

NAMATI PARTNER: SUSTAINABLE DEVELOPMENT INSTITUTE



Complexities of Community Self-Identification in Liberia

By Ali Kaba

Defining the boundaries and membership of a community is the first step in community land protection and documentation. These decisions require careful negotiation among a wide range of stakeholders and consideration of many social, political, cultural, and practical factors. Community definition should not be left to bureaucrats or external ‘experts’ because this may impose an inappropriate definition and deprives communities of a powerful opportunity for collective action. Rather, skilled facilitators should help communities to navigate the self-identification process to define their territories and membership. This Lesson from the Field shares strategies for supporting community self-definition in rural Liberia from Namati partner the Sustainable Development Institute (SDI).



SDI staff facilitate a community meeting in Rivercess county.

The Power of Community Definition

Beginning in the 1950s, statutory laws and regulations systematically eroded customary governance of land and natural resources in Liberia. In 1956, lawmakers passed legislation (*The Aborigines Law*) that made communities’ undocumented customary lands into state-owned land,¹ turning customary land *ownership* rights into mere land use rights. This legal sleight of hand made communities’ lands vulnerable to state-sanctioned concession grants and facilitated significant dispossession of rural communities from their customary lands. Over the past fifty

years, huge tracts of rural land have been leased or privatized to elites and foreign investors: current records show that over 50% of Liberia’s land has been contracted out or promised to foreign investors, while an additional 20% is claimed as private land by urban and rural elites or churches.²

In recent years, Liberia has developed several laws and policies designed to strengthen communities’ customary tenure security. Taken together, the 2006 *Community Rights Law*, Liberia’s *Land Rights*

¹ Under *The Aborigines Law* of 1956, the state categorized land ownership into private (deeded lands) and public/state lands (un-deeded lands), with all undocumented lands (including customary lands) included in the category of un-deeded lands.

² Report commissioned by the Liberian Land Commission in 2013 http://eeas.europa.eu/delegations/liberia/documents/press_corner/20130916_01.pdf

Policy (2013) and the draft *Land Rights Act* provide critical protections for customary land rights. These protections include communities' rights to self-identify their territory and membership, to legally claim their customary lands, and to manage local natural resources according to their own vision and goals.

For example, under the 2013 *Land Rights Policy*, communities may choose³ to self-identify in order to secure a deed to their customary lands (Section 1). The policy recognizes that "the nature of communities varies greatly throughout Liberia" and therefore allows that "communities may define themselves and determine how their land is managed, used, and allocated but within a framework of transparency, accountability, inclusiveness, and shared responsibility with the Government of Liberia" (Section 6). The policy also commits the government to "provide sufficient resources and undertake the necessary activities to support communities in self-defining, obtaining deeds for their Customary Land, establishing the community as a legal entity, determining community boundaries, and ensuring community governance and management" when communities choose to undertake these activities (Section 6.6.1).

Although the *Land Rights Policy* has widespread support among civil society organizations⁴ and rural communities, the community self-identification component of the policy has proven challenging to implement. This is due in part to

³ Communities are not required to self-identify in order to have land rights. Section 6.2.1. of the *Land Rights Policy* states that "...Customary Land rights, including the rights of ownership, use or management, are equally protected as Private Land rights, whether or not the community has self-identified, established a legal entity, or been issued a deed..."

⁴ A consortium of over 30 civil society organizations on land has endorsed the policy with minor recommendations. See for example, Kaba, A., Madan, G., Otto, J., & Geddeh, R. (2013). Multi-Stakeholder Dialogue on the Land Rights Policy: Civil Society Response to the Land Rights

⁵ According to the drafter of the *Land Rights Policy*, details like community identification and membership are to be defined by other laws and regulations.



Dense, lush forest in Rivercess county.

the lack of clarity around the process by which a community may 'self-identify' (in the official sense of the *Land Rights Policy*).⁵ This ambiguity, while intended to give communities the freedom to define themselves as they deem appropriate, risks community identification processes that are chaotic, conflictive, and inefficient. There is also a risk that outsiders such as politicians and investors may manipulate the community identification process to their own advantage. In response, SDI is endeavoring to establish best practices for responsible community self-definition as the first step in any community land protection process in Liberia.

