

# Urban Land Governance in a Post-Conflict City: Institutional Tensions and Tenure Insecurity in Hargeisa, Somaliland

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## Abstract

Hargeisa has high levels of insecure tenure, weak institutional structures, and rapid urban development. Adopting a qualitative case study as its methodology, this study is based on five interviews with municipality planners, land officers and GIS personnel. Findings of the tenure systems showed fragmented tenure systems, overlapping mandates, and capacity gaps, but also opportunities with the introduction of GIS use and community relations. Findings suggest that there are explicit actions in which solutions could be integrated and implemented, such as integrating and improving digital tools to address adaptation, clarity and robustness of tenure policy, and capacity of the institution that are necessary for similar context cities.

**Keywords:** Land tenure; Urban governance; GIS; Hargeisa

## 1. Introduction

In the history of humanity, almost every major land management system has had its development disturbed by such causes as territorial disputes between rulers, borders which were too often indistinct for unambiguous settlement (Augustinus et al., 2007, p. 7). Conflicts today range from the border conflicts and state-sanctioned land-grabbing (even under guise of economic development) to warfare against local people who need to live their off-land resources. All these actions not only bring severe suffering to customers in locations of other conflicts like Sudan (Augustinus et al., 2007, p. 3).

Scholars of post-conflict urbanism note that such dynamics are especially evident in cities where displacement legacies, document loss, and fragile institutional states combine to create land insecurity (McAuslan, 2013; Unruh, 2003). From an urban governance perspective, such situations constitute an overarching range of institutional pluralism challenges and fragmented authority in post-conflict contexts (Watson, 2009).

The housing, land, and property issues facing post-conflict situations are well-documented. These include inappropriate or outdated land policies, discriminatory laws, overlapping tenure systems, feeble dispute resolution mechanisms, and rampant illegal land grabbing (Augustinus et al., 2007; Rift Valley Institute, 2021, p. 12), (p. 3,12).

Comparable cases have been documented in various cities; Kabul, Monrovia and Kigali where post conflict recovery process came against or collided with weak tenure systems triggering to overlapping land claims, administrative challenges and consistent and persistent land disputes (Geoffrey Payne et al., 2012; Soto et al., 2001). Thus, these global experiences indicate that Hargeisa, a post conflict city is part of a wider pattern where weak property rights obstruct both reconstruction and urban growth.

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Attempts to regularize or map land can instead stimulate new conflicts, not least in regions where ownership was previously based on orality (Augustinus et al., 2007, p. 3), (p.8). Rapid urbanization compounds these pressures. Some of these cities undergoing rapid growth, have high population densities, poor infrastructure and high property prices, in addition to physical exclusion for low-income population (Lumun & Edwe, 2019; Mohamud Ahmed et al., 2025). Slum settlements are numerous in the outskirts of cities with no provision of basic services and are vulnerable to climate induced disasters (Mohamud Ahmed et al., 2025; The World Bank, 2025). Regulatory hurdles, zoning restrictions and costly regularization processes exacerbate tenure insecurity and provide disincentives to investment in climate-resilient housing (The World Bank, 2025). Weak spatial planning and disintegrated data systems also compromise effective, risk informed urban development (Mohamud Ahmed et al., 2025).

In African contexts, these dynamics are part of what Parnell and Pieterse (2014) call an “urban revolution,” where rapid growth meets limited state capacity. UN-Habitat’s (2022) World Cities Report highlights that cities like Hargeisa show how fast expansion without proper planning increases inequality and puts urban populations at risk from environmental dangers (UN HABITAT, 2022)

According to the literature, sound land governance secures tenure, manages competing claims, and prevents negative externalities; A strong legal base includes fast approval processes, transparent and low-cost enforcement, and equitable dispute resolution mechanisms (Deininger et al., 2012; Rift Valley Institute, 2021) (p.27-28, 31). The Land Governance Assessment Framework (LGAF) and similar tools are participatory mechanisms to assess land governance, diagnostic tools and mechanisms for monitoring (Deininger et al., 2012), (p.48).

