

Inequality and Social Conflict Over Land in Africa

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The paper proposes that reports of pervasive competition and conflict over land in sub-Saharan Africa belie a current image of negotiable and adaptive customary systems of landholding and land use but, instead, reveal processes of exclusion, deepening social divisions and class formation. Cases of ambiguous and indeterminate outcomes among claimants over land do occur, but the instances of intensifying conflict over land, deepening social rifts and expropriation of land beg for closer attention. More emphasis needs to be placed by analysts on who benefits and who loses from instances of 'negotiability' in access to land, an analysis that, in turn, needs to be situated in broader political economic and social changes taking place, particularly during the past thirty or so years. This requires a theoretical move away from privileging contingency, flexibility and negotiability that, willy-nilly, ends by suggesting an open field, to one that is able to identify those situations and processes (including commodification, structural adjustment, market liberalization and globalization) that limit or end negotiation and flexibility for certain social groups or categories.

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INTRODUCTION

The common image of Africa as land-rich and sparsely populated still holds when the continent is compared with areas in Asia where large rural populations exist depending, to varying degrees, on the land. The image of plentiful land for all who want it, however, no longer holds for most of Africa: 'On average, land is more abundant in Africa than in other continents, but most Africans have only very small plots and an increasing number are landless' (Raikes 2000, 66). This blunt assessment, which this paper supports, does not sit well with a currently influential approach to 'the land question' in Africa, which privileges flexibility, negotiability and indeterminacy in analyses of social relationships over land: 'If a

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single lesson emerges from recent scholarship on African landholding, it is that it is complex, variable, and fluid' (Shipton and Goheen 1992, 318). This influential body of scholarship has had a role in the recent conversion of the World Bank and other major aid agencies from seeing customary land tenure in Africa as inhibiting agricultural modernization to lauding its adaptive and flexible character that, over time, allows 'evolution' towards more efficient forms of landholding. The convergence between critics who have challenged conventional development thinking on land tenure since at least the 1970s and the aid agencies that long promoted such thinking makes for strange bedfellows and, as will be argued below, is more apparent than real.

Nevertheless, this recent shift in development agencies' official position on African customary land-holding should not be interpreted as merely empty verbiage but as part of what has been dubbed 'post-modern liberalism', a curious 'potpourri' of pro-poor, pro-participatory approaches combined with promotion of global free trade (Bryceson and Bank 2001, 11). Moreover, while scepticism about the divergence between what influential agencies like the World Bank say and do is justified, the official shift in position reflects a much wider, revitalized engagement with social relations over land in Africa. In particular, there has been a significant increase, over the past decade or so, in published research and other sources that describe mounting competition and conflict over land and landed resources across the continent.

In this paper, I argue that the pervasive competition and conflict over land call into serious question the image of relatively open, negotiable and adaptive customary systems of landholding and land use and, instead, reveal processes of exclusion, deepening social divisions and class formation (cf. Amanor 2001). This is not to deny the cases of ambiguous outcomes and 'standoffs' between competing claimants over land that may last generations (Berry 2001), and there is much to support a view of Africa as a continent with a majority of its population living on the land, without clearly defined classes of landed and landless. Nevertheless, a growing body of evidence suggests this is only part of the story, and the instances of intensifying competition and conflict over land, of deepening rifts between and within kin-based, ethnic and regional groups, and of expropriation of land by local and non-local elites beg for closer attention. More emphasis needs to be placed by researchers on who benefits and who loses from instances of 'negotiability' in access to land, an analysis that, in turn, needs to be situated in broader political economic and social changes taking place over the past century, particularly during the past thirty or so years. This requires a theoretical move away from privileging contingency, flexibility and negotiability that, willy-nilly, ends by suggesting an open field, to one that is able to identify those situations and processes (including commodification, structural adjustment, market liberalization and globalization) that limit or end negotiation and flexibility for certain social groups or categories.

I suggest that this theoretical move has been inhibited by what might be called 'sticky' paradigms – analytical frameworks and theoretical premises that have been highly productive in the past but that, in fast-changing circumstances,

are proving to be blinkers rather than powerful lenses. Critics who mounted successful challenges to simplistic and economistic models that posited customary landholding to lack security of title and, hence, to fail to provide incentives for investment and modernization, were able to reveal the fallacy of this conventional development thinking, and, recently, to achieve a dramatic reversal of position among World Bank researchers and some aid agencies. But in so doing, they also have over-emphasized negotiability and indeterminacy. This, in combination with a parallel shift in social theory influenced by postmodern and postcolonial writing that privileges ambiguity, multiplicity and indeterminacy,¹ has resulted in a proliferation of studies celebrating agency and social manoeuvres at the cost, I claim, of identifying winners and losers.

Similarly, a justifiable reluctance about assigning labels associated with other histories, such as 'peasant' or 'class', to complex processes of social differentiation underway throughout Africa, combined again with current theoretical premises about hybrid identities, have inhibited discussion of exclusion and unequal appropriation as signs of class formation, leaving them as a specific instantiation of local micro-politics. Others have interpreted similar phenomena of unequal accumulation and expropriation as reflections of generalized 'rent-seeking' elites or 'predatory' states. A more persuasive literature shows that widespread appropriation by elites must be situated within broader processes of social inequality and class formation as well as within what commentators call new forms of governing.

Finally, as several writers have recently pointed out, an over-emphasis on the 'ethnic' character of current conflicts across Africa, which range from sporadic, localized violence to protracted civil and cross-border wars, has obscured the fact that so-called 'ethnic conflicts' are linked simultaneously to 'preoccupations about land' and to contests over political power.² Buijtenhuijs insists that 'civil wars [such as those in Rwanda and Burundi] are as much peasant wars as they are ethnic wars . . . [t]he age-old peasant concern with land stares social scientists in the face' (2000, 119), but the latter remain blinded by the 'ethnic' dimension of violence.