Context of 'Community' in Liberia

The complexities of community identity in Liberia stem largely from a long and convoluted history of state intervention in traditional governance structures and shifting conceptions of 'community.' Over the past six decades, Liberia's national governments repeatedly tried to standardize the statutory and customary administrative structures of Liberian society. The state rearranged administrative boundaries, carved new communities out of preexisting ones, coalesced multiple communities into one, and redrew boundaries to separate ethnic groups. The state recruited and installed Chiefs as local customary authorities and absorbed customary

leaders into the administrative system by paying them as civil servants and requiring them to report to statutory superiors. These changes eroded many communities' customary accountability mechanisms,⁶ intensified the power of Chiefs, and in some cases compromised their local legitimacy.⁷ As a result, today many Chiefs feel they can agree to land deals without consultation or approval from their communities.

In addition, in recent years major demographic shifts have weakened customary systems and changed community identities. Liberia's civil war from 1989 to 2003 uprooted and displaced over two thirds of the country's population, mixing diverse groups and exacerbating divisions along ethnic and religious lines. More recently, land scarcity and lack of jobs are pushing young men to leave their communities to seek employment in other areas where they often marry into local communities. Liberia is also experiencing significant population growth (over 60% of the national population is under the age of 35 years old⁸) and rapid urbanization. However, most urban constituents still maintain strong ties to, and influence over, their rural hometowns and villages.

Customary Governance Structures

The government's efforts to standardize and co-opt customary governance structures have been only partly successful. Significant diversity remains among the effective local customary governance systems; however, most rural people in Liberia now recognize the three level of customary leadership that were promoted by the state: Paramount, Clan, and Town Chieftaincies.⁹

- **Paramount Chieftaincy:** A Paramount Chiefdom is the largest customary governance unit, both geographically and socio-politically. Historically, this level of customary governance reflected traditions observed only in the north of Liberia, but in the 1950s the state standardized Paramount Chieftaincies as the top customary authority throughout the

country.¹⁰ A Paramount Chiefdom is typically responsible for two to three Clans.¹¹ Paramount Chiefs are paid by the state, report to District Commissioners in the Ministry of Internal Affairs' local governance structure, and are supposed to bridge statutory laws and customary norms. A Paramount Chief's mandate is to participate in traditional activities, regulate and enforce statutory and customary rules, and resolve social and resource challenges in or between clans.

- **Clan Chieftaincy:** The Clan Chiefdom is the second highest governing body in the customary structure. Historically, Clan Chiefdoms comprised settlements of closely-related families with shared historical links. A clan usually shared an area of common land that includes a common forest for hunting and gathering. Today, Clans contain anywhere between three to thirty towns.¹² A Clan Chief

⁶ While the roles and powers of customary chiefs in Liberia vary, many customary governance systems contain mechanisms for community consultation and participation in decision making as well as checks on Chiefs' power.

⁷ From conversation with a former official of the Ministry of Internal Affairs who explained that the state's interventions have significantly eroded local trust in Chiefs.

⁸ Liberia Institute of Statistics & Geo-Information Services, 2008

⁹ These structures have been largely standardized by the state. In many areas there are additional customary structures, such as the Poro and Sande Society, which act as a shadow government and in some areas, particularly in the north of Liberia, can be more powerful than the Chiefs.

¹⁰ Historically Paramount Chiefs were appointed by the President but in 1985 a constitutional change mandated that they be elected. However, public records indicate that very few have been elected since 1985 and most Chiefs continue to operate like appointed employees of the President.

¹¹ Paramount Chiefdoms in the south tend to cover larger areas but smaller populations because of low population density, while those in the north tend to govern smaller areas but much larger populations.