Several international initiatives, notably the African Union Framework and Guidelines on Land Policy in Africa (African Union, 2009) and the FAO Voluntary Guidelines on Responsible Governance of Tenure (VGGT) (FAO, 2012) highlight the importance of land governance to sustainable development and peacebuilding (Rift Valley Institute, 2021, p.41). On the other hand, weak governance limits investment and property transfers, encourages insecurity, and can lead to environmental degradation (Deininger et al., 2012, p.13). Yet critical scholarship cautions that in post-conflict or informal environments, such universal frameworks fail, as overlapping legal frameworks and fragile institutions make implementation difficult (Zevenbergen et al., 2012). Such a disconnect between normative frameworks and realities on the ground is most starkly seen in African cities.

To bring about good governance, institutional capacity is indispensable. Land administration falls under three aspects: resource-based capacity (such as human resources, technology and money), administrative capacity (realization policies and information management) and managerial capacity (planning business plans as well as co-ordination and control) (Enemark & van der Molen, 2008; Masum, 2011). However, many land administrations suffer from numerous restrictions, bureaucratic procedures and, because competencies overlap, fragmentation in decision-making service-henry distribution (Augustinus et al., 2007). Therefore, area management of land resources is an important element in applications that combine governance improvements and capacity development (Augustinus et al., 2007; Masum, 2011, p. 8).

Theoretical work on institutional capacity highlights that effective land governance needs coordination, clear mandates, and sufficient resources (Enemark & van der Molen, 2008). In post-conflict settings, though, institutional pluralism often results in overlapping authority and fragmented governance (Watson, 2009).

Clan suspicions cloud the ownership question and led to disputes over tenure, and to cases of phantom angel-draw-to West Africa. Persistent disputes regarding land ownership among the local people and foreign settlers, who have encroached into the outskirts, continue to exist within the zone of influence of the local inhabitants (Lewis, 2004b; Rift Valley Institute, 2021), (p.12). Somaliland proclaimed its independence from Somalia in 1991 (Bade, 2023; Bade & Hared, 2021; Jama et al., 2023). Hargeisa, capital city of Somaliland provides an example of how we might see these various dynamics intersect in a post-conflict city (Bade, 2024). The coexistence of the statutory, Islamic Shari’a, and Xeer systems as customary (Xeer) law create legal overlaps and ambiguity and add to the already existing confusion of land disputes and conflicts resolution systems (Bade, 2024a; Jama et al., 2023; Rift Valley Institute, 2021)

High urbanization, due to insecurity in the most rural areas, climate and migration, has created vast informal settlements with little infrastructure that face constant threat of eviction (Rift Valley Institute, 2021; The World Bank, 2025), (p.31). Elsewhere, brokers, let alone thieves, are involved with land deals, weakening formal control (Rift Valley Institute, 2021), (p.31).

Governance in Hargeisa remains fragmented. Institutions work in overlapping mandates and in different legal systems, such that there is administrative competition that hinder implementation of urban policies. These intersecting

challenges for the city illustrate why Hargeisa promises to be a critical case to consider questions of land, governance and institutional capacity in the urban space of a post conflict state. This paper contributes to discussions on urban management by providing a detailed case study of Hargeisa. Here, issues of tenure insecurity intersect with weak governance and fast urban growth. It shows how global policy guidelines, local institutions, and community dynamics work together to shape land governance. In this way, it aims to improve comparative studies on post-conflict urban governance and offer practical insights for policymakers facing similar issues in quickly urbanizing cities.

## 2. Materials and Methods

This study employed a qualitative design to capture the in-depth insights of land governance arrangements, administration, and policy dynamics in a post-conflict context. Such an approach allows for exploration of context-specific challenges and opportunities, which would be missed by quantitative approaches, directly supporting the objective of the research (Howard Lune. Bruce L. Berg, 2017). Data collected through five interviews with municipal and land management officials. Purposive sampling facilitated approaching participants that had direct responsibilities in the operations or decision making in land administration. Interviews focused on tenure disputes, informal settlement growth, and administrative overlaps. The number of interviews was determined by the principle of thematic saturation, reached when no new insights were emerging.