In the following sections, I first sketch the colonial formation of customary tenure and revisionist interpretations of the latter, and then outline the recent shift in the official stance of major aid agencies towards customary land tenure, and critical views of the shift. The section ends with an argument that the dominant view in academic scholarship on land tenure, despite its considerable success in displacing simplistic economistic models of tenure, is now obscuring critical social processes around land. I then outline the main processes of social and political change underway in contemporary Africa against which I review cases

¹ Two foundational discussions of the new ethnography exemplify this: such writing 'leaves the world observed as open-ended, ambiguous, and in flux' (Marcus and Cushman 1982, 45); and 'Much of our knowledge of other cultures must now be seen as contingent, the problematic outcome of inter-subjective dialogue, translation, and projection' (Clifford 1986, 109).

² Médard, C., 1996. 'Les conflits "ethniques" au Kenya: une question de votes ou de terres?' *Afrique Contemporaine*, 180 (Oct-Dec), 62-74, cited (without page number) by Buijtenhuijs (2000, 119).

of competition and conflict over land drawn from recent, published research, before concluding.

ANALYSING LAND RELATIONS: PAST AND PRESENT PERSPECTIVES

It is conventional to accept that the present is produced out of the past. One may be struck, however, by how attempts to analyse currently existing situations of land in Africa almost always have to explain how colonial constructions of land as crown/state, public and customary types, and their continued, only partially transformed, existence into the postcolonial period are deeply implicated in contemporary patterns of allocation, use and conflict. This section provides a brief historical sketch of the main debates and interventions in order to bring us to the present juncture.

Customary Tenure: Creation and Critiques

A revisionist history of customary tenure shows that, far from being a pre-colonial oral system merely being put into writing, the notion and practice were produced out of colonial misunderstandings and politically expedient appropriations and allocations of land. Elizabeth Colson's incisive critical assessment (1971) of the creation of 'customary law' (up through the 1930s) showed how colonial rulers confused territoriality with sovereignty, and conflated African ritual roles, whose authority lay in rain-making or fertility of the land, with political roles exerting authority over people in lineage, clan or chiefdom. Where the colonial rulers could not identify an appropriate 'chief', they created one. The multiple types of authority and sets of claims over land and its products were glossed by the label 'communal tenure', which became incorporated into the developing body of 'customary law'. Many authors have shown how the formation of customary law and communal tenure served to promote both state and private European interests in African colonies (see Amanor 1999, 79 for Ghana, and Chanock 1991 for the settler colonies of Central and Southern Africa). Chanock also shows how Africans ended up defending the colonial constructions as one of the few ways to try (often unsuccessfully) to fend off further appropriations. Willy-nilly, therefore, the terminology of customary and communal land was furthered by Africans themselves.³ This has continued into postcolonial times (cf. Mamdani 1996).

A related revisionist point is that the 'legal pluralism' said to typify the mix of legal typologies (statutory, customary, Islamic) in African countries is not a neat parallel system but often a contradictory blend. Thus, 'customary' law and tenure need to be seen not as 'informal' or 'traditional' systems separate from and opposed to 'formal systems' of 'law' but as mutually imbricated with the latter

³ This can also be said of the anthropologists whose efforts to counter colonial misrepresentations of African 'tradition' and 'custom' ended, willy-nilly, in helping construct 'customary' law (see Colson 1971; Chanock 1985; Cheater 1990).

(Moore 1978; Chanock 1985; Merry 1988; Griffiths 1997), or as 'competing forms of institutionalisation' (Benjaminsen and Lund 2003, 2). The effects can be contradictory. Customary law can result in a form of 'decentralized despotism' in which so-called traditional leaders may benefit at the cost of those in their 'charge', as Mamdani (1996) has argued (cf. Ribot 2000). Yet the institutional separation of customary law can have the unintended effect of 'increas[ing] the gap between official government conceptions and the realities of local affairs' enabling a degree of 'local autonomy . . . insulated from external interference', as Sally Moore showed happened for the Chagga of Tanzania over a century, 1880–1980 (1986, 319). Moore showed how a perception in official circles that 'custom' is static can have certain advantages for groups seeking to keep officials ignorant of what they are doing and changing (1986, 319).

The final decade of colonial rule (up to c.1960) was the period when longstanding prejudice against African landholding practices, seen as 'communal' and inhibiting individual (male) investment in agriculture, was fuelled by the push to agricultural development. The most overt dissatisfaction was expressed by agricultural officers in charge of schemes of agricultural 'improvement' and resettlement designed to raise productivity through 'modernized' farming. Many wished to introduce individual or family titling. The Report of the Royal Commission on Land and Population in East Africa (Great Britain, Colonial Office 1955), for example, called on colonial administrations 'to encourage the emergence of individual tenure . . . where the tribal customs governing the existing form of tenure are out of line with modern requirements'. In the years after independence, socialist regimes in Tanzania, Ethiopia, Burkina Faso and Mozambique condemned 'traditional' and 'customary' organization and law as 'feudal'. The results of their actions are still being dealt with. But even in these countries, the practices and procedures dubbed 'customary' were not erased but, as elsewhere, changed in relation to broader political-economic and social processes (see Moore 1986 for Tanzania, and Gengenbach 1998 for Mozambique). In others, either the leaders did not seek to change the rural administration and majority landholding systems, achieving what Mamdani (1996) has recently described as deracialization (through Africanization of power) but a reproduction of the colonial distinction between 'citizen' and 'subject'. Or, after a brief political flourish promising to do away with colonial structures, they maintained them insofar as this enabled them to stay in power, and to privilege a small elite of politicians and civil servants, as was the case in Ghana (Amanor 1999, 80) and in Malawi under Dr Hastings Banda.

The position of the major aid agencies towards customary land systems was less equivocal, least of all the influential World Bank. The land policies promoted in Africa during 'the land reform decades', as Bassett (1993a, 11) dubbed the 1960s and 1970s, were all based on the premise that 'customary' systems did not provide the necessary 'security' to ensure agricultural investment and productive use of land. Because the lack of security was thought to lie in the absence of clearly defined and enforceable property rights, the appropriate policy direction was taken to be the state creation of such rights. Most often, individual, private property rights were assumed necessary. These positions on land tenure echoed

those of the 1940s and 1950s in being premised on ideas about necessary trajectories of growth and modernization based ultimately on Western European experience, although they gained a more technical cast from development economics.