¹² Differences in population density mean that northern Clans tend to have fewer, but larger towns while in the south Clans tend to encompass more, but smaller towns – some of which may be a single homestead.

governs alongside Clan elders (important family heads and opinion leaders from towns within the Clan), with a mandate to participate in traditional activities, regulate and enforce social norms and common rules, and resolve social and resource challenges in or between towns. He or she is also a salaried agent of the state and reports to the Paramount Chief.¹³

- **Town Chieftaincy:** Towns are only weakly regulated by the state and are often poorly defined. Recognition as a town is determined primarily by neighboring towns and the Clan Chief. SDI has found that recognized and self-identified ‘towns’ can average from 3 to 600 households¹⁴ composed of related family networks. Town households tend to live close to shared common resources, including residential space, water holes, farmland, thatch bush, and low forest areas. A Town Chief governs alongside town elders and other local leaders, such as Quarter Chiefs (see below). Unlike the Clan or Paramount Chief positions, the Town Chief position is a volunteer position with limited influence and resources. While the position is relatively unencumbered by national politics or external manipulation, the position is shaped by internal town politics between “town owners”¹⁵ (people with high degrees of influence and/or a strong sense of entitlement to power and rights and common “town men” (usually the majority)).

Individual and family rights to access to land and natural resources are managed and negotiated at the town level. Towns are thus a key social unit in the protection of community land rights. However, geographic boundaries between and within towns are weakly regulated. Most towns have several

contested boundaries. Such conflicts tend to cause infighting and division between towns, which can easily frustrate a community’s efforts to self-identify and claim their customary land rights.

Below a town are other sub-community customary units, including ‘Quarters’ (town subdivisions determined by prominent landholding families, often descended from the first-settler families, sometimes governed by ‘Quarter Chiefs’ in large towns), ‘Sections’ (subdivisions of some towns) and ‘Villages.’ A village is the smallest customary unit, consisting of 1 to 10 households from a single family. A village is managed by the family that lives there and its customary legitimacy relies upon its ties to a town. As villages grow, they may demand town status, along with increased customary privileges and responsibilities. There is often considerable political wrangling concerning the formation of villages and towns: denial or delay of a request to become a town may cause a village to ally itself with a different town, or even a different Clan. Some villages try to secure private land rights in order to become private estates.

Where is the ‘Community’?

Common conceptions of a rural ‘community’ in Liberia share several components: defined territorial limits, shared common resources like a sacred bush or forest, historical kinship ties, or a sense of common social identity and belonging (such as shared language, culture, traditional religions/spiritual practices, etc.). However, SDI has found that turning these components into a shared sense of ‘community’ identity often requires extensive research and patient effort.

Furthermore, facilitating NGOs may face challenges navigating the identity preferences of each level of customary structure because of the complex relationships that exist between customary structures and variations in their preferred spatial-political distinctions. For example, in the north of Liberia, Paramount Chiefs tend to command

¹³ Some large Clans are sub-divided into ‘Sections’ with Sectional Chiefs reporting to the Clan Chief.

¹⁴ However, some large trading towns have over 1,000 homes.

¹⁵ Town owners are first settlers (families) in a town. Most often they have a sense of entitlement to the town.

strong respect and local legitimacy, but in the southeast of the country (Rivercess, Maryland, and River Gee counties) SDI has observed that people tend to feel stronger affiliation to their Clan than to their Paramount Chieftom.