All interviews were transcribed directly and thematically coded for analysis. Codes were created using an inductive method and adapted in accordance with existing concepts in land governance (e.g., emphasis on tenure security, institutional and economic capacity, and capacity for policy implementation). Validity was strengthened by cross-checking themes across interviews and ensuring the analysis represented multiple viewpoints across the land management system.

Ethical approval for the study was granted by the appropriate local authorities in Somaliland. Ethical Considerations and Data Collection Informed consent was obtained from each participant prior to data collection, and all data were anonymized and stored securely to protect confidentiality and ethical research standards.

## 3. Results

### 3.1. Core Challenges

#### 3.1.1. Tenure Insecurity

Insecure land tenure is one of the most salient and coherent themes across interviews. Interviewees talked about clouds of confusion over ownership, lost or conflicting maps, multiple claims to the same plots. One participant explained,

*".....land tenure insecurity is a major problem facing landowners in Hargeisa, with various claims and hindrances to land development."* (Participant 1).

This statement emphasizes the role played by missing title documents in generating conflict amongst competing claimants and discouraging developers or individual households from investing in construction or home improvements. Another interviewee added,

*".....Those policies have failed to give residents of the island clear title to their land, creating continued conflict and frustrating investments in property development"* (Participant 2).

Here, the link between weak policy frameworks and economic stagnation becomes clear: without transparent titling, buyers and investors remain hesitant, and municipalities lose opportunities to expand their tax base.

*".....There are significant issues with insecure land tenure in Hargeisa, leading to disputes and difficulties in land development."* (Participant 1).

This statement highlights how the absence of reliable titles fuels conflict between claimants and prevents developers or individual households from confidently investing in construction or improvements. Another interviewee added,

*".....The policies in place have struggled to provide clear and secure land titles to residents, resulting in ongoing conflicts and hindering investment in property development."* (Participant 2).

Here, the link between weak policy frameworks and economic stagnation becomes clear: without transparent titling, buyers and investors remain hesitant, and municipalities lose opportunities to expand their tax base. These observations explore barriers shaping land management. They reveal that tenure insecurity is not just a technical problem but a structural obstacle that undermines orderly urban growth, discourages private investment, and erodes public confidence in local governance. Whilst tenure security is the central issue of land conflicts, misery is added to woe by competition between institutions about with whose mandate it is to manage resources in a holistic manner.

### 3.1.2. Overlapping Mandates

Another key challenge noted in the interviews is the problem of overlap between mandates of various authorities. Research participants recounted situations in which ministries, municipal departments and even customary authority are giving contradictory orders over the same pieces of land.

One official explained,

*".....We have guidelines from the ministry, and then you have municipal guidelines conflicting"* (Participant1).

The result is confusion over who ultimately has final authority, lengthy delays in land application processing, and mixed enforcement of policies.

A different participant explained how these overlaps play out in practice,

*".....The limited financial and human resources result in ineffective implementation and enforcement of policies leading to missing pieces in urban management and service delivery"* (Participant4)

While this quote also touches on capacity, it highlights the fact that fragmentation of authority among multiple agencies reduces the potential for efficient resource allocation and cross-agency decision coordination.

These accounts demonstrate how lack of clarity over roles and responsibilities stymie coherent land management. Hargeisa officials have to negotiate one order after another rather than one collaborative system, which diluted the transparency that ultimately injures the faith of the residents and developers. The interviews also showed that there are massive capacity gaps, preventing even the best policies from being implemented.