In practice, most of the land policy reforms and titling programmes of the 1970s and early 1980s failed to achieve their stated aims, and were shown by a large body of social research to have been based on faulty premises. Critiques of the conventional view also came from research on the actual practices of African landholding and rural economies. This included documentation of widespread cash cropping and 'price responsiveness', the most quoted case being that of cocoa production by farmers on customary land in West Africa. Such cases were used to reject premises that customary tenure inhibited investment in agricultural production and agricultural commercialization, and to demonstrate the flexibility allowed by customary tenure to farmers adapting to changing conditions. Another prominent theme was that customary systems did not exclude individual rights, as a simple premise of 'communal' systems supposed. Research showed the vast majority of farms in Africa being worked by individuals and small familial units who have separable claims, rights and responsibilities, even though land in its most general sense is usually vested in collectivities such as chiefdoms or clans. Longitudinal studies have shown that agricultural intensification and commercial production are not inhibited by 'customary' landholding as much as by broader social and political-economic conditions at local, regional and international levels (Linares 1992; Netting 1993; Guyer and Lambin 1993; Guyer 1997). Studies have shown that in some places, so-called 'customary' tenure would be more accurately seen as 'family property' (Peters 1997 on Malawi) because individuals and family units have defined rights to specific areas of land, a situation that also led Paul Francis to say that the actual practice of 'customary tenure' in Ijesha, Nigeria, was indistinguishable from 'private property in land' (1984, 24). Others have described various types of transfer of land and of rights to land, such as tenancy in the cocoa areas of West Africa (Hill 1963; Berry 1975; Gyasi 1994) and elsewhere (see Lawry 1993 for Lesotho), and other types of transfers including rentals and sales (White 1963; Allott 1969; Cohen 1980; Bruce 1988; Besteman 1999), often involving the collusion of 'traditional leaders' with politically powerful elites (Ng'ong'ola 1996, 411).

Another important body of field research showing how programmes of land registration and titling actually performed from the 1970s to the late 1980s challenged the premise that titling would improve tenure security and lead to increased agricultural investment and productivity. The studies showed not only that such programmes failed to achieve the expected results of improving agricultural investment and productivity, but they also encouraged speculation in land by outsiders, thus displacing the very people – the local users of the land – who were supposed to acquire increased security through titling, and they facilitated practices of bribing, fraudulent titling and expropriation of land. As a result, the programmes frequently exacerbated conflicts and patterns of unequal access to land based on gender, age, ethnicity and class (Okoth-Ogendo 1976; Coldham 1978; Pala 1980; Davison 1988; Shipton 1988; Haugerud 1989; Attwood

1990; Shipton and Goheen 1992, 316; Shipton 1994, 364–5; Besteman 1994, 1996). A similar literature has revealed the negative to disastrous effects of land titling and privatization in livestock and range management schemes in Africa (Galaty et al. 1981; Horowitz 1986; Baxter and Hogg 1990; Behnke et al. 1993; Peters 1994).

Change in Policy Approaches to Land in Africa

In the last two decades, almost all countries in sub-Saharan Africa have been undertaking land reform in one guise or another. The aims have been to promote economic growth, encourage more sustainable management, and reduce poverty. (Toulmin and Quan 2000, 1)

Land policy reform is once again on the policy agenda. As the above quotation from Toulmin and Quan (2000) indicates, the overt goals of the renewed efforts at land policy reform of economic growth, sustainable management of land and poverty reduction are not new but the staples of proposed 'reform'. McAuslan (1998, 525) says that the new land policy initiatives reflect two imperatives: one is reform for the economic reasons mentioned, while the other is a newer policy emphasis 'on "good governance" and the market economy . . . necessitating a greater increased reliance on legal forms and a legal culture similar to those operating in Western, market-orientated economies', in other words, the 'enabling framework' called for and made a conditionality in many aid donor documents. Another set of pressures on African governments to put in place appropriate legal and administrative frameworks has come from aid agencies and various lobbying and activist non-governmental organizations who have called, since the late 1980s, for more effective means to protect environmental resources, from forests to wildlife. Environmental legislation and programmes play a significant role in how social relations around land and landed resources are changing (cf. Schroeder 1999b).

While the stated goals of land reform policies remain the same, Toulmin and Quan remark on the significant shift in donor stance due to 'a general failure of earlier approaches to land reform, in which free market models, emphasizing the conversion of customary tenure to individualised freehold rights, or alternatively, egalitarian socialist models were dominant' (2000, 2). This new 'wave of policy reforms' is influenced by research showing the viability of customary systems of landholding, and promotes land policies that are more 'human-centred . . . less driven by economic prescriptions . . . and pro-poor' (p. 3). These changes are associated with an approach embraced by Britain and the other OECD countries and agencies such as UNDP, Oxfam and CARE that promotes 'a livelihoods approach to development, which seeks to build on the strengths and opportunities open to the poor' (pp. 3–4). These are now taken to include, in particular, existing systems of landholding.

DFID, the British aid agency, is not alone in its revisionist stance towards land tenure and land policy. The World Bank appears also to have made a dramatic U-turn. Right up to the end of the 1980s, the Bank's prescription was

to replace customary systems with titling and private property rights, which were posited as necessary preconditions for modernization and development.⁴ Recent papers by Bank research staff now accept the advantages of 'communal' tenure over formal individual titles regarding 'cost effectiveness' and equity (depending on sufficient accountability), and emphasize that titling needs a range of other conditions (such as access to capital and credit) to be effective. These shifts are attributed by Bank staff to revised analysis in light of negative experiences of titling and registration programmes, to research on customary landholding (as pointed out above), and to a post-Soviet greater openness towards 'communal' systems. The Bank's land experts now urge caution about state-led intervention in land tenure systems and propose greater flexibility in approaches to land policy, suggesting the possibility of building on existing systems (Bruce and Migot-Adholla 1994). Nevertheless, the Bank continues to posit 'a framework of secure, transparent and enforceable property rights as the critical precondition for investment and economic growth' even though the Bank land experts do not equate 'property rights' with 'individualized rights' (Quan 2000, 38, where he synthesizes the papers by Deininger 1998 and Migot-Adholla 1999). As Amanor points out, although the World Bank and other aid agencies now subscribe to the new evolutionary property rights theory, they retain the old premise that '[l]and titling is seen as the major avenue promoting land reform and security of tenure, as enabling farmers to have access to collateral through which they can gain credit' (2001, 6). The difference, Amanor claims, is that there is now less emphasis on the directive role of the state and more on a general 'framework of institutional reform in which civil society plays a greater role in the administration of land' (2001, 6).