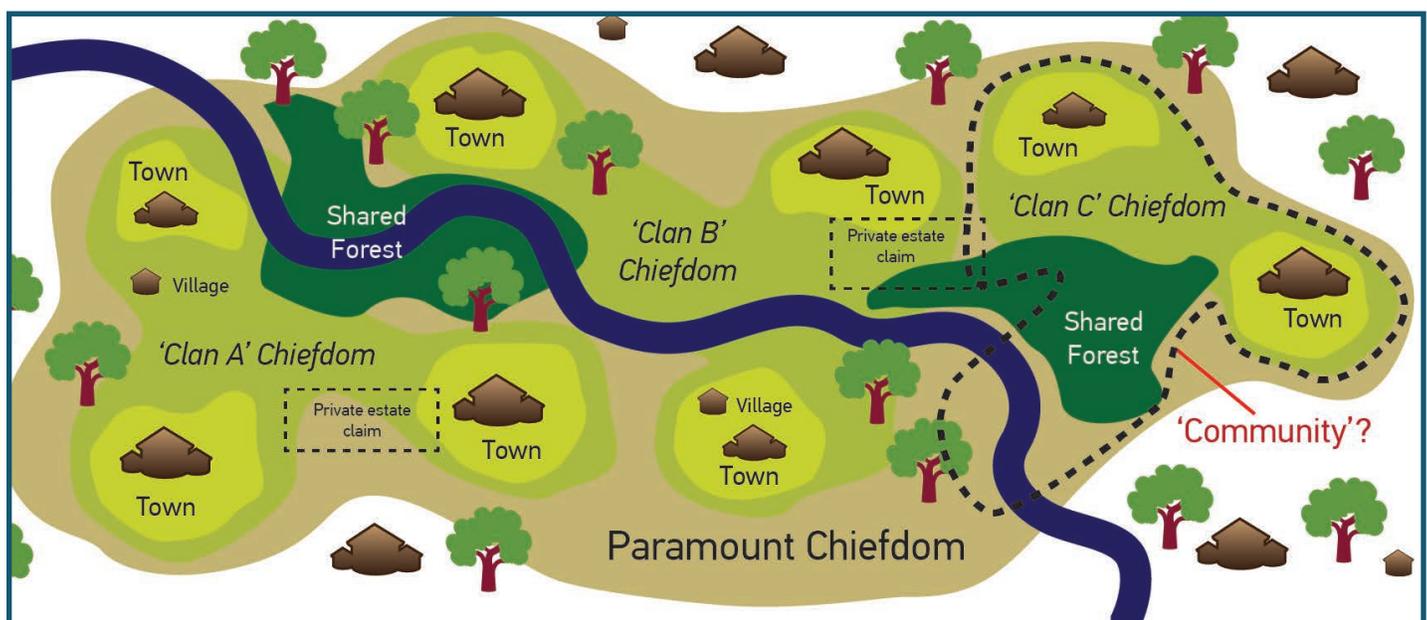
The scale of a 'community' has important ramifications for governance, participation, monitoring, and management. Community self-identification should account for practical and logistical considerations and weigh the advantages and disadvantages of each potential level of identification.

For example, even though Paramount Chieftaincies often command significant respect and could protect a vast area under one 'community,' their large areas and populations present serious practical and logistical challenges to processing a land claim. Identification at the town Chieftaincy level may mean that individuals are much more likely to participate in decision-making at the town level, due to proximity, ease of access, and familiarity. Yet community identification at the town level presents challenges related to the loose regulation of town status and associated confusions concerning the affiliation of town settlements. Due to their high number and small size, town-level

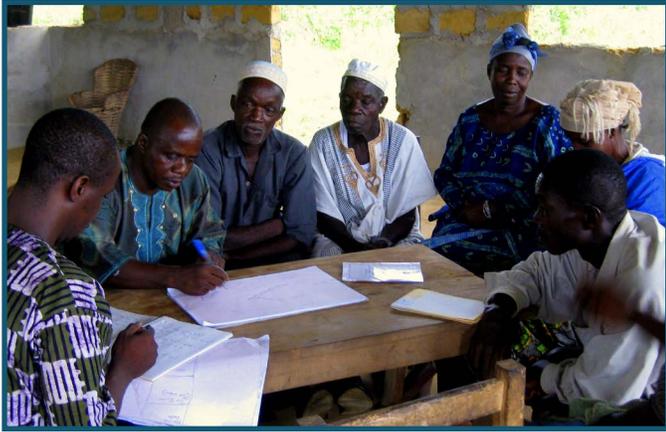
community definition would involve significantly more land conflicts/boundary disagreements between settlements and neighboring towns. Finally, while Clan Chieftaincies may represent a good middle ground between Paramount Chieftaincies and towns, clan meetings may still require attendees to travel for over 15 hours on foot, a serious obstacle for representative and inclusive meetings, especially for women and the elderly.

Shared common areas like forests and water bodies present another challenge to community identification: when multiple towns or sub-units share rights to a single common area, these shared and overlapping use and ownership rights must be carefully navigated. Documenting community land rights at the town or sub-unit level may provoke boundary or resource conflicts between the overlapping units. In such instances, communities may best be protected and documented at a level that reflects the shared resource claims.

These considerations are examples of the critical information and reflections that SDI staff provide and facilitate throughout communities' self-identification processes.



'Community' can exist at many nested levels of social and geographic organization - such as towns, Clans, and Paramount Chieftoms in Liberia.



SDI staff meet with local leaders in Rivercess county to determine which level of 'community' to work at.

