td>
<td>Group Ranch B</td>
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<tr>
<td>Collective</td>
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<td>Group Ranch A Un-adjudicated communal land</td>
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</tbody>
</table>
Kenyan Case

Pathway towards Individualisation of land tenure

- Threats to land tenure security
- State-led initiatives

Un-adjudicated Communal Lands

Group Ranch A
- Mismanagement of group ranches
- Inequality in land access & use

Group Ranch B
- Changes & Intensification of Land use
- Proximity to urban areas

Individual and Private Land
Drivers of Changes in Land Tenure

- High inequality in access to resources and benefits accruing from resources
- Proximity to urban centres/towns, (urbanization)
- Potential to change land use e.g. crop production, mining, mega projects (Intensify land use)
How does individualization of land tenure in pastoral areas affect pastoralists?
Environmental Challenges
Key Issues on Collective Land Access

• Individualisation made pastoralists worse off

• Customary Laws
  – Recognition in legal framework
  – Push for formalisation of land tenure

• Strengthen community mechanisms to manage land under collective access
Thank You