Toulmin and Quan, in fact, conclude their review of recent shifts on land tenure in aid agencies by referring to a 'new paradigm' that 'does not prescribe a specific approach to land reform', but that is 'based on pluralism and the imperative of African national, regional and local governments, tribal groups, villages, communities, and civil society organisations negotiating their own solutions to securing access to land' (p. 5). This is an optimistic scenario for land policy and patterns of access to land throughout Africa, more of a vision of what ideally should happen rather than what is happening in current land policy programmes or what is likely to happen. In fact, various commentators express greater scepticism about an overly sanguine view of 'customary' systems and about real change in the Bank.

Critiques of the 'New Evolutionary' Approach in Aid Agencies

There is much to be thankful for in the apparent success achieved by empirical and theoretical challenges in changing dominant analytical and policy stances on land tenure in Africa. The extent to which notions of flexible and negotiable

⁴ For example, the report *Sub-Saharan Africa: From Crisis to Sustainable Growth* had a special section on 'Redefining land rights' in its chapter on agriculture where it states: 'Agricultural modernization combined with population pressure will make land titling necessary. Traditional tenure systems need to be codified' (World Bank 1989, 104).

social relations now inform assessments of 'customary' practices governing access to land by representatives of theoretical and policy groups once adamantly convinced about the backwardness of customary tenure is truly amazing. Yet there are reasons to be wary. First, the disjuncture between the statements and papers emerging from the land researchers in the World Bank and many of the policy actions of the rest of the Bank leads many to be sceptical. A stringent critique points out that 'the logical incompatibility of poverty alleviation with market liberalisation' in the Bank's current stance is masked by an 'eclectic concoction . . . of contradictory objectives' where its 'post-modern liberalism has the advantage of leaving the discourse open-ended . . .' and intrinsically ambiguous (Bryceson and Bank 2001, 11). The frequent result of such ambiguity is development as usual, despite the more revisionist elements among the Bank's researchers. In a paper discussing the current debates in South Africa on land reform and rural-urban links, for example, Deborah James contrasts two competing approaches: one, 'populist and egalitarian' favours a socially 'progressive' land and rural development policy, whereas the other 'with a developmentalist focus associated with the influence of the World Bank' promotes a market-oriented, commercial agricultural policy (2001, 103). It is the latter that is the current policy of the South African government.

Second, strong reservations have been expressed about the theory of 'evolutionary' land tenure that underlies the new consensus. This theory posits an evolutionary process that seems to evoke 'the best of all possible worlds' in supposing that non-interference in 'local' land tenure systems will allow adaptable and equitable outcomes. Critics like Jean-Philippe Platteau, a leading economist writing on land tenure in Africa, have pinpointed the problems – that such unproblematic visions ignore considerable social inequality in many customary systems as well as evidence of encroachment by some groups on others for livelihood and/or commercial benefits, of state appropriation, and illegal sales by 'traditional' leaders (1996, 2000). A rigorous critique by Amanor distinguishes the 'evolutionary school of land rights [with] its roots in neo-liberal economics' from 'the communitarian approach [that] is influenced by anthropological, cultural studies and customary law approaches', but argues that both fail to deal adequately with 'the issue of social differentiation' in relations to land (2001, 9, 15). Researchers show how, too often, national and local elites capture the benefits of decentralization to 'local' and 'traditional' managers (Ribot 2000; Carney and Farrington 1998; Woodhouse et al. 2000). Amanor points to the 'danger that this assertion of a democratic principle of traditional land administration . . . as a policy instrument . . . may serve the interests of the rural ruling class . . .' (1999, 10–11). As a result, some authors recommend cautious and contingent intervention by government and other agencies to promote co-management, partnerships or links across institutions (Baland and Platteau 1996; Leach et al. 1997) in order to avoid both a blanket replacement of customary systems and a stance that leaving them alone is sufficient, and to find ways of supporting the flexibility of customary tenure yet to protect customary holders from expropriation by local and national elites or other powerful interests.

Rethinking Analytical Approaches to Land

There is another reason to be unwilling to accept that the battle for sense on 'the land question' in Africa has been won. This is an unintended negative consequence of the main theoretical approaches underlying the academic scholarship that has been so successful in projecting a view of customary landholding as adaptive and flexible. In short, the focus on demonstrating the fallacy of simple economic premises about the 'insecurity' of customary tenure has produced a new conventional wisdom among academic researchers which, in emphasizing the negotiability, flexibility and ambiguity in relations governing access to land,⁵ is increasingly at odds with the proliferating evidence on competitive and conflictual relations over land.

Over the past thirty or so years, the enormous effort needed to counter the hegemonic developmental position on customary tenure as an obstacle has produced, in my view, a reactive and defensive literature that has become caught within the very formulation it sought to dislodge. The result has been a literature that celebrates indigenous or customary systems as flexible and adaptive, thus reversing the hegemonic view of them as rigid and outmoded. One of the repeated themes through these years is that land tenure is a social relation and that relations over land have therefore to be seen as 'embedded' in broader matrices of social, cultural and political relations. This is an old lesson emphasized since at least the 1940s by Africanist researchers like Max Gluckman, Daniel Biebuyck (1963) and Paul Bohannan. It is also a thesis which social analysts from Polanyi (1944) to Granovetter (1985) have deployed more broadly against the premises of methodological individualism and rational choice. A recent example among many making this point yet again states that the appropriate analytical approach to understanding land (here, in Tanzania) is not one that is specified 'in terms of rules and laws' but 'land rights from the perspective of social relationships and as outcomes of processes of negotiation' (Odgaard 2003, 71). True. However, here I want to argue that the research needs to go beyond this formulation of relations over land being socially embedded to ask more precise questions about the type of social and political relations in which land is situated, particularly with reference to relations of inequality – of class, ethnicity, gender and age.