Community Self-Identification: SDI's Methodology

SDI's community land protection program has worked with over 60 communities to self-identify their lands. SDI's approach to supporting community self-identification involves many interviews, focus group discussions, and community-wide meetings. There is no formal blueprint of this process, but in order to ensure widespread community participation SDI undertakes five core activities:

1) Call for Interested Communities: SDI promotes their community land protection work in a region, inviting interested communities in its regions of operation to contact SDI to request support. Promotions are done through local media, such as radio, and word of mouth. SDI may also talk to national or local officials to select a county and region within the county in which to focus operations.¹⁶

2) Scoping Research: Before entering a community, SDI completes initial background research on the community to ensure that staff have a basic understanding of the area and region. Staff investigate the history of the area and the settlement location(s), population demographics, statutory and customary governance structures,

¹⁶SDI is also considering targeting its promotions within areas of concern, identified based on news reports or prevalence of concession agreements.

and land use patterns. Staff consult national and international sources, including, if possible, interview local informants and experts familiar with the location or region.

The goal is a preliminary understanding of the administrative and governance structures as well as a general grasp of dynamics relating to community cohesion, population, culture, land use and management, livelihoods, and existing land conflicts. These factors are important for identifying community leaders and influential community members to speak with, such as:

1. Statutory leaders (e.g. District Superintendents, District Commissioners, County Leaders);
2. Customary leaders (e.g. Paramount Chief, Clan Chiefs);
3. Elders (Older individuals who hold no other official title but are well respected);
4. Traditional Leaders (e.g. Society heads, traditional doctors, and cultural figures such as Zoes);
5. Community leaders (e.g. leaders of community-based organizations (CBOs) such as women's groups, farmers' groups or youth groups); and
6. Individuals with large private land holdings.

3) Community Leadership Consultations: Understanding community dynamics takes time and requires patience. Ultimately, facilitators must visit the location to build relationships with community leaders (including women, youth, and important clan elders). SDI staff meet with statutory and customary leaders in order to introduce the project and begin to sketch out potential socio-political and geographic boundaries of the community. These meetings should include one-on-one discussions and larger focus group discussions.

Over the course of multiple meetings, facilitators must ensure that these individuals understand and

embrace the:

- a) goals of community land protection;
- b) efforts and activities involved;
- c) importance of community ownership over and participation in the community land protection process; and
- d) potential benefits and challenges.

Questions to explore in these meetings include:

1. What is the level of community cohesion?
2. What local governance structures and institutions exist?
3. Who are the local leaders?
4. Does the community see themselves as a land owning unit?
5. Is the local population urbanizing? Is the population transient (moving in and out)?
6. How cohesive and effective is the community in identifying and addressing common community problems around land and natural resource claims, use and management?
7. What natural resources exist in the area and how are they used?
8. What natural resources are shared between populations? How are they shared?
9. How are decisions about land and natural resources made?
10. What local institutions exist and how do they operate?
11. Are there any companies or investors active in the area?
12. Are there many private land ownership claims in the area?
13. What are the major land-related disputes?
14. What are the land rights and status of women in the community?
15. What are the land rights and status of strangers in the community?



Local leaders draw sketch maps during discussions of 'community.'

16. Are there any current major threats to community common lands?

With skillful facilitation, these meetings often result in leaders' reaching an agreement on how they will define their community, according to what is most feasible, practical, and effective for the location. The leaders' joint decision provides direction for all resulting community land protection work. If leaders cannot come to agreement at this time, the meetings are still helpful for facilitators to gain a preliminary sense of how the community is likely to self-identify in the future.

4) Community-wide Consultations: It is critical that leaders are not the only ones making decisions on community self-identification. Therefore, staff verify or redraft information received from leaders using focus groups and wider consultative meetings open to everyone living within the area.

SDI organizes multiple open meetings to accommodate populations within the various levels of potential self-identification. Participants at these meetings discuss similar questions as those discussed by the local leaders.

