



COMMUNITY-BASED LAND TENURE AND GOVERNANCE IN THE GLOBAL SOUTH

INDIGO international seminar, November 9th 2015

KU Leuven, Leuven, Campus Arenberg

1. The challenge

The **INDIGO (INnovating spatial development planning by Differentiating land ownership and GOvernance)** research project commenced at the beginning of 2015. It is coordinated by Prof. Frank Moulaert, Prof. Pavlos Delladetsimas, Prof. Bernard Hubeau, Prof. Constanza Parra, Guy Vloeberg, and Dr. Pieter Van den Broeck. The partners involved in the project are the research group Planning and Development of the Department of Architecture - KU Leuven (BE), the research group Government and Law of the University of Antwerp (BE), the Department of Geography of Harokopio University (GR) and the private consultancy OMGEVING cvba (BE).

The INDIGO project is an **inter- and trans-disciplinary project**, which seeks to situate the discussion on shared land uses, landed property and use rights within the interdisciplinary context of ownership regimes and the ‘governance of the landed commons’.

Briefly, if ambitiously, the project aims to explore **how spatial development (planning) can be improved** to address contemporary and future challenges for socially and ecologically sustainable spatial organisation and development, by:

1. **broadening, differentiating and enriching (concepts of) land use rights**, ownership regimes and their governance, thus overcoming the dichotomy of private versus public property;
2. **renewing relationships between planning and ownership**, imagining new ways of planning and governing land and resources and exploring the potential of the commons as a resource and a governance practice;

3. **offering solutions to the complexity of divergent land use claims**, mismatches between property regimes and changing (and often conflictive) individual and collective uses;
4. learning from and facilitating **innovative forms of sharing land use (rights)**;
5. improving (methods of) participation and **co-production by stakeholders of new (inclusive) ownership regimes** and governance modes.

Within this broad research framework, **we invite experts with different perspectives and working in diverse disciplines to present, dialogue and help co-construct visions on the commons in two one-day international seminars on the 9th of November 2015 and the 20th of January 2016 in Leuven**. The aim of these events is to explore (*to plough up*) the various dimensions of the INDIGO focus on (the governance of) the commons. The present abstract highlights the focus of the first seminar, scheduled for 9th November 2015.

2. Seminar theme

Questions of land tenure, security and access to land have been of major interest to urban development policy makers and practitioners in cities of the South. Many communities, and particularly urban poor communities often fall victim to eviction, displacement, insecure tenure rights and exclusion from urban services (drainage, water supply and sanitation services, waste collection, maintenance, etc.). In the last 50 years, approaches to these problems have evolved from outright negative attitudes or neglect by public agencies and urban professionals to a more empathic and constructive approach looking for potentially more positive solutions. After innovative research in the 60's and 70's and under pressure of many community groups, also assisted by local and international NGO's, a first wave of site upgrading and services programmes was launched in the 1970s. At that point, claims for land tenure and a more appropriate governance of land tenure rights received more positive responses.

Community-based land tenure governance implies that rights to access, use, control, and transfer land are granted among members of the community, together with the responsibilities and restraints that are connected with such rights. Land tenure is therefore a central cog in the wheel of community development.

In many fast-transforming cities, land and land development remain vital components of urban development, both in the central city areas as well as at the expanding peripheries. The urgent question here concerns **how to reconcile the conflicting demands of the land developer, the peasant, and nature conservation**. Such reconciliation should not negatively affect the quality of the built environment produced and should warrant equity in the distribution of benefits associated with urban development in peri-urban locations.

At its very core, land tenure is not just about who owns and uses land. Rather, it is more about who decides on what is owned, which use rights are attached to it, when and for how long. This immediately reveals the political dimension that attends the design and operation of land tenure systems as they evolve with changes in the social, economic and political institutions of society. As a key pillar of community development, **dynamics and conditions of land tenure systems therefore need to be well understood** in order to formulate more appropriate development alternatives attuned to the interests of the wider public and the needs of the poor and the vulnerable.

In response to insufficiency and inappropriateness of current land management tools and strategies to ensure tenure security, equitable access and distribution of the proceeds of land development, there has been renewed attention from researchers and practitioners seeking to devise **innovative tools and strategies attuned to the realities of contemporary urban development**. These initiatives have led to a (re)conceptualisation of innovative tools such as community land trusts, starter titles, and land readjustment, among others, to facilitate sharing of urban space under conditions of rapid growth. In many towns and cities, a wealth of experimental or common practices have emerged over the past decades that illustrate well how communities can better take control of their land.

3. The structure of the seminar

Through this seminar, the research groups involved in the INDIGO project hope to gain from a ‘**structured intellectual exchange**’ with a larger group of experts with first-hand experience of working on the landed commons in the Global South. The immediate aim of the seminar is to reinforce the theoretical and methodological foundations of the research project. The practical ambition is to foster dialogue and spur critical intellectual exchange on the innovative perspectives of the Landed Commons.

The seminar is organised in 2 sessions, each of which has its own focus while remaining strongly linked to the other.

Opening remarks (09:00 am)

- Pieter Van den Broeck (KU Leuven): the INDIGO project

Session 1 (10:00 12:30): Building the landed commons

(Chair: Constanza Parra, KU Leuven)

This session positions bottom-up initiatives of land tenure and governance in broader theoretical and methodological readings of the landed commons and how the latter can change existing market-based governance dynamics and concomitant private-public dualisms.

- Jean Hillier (RMIT) **Open and Fresh Air as a Commons**
- Maarten Loopmans (KU Leuven) **Community-based land tenure in Cuba and Burkina Faso**
- Michel Merlet/Pierre Merlet (Agter) **Le code rural du Niger** (invited)
- **Discussant:** Erik Swyngedouw (Manchester University)

[12:30-14:30 Month 36 presentation Angeliki Paidakaki}

Session 2 (15.00-17:30): Community-based initiatives of land tenure and governance (chair: Loris Servillo, KU Leuven)

This session introduces bottom-up initiatives changing existing patterns of land-tenure and governance in Africa and Latin America. The focus is on how landed commons are built and how institutional dynamics have (been) changed.

- Washington Olima (University of Nairobi) **Land-tenure systems in Kenya**
- Emmanuel Midheme (KU Leuven) **Community based land tenure in urban Kenya**
- Johan Bastiaensen (Antwerp University) **Legal pluralism and land access**
- Discussant: Julian Baskin (Cities Alliance)

Closing remarks

Frank Moulaert (KU Leuven) **Analysing and building Landed Commons**

Plenary Lecture (18.00-20.00)

Vanessa Watson (University of Capetown) **African urban fantasies: what alternatives for the urban poor?**

Venue:

KU Leuven Campus Arenberg,
Kasteelpark Arenberg 1
Kasteel Auditorium
3001 Heverlee (Leuven)

Students and INDIGO stakeholders free entrance
Others: 30 euro (includes lunch, papers and ppts)