Even when social inequalities are identified in current research, authors frequently undercut their significance by insisting on social 'agency'. Thus, Odgaard continues the statement cited above saying that 'not all social groups are equally well positioned' to negotiate 'but the point is that they are all still involved' (2003, 72). Here, a justifiable reminder about agency eclipses inequality. Similarly, the recent magisterial review, 'Debating the Land Question in Africa', by Sara Berry (2002), one of the leading scholars writing about land in Africa, refers repeatedly to 'competition over land [having] intensified in the late twentieth century', 'increasing land scarcity', 'land accumulation' and to 'land grabbing'. Yet, she still concludes that 'contested claims . . . promote debate . . . [and to] the extent that such debates enable negotiation, their inconclusiveness may be

⁵ The publications by Sara Berry are the most influential examples.

neither economically dysfunctional (as advocates of privatization are wont to argue), nor politically disabling, but a sign that the conversation continues' (p. 655). I suggest that, with such a conclusion, Berry is still fighting the 'advocates of privatization', and their premise that only clearly defined property rights can ensure productive enterprise, by showing in great historical and contemporary depth that the 'inconclusive' quality typifying (some) land relations facilitates great flexibility to people in the face of great volatility in weather and in personal and political circumstances. There is merit to this argument of course, especially given the disjuncture noted above between the revised official position of donors and actual land policies. But what it obscures, I wish to suggest, is that we also need to ask for whom and with what effects 'the conversation continues'. Not everyone is able to be an interlocutor, and many lose in such negotiations and 'conversations'. An identical point is made by Kojo Amanor about Berry's privileging 'negotiability' which, he says, 'results in an overestimation of the ability of people to influence the debate about what constitutes tradition and to lay down the norms for contemporary access to resources. In reality, it is only the wealthy and powerful who can [do so] and who can make the necessary investments in "social networks" that Berry focuses on' (Amanor 1999, 44). He adds that the processes identified by Berry 'need to be rooted in structures of social differentiation and class' (1999, 44, cf. Bernstein and Woodhouse 2001). This lead will be followed in the following sections.

THE POLITICAL ECONOMIC CONTEXT

The detailed 'local' studies presented in the following section reveal intense competition and conflict over land, as well as pervasive social tensions and conflict deriving from multiple sources but focusing on land relations. These cases come from all over the African continent. What do they mean? I argue that they reveal not only intensifying competition over land but deepening social differentiation and, though this differentiation takes many forms – including youth against elders, men against women, ethnic and religious confrontations – these also reveal new social divisions that, in sum, can be seen as class formation.

While I do not wish to distort the richly documented research studies on which I draw, I do sometimes draw conclusions that may differ from those of the authors, mostly in terms of emphasis but occasionally of interpretation. My interest here lies more in the comparisons across cases rather than the specifics of any one of them. Indeed, my argument rests on a pattern I see emerging from the cases. The value of detailed studies, of what anthropologists tend to call ethnographies or 'thick description' in Geertz' famous phrase, lies precisely in their ability to provide insight into broader processes from the analysis of specifics. As Geertz himself said some time ago: anthropologists do not study villages [read 'local' places] but study *in* villages (1973, 22).⁶ The value of

⁶ The full quotation: 'The locus of study is not the object of study. Anthropologists don't study villages (tribes, towns . . .); they study *in* villages. . . . different things . . . for example, what colonial domination does to established frames of moral expectations . . . '.

'microscopic studies' has been recognized far beyond the single discipline of anthropology, of course. Recently, Michael Barnett, a political scientist, pointed out in his essay on the insights of international relations on 'transnationalism' in African politics: 'closely watched developments in local circumstances can lead to global conclusions . . . [and] to a reconceptualization of the global and the local' (2001, 64). Part of the perceived problem in how detailed ethnographies of one or few places speak to larger issues, of course, lies in the rigidities of the terms themselves. Historian Frederick Cooper cautions us about 'the widely used distinction between a 'global' that is far more global in talk than it is in actuality and a 'local' that is not nearly so local in reality as it is in the texts of social scientists' (2001, 24).

The task here, then, is to relate the specific cases of social conflict over land to broader processes with the aim not of displacing them from their particular time/space locus but of situating them within the national, regional, transnational or global processes of which they are inextricably part. Since this entails drawing from disparate disciplinary and theoretical literatures and from debates in which there is no single agreed interpretation of contemporary African affairs, I hope not to fall into the traps of over-selectivity, distortion or naiveté associated with disciplinary boundary crossing. The two debates most relevant for the land question in Africa are, first, on commodity production and diversification among rural 'peasant' families and, second, on the state, transnational networks, appropriation and violence.

Rural Commodity Production, Diversification and 'Depeasantization'

While commodity production in the form of export crops has a long history in West Africa where rice, oil palm and, later, cocoa were important exports, for much of Africa the main impetus came from taxation, and more direct ways of obtaining African, especially male, labour by colonial administrations, settlers, traders and other agents.⁷ By the 1930s, the fall in crop prices led to great hardship for such cash-cropping farmers, especially where colonial marketing boards worsened the toll through their protective actions on behalf of the administration and settlers.⁸ The combined effects of commodity production, the circular or oscillating migration (typical particularly of eastern and southern Africa), the severe constraints on African trading and land markets by colonial policies seeking to maintain Africans 'on the land' in an effort to prevent the growth of urban populations and to stem the emergence of marked class difference, all put increased strains on families, including stress between genders and generations. The impetus towards 'development' after the Second World War in what proved to be the final years of most colonial regimes intensified the push towards commodity production with increased emphasis on 'modernized' agricultural

⁷ There is a huge literature on these questions, including Vail and White (1980), Freund (1984), Cooper (1996), Bryceson (2000b, 41), Bernstein and Woodhouse (2001, 286).