After completing several rounds of community-wide consultations,¹⁷ the project team should

¹⁷SDI determines how many meetings are required based on spatial distribution of the various land claiming units within a community and population size. SDI organizes meetings in different locations in order to increase access.

have a clear and widely accepted understanding of how people in the location self-identify as a land-owning community. This process should also produce information on the following:

a) Structures and power dynamics within and between the highest and lowest statutory and customary administrative units in the location:

What governance structures and institutions exist and function well? What governance structures are functioning poorly? Are leaders able to cooperate, or is there a high degree of conflict between leaders?

b) Land use and ownership rights, degree of tenure security and potential threats to community land claims:

Are there large-scale land concessions in the area? What companies or investors are active in the area? Have investors approached, seeking access to lands and natural resources?

c) Cohesion within the community: What is the ethnic make-up (homogenous or highly diverse) of the community? What is the incidence of land related conflicts? What is the rate of rural to urban migration? Is there a highly transient population living temporarily within the community?

d) Feasibility of working with the population:

What degree of local commitment is there to undertake the community land protection process. What logistical or resource-related challenges may arise as the community begins to take action to protect its customary land? What factors might weaken community members' determination to complete the community land protection process?

5) Final Decision Making Process:

After the community-wide meetings, it is important to bring together local leaders and the broader community to reconcile differences and collectively confirm whether and how the community should self-

identify. It is important to have as many people as possible participate in this meeting and to encourage all households to be present. If an agreement is reached, the meeting should conclude with a celebration where each sub-population and their leadership publicly consent to the agreed level of community identification and commit to the process of community land documentation at this level. SDI has found that the ceremony helps to build trust and consensus across the entire self-identified community.

Finally, during these meetings, SDI staff also decide whether a community is ready to undertake community land protection work. Not all communities are ready to complete the full process of land protection activities, especially if there are concerns about weak leadership, intra-community conflict, rapid urbanization, or a high percentage of transient migrants currently living within the community. If staff decide that it is feasible and appropriate to support the community to undertake the land protection process, they then work with leaders to organize a large community meeting, including all relevant stakeholders, to begin the work: community visioning, mapping, boundary harmonization and land conflict resolution, the drafting of land and natural resource management by-laws, and the establishment of clear and accountable local land governance institutions.¹⁸



A community-wide meeting in Rivercess county.

¹⁸ For more information on the steps of the Community Land Protection process visit namati.org/communityland

Community Self-Identification in Action: Lofa County

Lofa is one of the most diverse and populous counties in Liberia. Located in the northernmost part of the country, Lofa borders Guinea and Sierra Leone and shares similar ethnic and religious demographics. Lofa contains six of Liberia's sixteen official ethnic groups, some of which follow Christianity, others Islam, and others indigenous beliefs. Some towns in Lofa have well over a thousand households and large, urbanized trading posts. There are many cross-ethnic interactions across the county, including intermarriage and overlapping land use and land claims. These diverse identities and cultures are governed as Clans, towns, and quarters, with final authority resting with Paramount Chiefs who report to Commissioners within the state administration.¹⁹

Over the past few years, especially during Liberia's fifteen years of civil war (1989 to 2003), Lofa has experienced significant ethnic and religious conflict. During the civil war, Lofa changed hands between warring factions multiple times; in the process, politicians and warlords exploited and created tensions between groups. The worst tensions arose between Lorma and Kpelle (a majority with largely Christian and traditional African beliefs) on the one hand and Mandingoes (a predominantly Muslim minority) on the other. The conflicts of the civil crisis fomented tension and distrust between these settlements, particularly around land use and ownership, posing a serious challenge to identifying cohesive land owning community units in Lofa County.

SDI expanded its Community Land Protection Program into Lofa County in late 2013. The project team applied the community identification methodology described above, including an intensive desk review, interviews with experts on the county, and multiple field visits and community meetings. Based on this initial information, the project team divided Lofa into two types of zones: "highly volatile" zones (areas with entrenched violent ethnic



Lofa county, highlighted on map of Liberia. © 2015 Google

tensions, a high level of heterogeneity, and recent flare ups of conflict) and "mildly difficult" zones (areas that are largely homogenous and cohesive). The team also assessed potential locations based on geographical accessibility by road.²⁰ Ultimately, the team chose to work with a selection of locations that had relatively few reported land and ethnic/religious conflicts, feasible access by road, and some level of homogeneity and pre-existing community cohesion.