### 3.1.3. Capacity Gaps

The absence of institutional and technical capacity stemming from the institutional realities of Hargeisa's land management system was the third most common challenge respondents identified. Interviewees consistently identified skills shortages, technology deficits, and poor administrative systems as impediments not just to effective implementation, but also to the whole model. One participant explained:

*".....The limitations of municipal authorities to make them codes of land policies."* (Participant1)

This lack of resources makes it impossible to enforce any policies that may be there, or monitor implementation. Another official added:

*".....The lack of adequate human and financial resources to implement and enforce policies creates urban management and service delivery gaps"* (Participant4)

It elaborates on how limited budgets and staff personnel result in service backlogs, titles not being issued timely, and controversies being held pending. Thus, these quotes exemplify that capacity gaps are not merely of a technical nature but also of financial and managerial nature. There are snafus with antiquated land registries left not rectified and the lack of trained GIS, which creates barriers for digital records to be built and kept. Such weaknesses delay reforms and citizens have little faith in the system. In addition to the capacity constraints, interviewees also highlighted that urban growth itself was ahead of regulation and system.

### 3.1.4. Urban Pressure

The fourth challenge highlighted was the increased pressure from rapid urbanization which is putting Hargeisa's land management system under pressure. Interviewees recounted how population growth and unplanned extension have outstripped regulatory regimes. One participant observed:

*".....Hargeisa has undergone rapid urbanization with informal and unplanned settlements." (Participant 3).*

This aggressive growth has led to ad-hoc spatial developments which are not in line with the existing development plan and will ultimately create issues in provision of services in the longer run. Another interviewee added:

*".....The rapid population growth has not been matched by urban planning policies that are effective, leading to insufficient infrastructure and services". (Participant4)*

This phrase indicates that the physical growth of the city outruns the capacity of planners to supply basic services like roads, drainage and utilities.

Urban pressure, therefore, compounds other weaknesses. Unregulated settlement patterns increase disputes over land, overwhelm limited institutional capacity, and expose gaps in enforcement. Without updated policies and responsive planning systems, informal growth will continue to shape the city in unpredictable ways. In addition to these challenges, however, interviewees also highlighted new opportunities that could be very effective in changing land management practices in Hargeisa.

### **3.2. Emerging Opportunities**

#### *3.2.1. GIS Adoption*

Hargeisa GIS adoption emerged as a central opportunity for enhancing urban land management, exemplified by participant descriptions of pilot municipal mapping initiatives that are replacing paper-based systems with digital cadastre layers.

*".....The Somaliland Urban Development and Land Management Project demonstrated the benefits of an integrated approach and technological integration" Participant 2.*

It attests to local initiatives emerging using digital techniques to organize location data. The project's nexus integration pulls together traditional land records with modern day technology to signal that land records can be modernized, with less reliance on broken-up manual registries.

*".....GIS, other digital tools may speed up land registration and management" (Participant 3).*

This statement shows that GIS is not just information that shows up on a map of parcels. More quick updates, clearer records, and visible decisions about allocation, Since GIS connects spatial data with administrative records, it minimizes mistakes and redundancy, addressing tenure insecurity head on.

GIS integration fits opportunities to influence land use directions. It serves as a pragmatic route for enhancing data accuracy, facilitating planning, and reinforcing governance frameworks. In addition, using the technological wins as a foundation, participants described how community engagement is changing how rights to land are being divided, as well as building higher levels of trust in decision making.

#### *3.2.2. Community Engagement*

Community engagement was repeatedly named as a key opportunity for bettering land management, with interviewees pointing to participatory processes that garner trust and remain locally relevant.

*".....Engaging with community stakeholders ensures inclusive and participatory decision-making processes" Participant 1*

This quote illustrates that including residents in allocation conversations minimizes conflicts. It enables local knowledge to inform planning and develops local ownership, contributing directly to legitimacy.

*".....Engaging communities actively in decisions guarantees that policies and interventions are contextually appropriate and their success can be based on acceptance by and ownership of the community" (Participant2).*

In this case the concern is one of policy fit. When residents participate in land allocation meetings, they influence regulations that take into account real conditions, not assumptions from the top down. This results in less conflicts and better adoption. These participatory methods are relevant to ways to enhance urban land management. Involving stakeholders also allows discretion to be exercised in the light of day, minimizes grievances, and grounds reforms in

local concerns. In addition to local engagement, interviewees referred to larger policy changes taking place at national level that might generate favorable conditions for municipalities.