⁸ John McCracken shows how, during the depression, the National Tobacco Board of Nyasaland 'functioned ever more blatantly as a kind of relief agency for European farmers' (1983, 179).

methods. The explicit aim to develop a 'progressive' or 'yeoman' farmer class in many of the British territories (Cliffe and Cunningham 1973, 134 for Tanganyika [cited in Bernstein and Woodhouse 2001]; Moore and Vaughan 1994 for Northern Rhodesia; Peters 1997 for Nyasaland) produced a shift from the earlier years' restrictions on land tenure to a call for titling.⁹

For the newly independent countries, 'raising peasant agricultural output' was a major task (Bryceson 2000b, 49). But it proved difficult and ultimately impossible to sustain because of circumstances internal to countries, e.g. the 'expensive and cumbersome . . . institutions', such as the marketing boards, and the associated neglect and outright rejection of 'local production systems', as well as external, e.g. the 1970s OPEC oil-price increase and 'the rise of the Euro-dollar market' (Raikes 2000, 79), which 'led to escalating foreign borrowing by African governments' (Bernstein and Woodhouse 2001, 291). The rising debt, declining prices for primary commodities that remained the main exports from Africa and droughts due to increasing volatility in climate across the continent, all provided the pressures that led to the policies and programmes of structural adjustment and market liberalization forced on governments by the IMF, World Bank and bilateral donors.

Since the early 1980s, these programmes 'reduced, if not eliminated, the possibility of Third-world national governments providing producer subsidies and other buffer measures to protect peasant producers from the adverse effects of commodity price decline' (Bryceson 2000a, 27; cf. Mkandawire and Soludo 1999).¹⁰ Combined with the effects of WTO (World Trade Organization) policies, 'the erosion of preferential trade agreements, such as the Lome Agreement between the EU and the African, Caribbean and Pacific region', and the unequal contest between African (and other regional) efforts to develop 'non-traditional exports' and highly subsidized American and European industrial agriculture (Bryceson 2000a; Raikes and Gibbon 2000), the consequences included a precipitous drop in per capita incomes, widespread inability of rural producers to maintain earlier levels of farming, increasingly diversified income strategies and declines in measures of health and education. Retrenchment of civil servants and other employees of government and parastatal organizations has not only removed a source of cash income from many families, including branches in the rural areas, but has led some of the new unemployed to look to family land as a source of food and cash.

Diversification of incomes is a trend that has been foregrounded in much research coming out of Africa for several decades, often referred to as 'off-farm' (or 'non-farm') income for rural producers, and also to activities performed in the 'informal' sector by both rural and urban groups. Unsurprisingly, the social

⁹ This ranged from those promoting individual titles to those suggesting more limited types of licenses: the former tended to be agricultural officers, the latter administrative officers (see the East Africa Royal Commission 1953–1955 Report, Cmd 9475 for these debates (Great Britain, Colonial Office 1955)).

¹⁰ 'African countries' barter terms of trade declined by roughly 30–50 per cent between 1980 and the early 1990s with wide variations across countries' (Bryceson and Bank 2001, 13; cf. Cooper 2002, ch. 5).

consequences of such a broad category of activities vary across groups, but a general conclusion among most researchers is that diversification entails increased socio-economic differentiation. Having several ways to obtain income whether in kind or cash is by no means a new strategy for individuals, households or larger groups in Africa. The risky natural and political-economic climates make this a sensible strategy. But the stringencies following on the events mentioned above – the OPEC price hike, accelerating national debt, declining crop prices, and the multiple effects of structural adjustment and market liberalization – have greatly intensified people's efforts at diversification.

Philip Raikes points out that 'economic and social differentiation in [African] peasant communities has generally increased with growth and development' but that 'diversification of investment, whether . . . of tangible resources, or of time, effort and technical or social skills' is found across social strata (2000, 67). He cites earlier work by Sara Berry (1985) showing that, 'while diversification and the cultivation of networks and patron-client relations improve the relative security of those involved in them, they do so at significant costs' (Raikes 2000, 68). These costs include limits on specialization and technical efficiency (by diverting resources to investment in 'social relations'), and a potential reduction in predictability and security when groups are set in political competition with one another 'for access to resources'. He adds that, 'the heaviest price is paid by those excluded from such networks' (2000, 68). This comment is directly relevant to the argument about social relations around land presented in this paper.

Deborah Bryceson, too, has paid a great deal of attention to diversification among African rural groups, most recently in relation to her thesis about 'depeasantization' or 'disappearing peasantries' in Africa as well as other world regions. While this thesis is open to debate, Bryceson's emphasis on the need to consider the connections between urban and rural areas is supported by most research. She says that, as the real incomes of those employed in the formal sector declined through the mid 1970s onward and many lost even those diminished incomes after the retrenchments of structural adjustment policies, many moved into informal sector activities to try to replace lost income. This coincided with a similar intensified move by large numbers of rural people into informal employment, as well as by the urban and peri-urban people already so engaged whose incomes were being eroded even as food and other prices were rising (2000b, 55–6). One outcome is a 'growing number of rural people commuting back and forth between the city and village', producing a 'neither-here-nor-there population' (2000b, 55–6). This, combined with the loss of access to key inputs for agricultural production, is what Bryceson sees as contributing to 'depeasantization'. Alternative interpretations of these trends see them as less 'de-peasantization' as an 'enforced extension of peasant survival strategies under pressure of impoverishment' (Raikes 2000, 68). Similarly, Amanor sees diversification as indicating lessening dependence on agricultural production for many, but mainly as part of a structural transformation in which commodification of land and labour relations produce 'fragmentation' of family and wider kin-based groups as well as conflict between generations and genders (2001, 114). Moreover,

precisely because those formerly employed in the urban areas are looking to rural land as one of their options for livelihood, and because existing rural families endeavour to produce as much food and crops for sale as they can, *despite* the difficulties with inputs, one can also argue that the pressure on already constrained land has been increasing over the past two decades. In addition, such pressure is intensified by the small proportion of richer rural producers (richer in land and cash) who have been able to take up the diminished and privatized services available for cash cropping, and the small number of the pensioned-off salariat who have been able to use their pensions and influence to embark on or extend commercial farming.¹¹