SDI staff then met with and interviewed a wide range of local stakeholders, including the County Superintendent, City Mayor, religious leaders, Paramount and Clan Chiefs, and Commissioners. During these meetings, SDI made presentations detailing the community land protection process, as well as lessons learned and impacts achieved in other regions of Liberia.

In their initial deliberations, community leaders in Lofa preferred using the Clan unit as the level of 'community' for purposes of customary land

¹⁹ Lofa contains settlements of many groups from diverse ethnic and religion backgrounds. Generally people are loosely subdivided at the town and Clan levels by ethnic affiliation.

²⁰ SDI attempts to work in locations that maximize efficient use of SDI's limited resources and reduces risk to staff associated with crossing rivers or deep swamps.

protection and documentation. The leaders pointed out that towns were too small to maximize the project time and resources, while Paramount Chiefdoms were too large to meet expectations around community participation in meetings and coordination. The majority agreed that the Clan was the most practical unit. However, a few of the leaders suggested community identification be done at the “sectional” level. In Lofa, sections are a subset of a Clan, consisting of 200 to 350 households. These leaders felt that given the smaller population and relative proximity of towns in each section, working at the section level would ensure greater participation in decision-making.

SDI attempted to resolve the differences of opinion through further focus group discussions, but agreement remained elusive. Finally, the team organized a large meeting to which leaders from all the targeted areas were invited. Staff facilitated a consensus process, during which the leaders eventually agreed to identify their community at the Clan level, which they expressed “is both a customary sense of community as well as a [manageable unit] to get a cohesive working relationship between members.” However, all the leaders agreed that it was best that the people themselves “have the final say on the unit they feel most comfortable to work with,” reaffirming the participatory and inclusive nature of the self-identification process.

Following the leaders’ mandate, the SDI team held meetings with community members in all towns in the region. These meetings included religious leaders, heads of minority ethnic groups, youth, and women. During the meetings, community members discussed the practical feasibility of managing natural resources at each level, as well as the various socio-political and customary identities - including the ethnic and religious diversity within each community. Most community members at first preferred their Paramount Chiefdom as the unit for identification, while others suggested documenting their lands by section. In

one meeting, an elder warned that dividing the Clan into sections and making those the level for the community’s land claim could weaken the customary governing structure and diminish the community’s bargaining power in interactions with outsiders. After days of debate (at times on their own, and at times with SDI facilitating) the elders, religious leaders, town men, women, and youth of the towns agreed to self-identify at the Clan level, agreeing that the “[Clan] chiefdom seems the most authentic customary authority” to identify as a land owning community.

Lessons for Facilitating Community Self-Identification Processes

Over the years, SDI has learned that communities’ desire for formal recognition of their land rights creates a strong impetus to peacefully resolve long-standing inter- and intra-community disputes. Even with this motivation, however, the first step of community identification is sensitive, time-consuming, and has repercussions for the entire process. The role of facilitators is to help a community make decisions that represent the interests of everyone, including women, youth, elders, and different groups and sub-populations. To do this, facilitators must make an effort to get to know different people and listen to their stories.

To ensure appropriate community self-identification choices, facilitators must support communities to explore and consider important community dynamics such as:

- **Community history and origins:** What are the origins of the community? How was land ownership organized in the past? How has it changed? What previous efforts have been made to protect and document the community’s land? Facilitators may want to ask the community to sit together, discuss, and write out their community’s origin story.
- **Community institutions:** What community institutions already exist? What is their role in

the community? How can these institutions be useful in helping the community land protection process move forward? Community institutions may include women's groups, youth groups, or other community-based organizations.

- **Local decision-making:** Who has the final say in the community? Who is consulted when a decision needs to be made? Who is influential in the community? Remember, some people may be influential in the community and hold no official title. As a facilitator, it will be important to build relationships with these people.

SDI's experiences from working with communities to self-identify have led to four major learnings that should be central to community self-identification processes:

1. Customary units provide a useful starting point:

The customary units most typically used as a basis for self-identification are: Paramount Chiefdom, Clan Chiefdom, or town. In Rivercess, River Gee, and Maryland, communities decided to define as a Clan. In Lofa, while appreciating the importance of Paramount Chiefdom, community leaders chose the Clan level to be pragmatic. While the customary units are a useful starting point for discussions about self-identification, ultimately the members of a potential community must come together and agree on a level of land-holding that makes sense to them based on their current context, history, socio-political dynamics, and practicalities of governance.