### 3.2.3. Policy Windows

Interviewees also identified ongoing national level reforms as important policy windows that might enable the municipal authorities in Hargeisa to improve land management.

A participant mentioned;

*".....Implementing clear and transparent processes for land registration and titling."* (Participant 3).

This indicates a commonly expected fact among the national reform of urban policy is the need to clarify down below in the system of registration. Reforms are expected to bring down claims on ownership and enhance investor confidence. Another participant said;

*".....Enhancing legal frameworks to protect property rights and resolve disputes efficiently."* (Participant 1).

It's an example of how policy change is one way to fill gaps in enforcement. Strengthened legal frameworks would help municipalities take swift action to assign, secure and safeguard land rights.

These remarks relate to the potential for better land management. National policy adjustments to favor municipal implementation provide an enabling context to incorporate contemporary governance instruments and rationalize tenure arrangements.

Together, these findings on community participation and evolving policy frameworks complement the earlier insights on GIS integration, underscoring how technical, social, and regulatory opportunities can intersect to improve urban land governance.

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## 4. Discussion

### 4.1. Core Challenges in Urban Land Management

Insecurity of tenure is still the most significant problem. In Hargeisa, competing claims on the same land and absent records speak to the land disputes and the historical context of the strife over land. Such patterns can also be observed in broader post conflict African situations, where competing claims arise as a result of prolonged periods of displacement and loss of documentation as documentation is often used or interpreted in multiple ways (Augustinus et al., 2007). Studies reveal that in Somalia and Afghanistan, contested claims to tenure led to repeated disputes and related conflicts, where returnees found occupied or controverted land (Augustinus et al., 2007; David Stanfield et al., 2010), (p.3). Unresolved problems like these clog the wheels of investment, said buyers and developers are loath to move forward without strong rights legislatively established (Lewis, 2004a). This evidence supports the idea that stabilizing tenure is a condition for urban development and peace building.

Governance fragmentation compounds tenure insecurity. Legal frameworks Hargeisa has statutory, customary (Xeer) and Shari'a systems, and ministry directives are in conflict sometimes with municipal rules. This is consistent with research on institutional pluralism in Somalia and overlapping mandates that undermine accountability and facilitate the coexistence of parallel land systems (Rift Valley Institute, 2021) (p. 33). The Rift Valley Institute (2021) underscores that this kind of overlap confounds enforcement and perpetuates informality. Without harmony, urban land administration is in danger of rival authorities and conflicting decisions, blocking formality and service delivery.

Weakness in institutional capacity further undermines land use. Government agencies in Hargeisa have inadequate manpower base, obsolete registries, and inadequate technical personnel, especially in geospatial analysis. These lacunae are consistent with those presented in African cities where land administration authorities are woefully understaffed and resourced (Masum, 2011). According to Enemark and van der Molen (2008, p.4) such limitations restrict the planning, regulation and dispute resolution. A lack of strong administrative capacity means that policy often is just that policy with little implementation on the ground.

The structural weaknesses are magnified by rapid urbanization. Hargeisa's expansion reflects that of many post conflict cities where rural migrant in-movement, climate stress, and economic forces drive the expansion of informal settlement (The World Bank, 2025).

As Mohamud Ahmed et al. (2025) point out, underinvestment infrastructure and overburdened service provision typify cities that develop more rapidly than the set of rules that govern them (Mohamud Ahmed et al., 2025). In Hargeisa also, the high rate of spontaneous and unplanned proliferation of informal settlements is the main cause for environmental degradation and will make very complex the regularization of the land in future as correlation was found between the unplanned arrangement in utilization of land in the informal settlements and the complexity in installing infrastructure and to formalize tenure in the case of unplanned one.

Together, these problems constitute the broader themes characteristic of African urban governance studies: historical conflict legacies, fragmented governance, weak institutions, and increasing urbanization combine to create a cycle in which insecurity of tenure and planning act to reinforce one another. Solving these complex challenges goes beyond ad hoc actions, it requires integrated governance systems, institutional strengthening, and spatial planning reforms.