While researchers recognize social differentiation across Africa, they do not agree on a single interpretive model for its analysis. Many studies distinguish among rural populations according to landholding size, income, type of livelihood strategy (such as degree of farm production compared with wage labour) or combinations of these, while some use terms such as 'peasants', 'peasant-labourer' or 'peasantariat' and so forth to capture the variability. Nevertheless, it is the 'huge variety of different types . . . of household' and the tendency for any one extended family to include farmers, wage labourers, 'professionals and politicians' that makes distinctions such as 'rich', 'middle' and 'poor' peasants/families 'necessarily arbitrary' (Raikes 2000, 68). One difference among researchers is between seeing African rural economies as 'fully capitalist' (Bernstein forthcoming; Bernstein and Woodhouse 2001), and seeing them as 'commercial without being capitalist, even while [their] dynamics link into and confront the capitalist market' (Guyer 1997, 184). In this paper, I am arguing that the current information on intensifying social conflict around land reveals deepening social differentiation and class formation. While I agree with those, like Bernstein and Woodhouse (2001), who emphasize that 'petty commodity production' is 'internalized' within rural economies, I do not agree that it is thus fully determinative of social and economic relations as is implied in the claim of 'fully capitalist' economies. Nor do I accept that commodity production or commodification act merely as 'a powerful solvent of the ties that connect locale and "community"' (Bernstein and Woodhouse 2001, 319). Rather, as with all significant socio-economic processes, commodification shapes, reshapes and transforms pre-existing social and cultural ideas, practices and relations, even as it is shaped by these. This is explicitly recognized even by authors who espouse a framework of petty commodity production because 'it locates rural producers *within* capitalist commodity production circuits' (Cousins et al. 1992, 11, original emphasis). These latter authors, discussing Zimbabwe, describe 'fierce political struggles . . . often centred on assertions of lineage "ownership"' and conclude: 'It is clear that social identities other than "class" are operating' and that these 'blunt the effects of inequality', acting as 'an important "brake" on social differentiation' (1992, 16, 18).

¹¹ This has been particularly documented for Nigeria (see Guyer 1997; Guyer and Lambin 1993) but also other countries.

In short, while accepting that an ‘understanding of processes of commodification . . . allows the focus of analysis to extend beyond that of individual livelihoods to detect the dynamics and trajectories of social change’ (Bernstein and Woodhouse 2001, 319), many writers on Africa, including myself, insist that so does an understanding of social and cultural definitions, relations and practices (cf. Guyer 1997). Insisting on these does not entail falling into a ‘nativist’ or ‘primordialist’ trap (Bernstein forthcoming). To engage in a socio-cultural analysis of economic relations, including commodity production, is not to make ‘culture’ sole determinant but to show *how* people engage in markets, state or development, for example. To gloss a range of distinct social modes of organization and cultural modes of understanding as fully capitalist, irrespective of whether these are in Malawi or Malaysia, Angola or Albania, Botswana or Britain, is to lose precisely the dynamics of social transformation.¹²

One of the most compelling examples of how to take culture seriously as an inextricable part of a political economic analysis of (petty) commodity production is Gerald Sider’s book, *Culture and Class in Anthropology and History: a Newfoundland Illustration* (1986). Sider tells a story – an anthropological history and ethnography – of Newfoundland fishing families and villages in the fish trade over two centuries. The ‘dominant form of labor’ typified the different types of fishery over time: the servant fishery from the seventeenth century to the beginning of the nineteenth century, the family fishery from the early nineteenth century to the First World War, and the factory fishery since then. The truck system was the main form of payment in the family fishery: it kept levels of cash extremely low and inhibited capital formation and ‘was a major factor creating the “traditionalism” of Newfoundland outports’ (1986, 23). This ‘traditional’ character, made and remade through the shifts in fishery organization over time, was marked by small-scale technology of small boats and handmade nets, and, critically, control over the work process. While the control of merchants (via the truck system) kept fisher families at very low levels of living, forcing some (through debt dependency and favouritism) into destitution and starvation, the relative autonomy of the village as a social unit meant that ‘the social and cultural ties of village life remained quite significant in shaping the lives of the inhabitants’ (1986, 24). The merchant control broke an emerging ‘middle class’ twice in the nineteenth century, so that the ‘continual reduction of internal differentiation . . . the inhibiting of class formation – kept kinship and village institutions crucial both to mobilizing labor and . . . organizing daily life’ (1986, 27).

Sider makes a parallel between the concepts of ‘property’ and ‘culture’. It is well accepted, he notes, that ‘property’ is not a thing but a social relationship, in other words, it ‘is one form that social relations take. “Culture” . . . is another’ and, in fact, the two are linked (1986, 110). He insists that culture has ‘its own autonomy and its own dynamic of development’. ‘Customs are . . . connected

¹² Compare Giles Mohan’s comment that the analytical challenge is ‘how we can theorise the totality of capitalism without reducing its impacts to a single logic, a problem which was central to the debates over dependency in the late 1970s’, when dependency was accused of making culture, identity and politics mere products of western hegemony (1997, 321).

to, and rooted in, the material realities of life and work, although they are not simply derivative from . . . these realities' (1986, 94). Just as he dismisses a 'focus on symbolic "meanings"' as a travesty when these are not connected to 'processes of class formation and transformation', so he rejects an approach that 'mechanically reduce[s] . . . ideological processes to the single material interests of a class' (1986, 152). In his conclusion, he reminds the reader that, 'class systems . . . do not form into neat packages with workers on one side and owners on the other. This structural inability to form into neat packages is essential to give shape to the historical dynamic of what are loosely called class struggles' (1986, 170).

