REVIEWING CONVENTIONAL APPROACHES & PROPOSING NEW ALTERNATIVES: PERI-URBAN CUSTOMARY TENURE AND LAND READJUSTMENT

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INTRODUCTION/1

• PRO - POOR AND PRACTICAL
• RE - DEFINING LAND ADMINISTRATION
• A DIFFERENT SDI
• LAND READJUSTMENT LINKED TO CONFLICT MANAGEMENT FOR CUSTOMARY PERI-URBAN AREAS
INTRODUCTION/2

• HOW DOES CUSTOMARY TENURE WORK?
• WHAT EFFECT DOES IT HAVE ON PROPERTY RIGHTS?
• WHAT ARE THE BEST LAND INSTRUMENTS & TECHNICAL TOOLS FOR THESE AREAS?
PRO-POOR & PRACTICAL

• DIFFERENT ROLE PLAYERS
• TECHNICAL FAILURES
• POLICY FAILURES
• INTERNATIONAL RESEARCH AGENDA
THINKING OUTSIDE THE BOX

• RE - DEFINING LAND ADMIN.
• SDI
• RESEARCH
• COMMON GEO - SPATIAL FRAMEWORK
• ACCURACY ISSUES
• LEGAL FRAMEWORK
THINKING OUTSIDE THE BOX: CUSTOMARY TENURE & PERI-URBAN AREAS

• WHAT EFFECT DOES CUSTOMARY TENURE HAVE ON PROPERTY RIGHTS’ SYSTEMS

• MOGODITSHANE, BOTSWANA

• RANGE OF APPROACHES TRIED
HOW DOES CUSTOMARY TENURE WORK/1

• MANIPULATION OF LAND TENURE RULES
• AMBIGUITY & UNCERTAINTY
• CONTRADICTORY TENDENCIES
• LOCAL COMMUNITIES AFFECTED BY URBANISATION
• NOT ALLODIAL SYSTEM
• E.G. FROM S.AFRICA
Map 2. Lineage and township boundaries and lineage allegiances (Fourie:1994:460)

Key
- - - Boundaries of lineages
- - - - - Umlazi township boundary
LINKAGES AND OTHER ISSUES

• SEE PAPER
• AFFECT ON PLANNING ETC.
• BEST LAND INSTRUMENTS
• TYPES OF CONFLICT
CONFLICT MANAGEMENT BEST PRACTICE

• RANGE OF INTERNATIONAL APPROACHES
• STAKEHOLDERS INVOLVED
• PARTICIPATORY APPROACHES
• VALUATION/COMPENSATION ISSUES
BEST TECHNICAL TOOLS

• QUERY DEVELOPED WORLD APPROACHES
• CREATE LOCAL RECORDS
• IMPROVE TRANSPARENCY
• MAP ALL CLAIMS
• LIS FOR EXISTING LAND USES
• PARTICIPATORY ON SITE PLANNING
• CAPACITY BUILDING
• PROTECT TECHNICAL PEOPLE
CONCLUSION

• NOT BUSINESS AS USUAL
• THINK OUTSIDE THE BOX