#### **4.2. Emerging Opportunities in Urban Land Management**

Hargeisa's pilot mapping projects fit with wider regional programs to digitize land administration. In Nairobi and Addis Ababa GIS based cadastral initiatives prove that digital layers reduce conflicts and increase transparency by the creation of verifiable records, which can be linked to several institutions (Mohamud Ahmed et al., 2025; The World Bank, 2025). They are also fast enough to make dynamic updates, spatial-analysis planning, and aggregation of environmental data possible. For Hargeisa, expanding the use of these data tools can enhance tenure security and underpin data-driven policy. And again, this is consistent with the LGA Framework's focus on the significance of accurate and comprehensive land information as a basis for good governance (Deininger et al., 2012) (p.48).

Actively involving communities in decision-making presents another chance. Hargeisa's participatory land allocation meetings are a reflection of best practices that are suggested in post-conflict settings, where community support lessens disagreements and bolsters legitimacy (Augustinus et al., 2007). According to research, informal settlements move more smoothly into formal frameworks and new policy compliance increases when residents are consulted on planning and allocation (Rift Valley Institute, 2021) (p. 31). In settings with multiple legal systems, involving stakeholders also guarantees that interventions are pertinent to the context.

A window for coordinating mandates between ministries and municipal councils has been created by recent changes to national urban policies. The fragmentation of governance observed in Somali contexts is directly addressed by aligning these mandates (Rift Valley Institute, 2021) (p. 33). By reducing overlapping jurisdictions, harmonization would empower local authorities to take decisive action. Theoretically, this is in line with institutional capacity theory, which contends that effective land governance requires coordination mechanisms, sufficient resources, and explicit mandates ((Enemark & van der Molen, 2008; Masum, 2011), (p.4).

These prospects imply that land governance frameworks can be operationalized by utilizing technology and enhancing capacity. Putting money into training, digitization, and participatory planning is in line with international standards like the VGGT and the land policy frameworks of the African Union (Rift Valley Institute, 2021), (p.41). Secure tenure, equitable access, and efficient dispute resolution are all directly supported by institutional reforms that incorporate GIS and participatory techniques (Deininger et al., 2012, p. 27).

Findings generalization is limited because the results are based on a small sample of local officials. Nonetheless, the fact that these opportunities and challenges align with regional studies implies that the lessons learned can be applied to other quickly expanding post-conflict cities. To monitor the evolution of harmonized mandates and capacity investments over time, future research should include comparative analysis with other Somali cities, such as Berbera or Bosaso, and longitudinal studies of GIS adoption outcomes.

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#### **5. Conclusion**

Enhancing tenure security and institutional capacity is essential for sustainable urban land management in a post-conflict environment, as demonstrated by Hargeisa's experience. The city's ongoing tenure disputes and conflicting mandates show how weak governance systems can erode private investment and public trust. Addressing these issues requires strengthening the legal and regulatory framework, defining the responsibilities of ministries and local government, and developing administrative and technical capabilities.

There is a definite chance for quick operational improvements when Geographic Information Systems (GIS) are incorporated into land management procedures. Digital cadastral layers can lessen disputes, increase transparency, and facilitate more effective service delivery, according to pilot projects in Hargeisa. The advantages of GIS adoption, however, won't be fully realized until local employees receive training on how to use it, sufficient funding is set aside for upkeep, and policies are standardized to ensure uniform implementation across all pertinent institutions.

In order to track land tenure improvements, urban expansion, and infrastructure provision over time, future research should go beyond qualitative evaluations and incorporate quantitative GIS-based data. It would be clearer how comparable governance and technological reforms can be modified in various contexts if comparative studies were conducted with other quickly urbanizing African cities, like Nairobi and Addis Ababa. In addition to providing useful insights for post-conflict urban management throughout the region, such work would expand the theoretical understanding of institutional capacity in land governance.

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## Compliance with ethical standards

### *Disclosure of conflict of interest*

No conflict of interest to be disclosed.

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