2. Small is beautiful, but... : Self-identification at a smaller level, such as a town or section, has the advantage of increased opportunities for broad participation and inclusive governance. However, defining the community as a small unit risks leaving common areas, such as forest land shared by multiple towns or sections, unprotected. If the community is defined at a larger scale, these shared areas can be protected by including them

within the community and without resorting to complex legal mechanisms to record how they are used by neighboring communities. Another consideration for identifying at the town level is that it risks a higher number of boundary conflicts. For example, a typical Clan in Rivercess would have 12 to 15 towns, each with their own boundary conflicts that would need negotiation. If a community identifies at the Clan level, only the outside Clan boundaries would need to be negotiated for the purposes of the community land protection process, leaving internal town boundaries to be resolved once the community's overarching customary land rights are secured.

3. Go big, but... : During self-identification, a community must balance the desire to maximize the amount of land to protect with the need to ensure all members of the community can fully participate in all decisions concerning their lands and natural resources. Defining a community as a larger geo-political unit has the advantages of having fewer boundaries to harmonize and protecting large areas at once. However, as the population or area included within the community increases, it is more challenging to have participatory, representative and accountable governance systems. The larger the community, the more difficult it is to ensure full participation in all steps of the community land protection process, and in subsequent governance processes. The larger the territory, the more difficult it will be to ensure inclusive representation in community meetings and decisions. Similarly, it will be more difficult to ensure accurate representation on community governance bodies. In addition, the geographic distribution of settlements and resources may complicate efforts to develop and enforce consistent, detailed, and effective land and natural resource management rules.

4. Community cohesion is critical: Community cohesion — the sense of

togetherness and shared values between different actors and subgroups, women, strangers, youth, elders — is essential for inclusive, peaceful, and effective participatory decision-making around issues of land and natural resource management. Without cohesion, reaching agreement about community self-identification will be very challenging and may be prone to disagreement and manipulation by elites and other interest groups. Also, the later steps of the community land protection process, such as drafting by-laws and establishing local governance arrangements, are much more efficient and effective when the community feels itself to be a coherent group. In Liberia, community cohesion is most often derived from shared ethnic and religious groups or a common ancestral heritage. SDI has also found that an external threat, such as an investor, can also increase community cohesion and unity.

people do not feel excluded by the definition. For these reasons, community definition should not be left to bureaucrats or external ‘experts’ because this risks imposing an inappropriate definition and deprives communities of an opportunity for collective action and cohesion-building. Rather, skilled facilitators have an important role to play in helping communities to navigate the self-identification process to define their territories and membership. SDI’s experiences from working with over 60 communities to self-identify the boundaries of their lands provide lessons and insights for how to facilitate community self-identification in a way that is both practical and community-driven.



Ali Kaba, Program Manager for SDI’s Community Land Protection program, facilitates a meeting in Rivercess county.

Conclusions

Community self-identification is a challenging but powerful step towards protecting communities’ customary lands. In Liberia — and other regions where community definition has changed or been undermined — the process of community identification will be complicated and thus require caution, time, and patience. This process must be sensitive to dynamics of geography, identity, history and culture. It must be based on consensus, both within the community unit as well as from neighboring communities, in order to ensure that

Thank you Rachael Knight, Director of Namati’s Community Land Protection Program for her review. Thank you to Marena Brinkhurst, Namati Program Associate, for editorial and formatting assistance. Thank you to the SDI field teams and office support staff. Special thanks to all the community mobilizers, leaders and community members.

Namati is an international organization dedicated to advancing the field of legal empowerment and to strengthening people’s capacity to exercise and defend their rights. Namati’s Community Land Protection Program supports communities to follow national land documentation laws to protect their customary and indigenous land claims.

The Sustainable Development Institute (SDI) works to transform natural resource governance to promote equity in the sharing of benefits derived from natural resource management in Liberia. The organization’s vision is a Liberia in which natural resource management is guided by the principles of sustainability and good governance and benefits all Liberians.

Contact:
communitylandprotection@namati.org

Connect:
@GlobalNamati
facebook.com/GlobalNamati