This important point echoes current debates about African processes of social differentiation, and informs my attempt in this paper to show how specific social 'struggles' and conflicts around land embody or instantiate general processes. Similarly, Sider's emphasis that the 'struggles within classes' are as important as those between classes is relevant to the analysis of current struggles between different social groups and categories (age/generation, gender, ethnic, religious) seen across Africa. While not being conventional stereotypes of classes, these struggles are precisely the social and cultural modes of differentiation, of the simultaneous creation of privilege and penury, wealth and poverty, political power and powerlessness, that are central to class formation.

The single most important reason for the absence of 'neat packages' of classes is the fact that many African rural, small-scale producers continue to have access to their own landholdings, albeit often very small ones, and, to an extent, are able to control their own family labour. This social access to resources, the ability to grow some or much of their staple food, and the consequent semi-autonomy for many must not obscure an equally compelling fact that these rural families produce for commodity markets 'on terms and at a pace over which they have little influence', just as did the fishing families in Newfoundland (Sider 1986, 36). Moreover, research on Africa over the past two decades suggests that an increasing proportion of rural families across the continent are dependent for some (sometimes a major) part of the year's staple food needs on purchasing or otherwise obtaining food (such as food for work). In many countries, therefore, a large proportion of the rural population is 'food deficit' in terms of their own produced food. As noted above, the risks have increased for smallholder commodity producers as produce prices have fallen, and the prices for inputs and food have risen in the wake of structural adjustment, market liberalization and globalization. While a small minority has been able to intensify production and/or have obtained more land in order to be able to compete in more constrained regional and global markets, the majority of rural families have seen their options and living standards constrict, and have been forced to diversify their income strategies (mostly in the 'informal' sector), some going to other countries as migrant labourers, and some being squeezed ever more tightly in dependent patron-client relations within villages as well as with outsiders (such as owners of plantations, traders or politicians). As competition increases over resources, the costs and benefits of being excluded as compared with being included in definitions of belonging (to a lineage, village, ethnic or religious group) mount.

Current research shows that competition and conflict over land are increasing because of a confluence of factors: many rural-based families need to draw more from their land even in the face of declining inputs; entrenched and pensioned-off civil servants and other workers look to family and other land as a source of food and/or cash cropping; governments and environmentalists seek to demarcate conservation areas; and internal and external groups intensify their exploitation of valuable resources from/in/under the land (minerals, trees, wildlife, crops, water). Before presenting the cases that reveal these conflicts, I shall outline another key set of processes against which to read the case materials. These are to do with the state in Africa, transnational networks, elites and pervasive and often illicit appropriation of public resources.

States, Elites, Transnationalism and Appropriation

The period since the 1980s, which produced the 'crisis' in African agriculture and political economy more generally, also produced an explosion of debate about 'the state' in Africa. Much has been written about 'weak' or 'soft' states in the wake of examples of collapsed states such as Somalia, civil wars and cross-border conflicts, and the less overtly violent but no less detrimental effects of precipitous decline in institutional capacity and delivery of services. These conditions, often glossed as the 'weakness' of bureaucratic states, do not mean that either the state or those acting in the name of the state are without effect. On the contrary, as Kassimir emphasizes, even with serious loss of 'managerial' capacity, the state is 'rarely irrelevant in the way that transboundary connections are formed and institutionalized'. He gives the examples of state conditions placed on the activities of international NGOs, and the role of state officials in shaping transboundary formations (2001, 111). Similarly, Frederick Cooper sees African states as 'providing little accountability, few services, and meager security [to citizens] . . . while ruling elites use sovereignty [the claim of the state] to gain a degree of leverage among international and national networks, licit or otherwise . . .' (2001, 43). Cooper attributes this pattern to the fact that 'the post-colonial gatekeeper state, lacking the external coercive capacity of its predecessor [the colonial state], was . . . vulnerable' to capture: 'ruling elites . . . use patronage, coercion, scapegoating of opponents, and other resources to reinforce their position . . .' (2002, 5–6).

While such facts are widely accepted as descriptive of the postcolonial states in Africa, their interpretation differs considerably. One approach – dominant in the 1990s and still present among some political scientists, economists and major aid agencies – centres the discussion of the African state within the context of democratization, political and economic liberalization, and civil society. Associated with this position is the relegation of the use of violence and illicit means of establishing transnational contacts of governing and accumulating wealth to pathology. A very different interpretive stance is one that sees the 'breakdowns' in state bureaucracies and institutional capacities, and the increased use of violence and transnational connections not as simple pathology or regression to a

primitive, tribal past¹³ but as *alternative* forms of governing and state formation. William Reno stated this clearly in a paper that '... looks beyond state decay to a simultaneous non-bureaucratic process of state building, an alternative institutionalization of political authority heavily dependent upon external resources for survival' (1995, 109). Writers have labelled the patronage-based system of rulers relying on 'alliances with local strongmen whom they allow to exploit local economic opportunities' as (neo)patrimonial (Reno 1995, 112), and as feeding off and into a 'politics of the belly' (Bayart 1993). The new twist in this literature is to show the extensive transnational networks spreading out from these 'patrimonial' states. Reno says: '... greater reliance on foreign firms and intermediaries represents a significant departure from patrimonial dependence on decaying state institutions for political resources' (1995, 112).

More recently, he has repeated this conclusion, showing how

private commercial transactions in Africa ... bolster a new internal configuration of power in place of formal state bureaucracies. ... Some rulers of weak states recognize that they can manipulate transnational commercial connections and outsiders' willingness to recognize them as mediators between local and world economies to accumulate wealth and control associates. (Reno 2001, 204)

He points to a much larger increase in foreign investment in precisely those countries in Africa that are considered ineligible by the World Bank for loans due to their poor fiscal performance and lack of commitment to political-economic reform. The foreign investors 'are attracted to compact, valuable and easily transportable natural resources to which the sovereign prerogatives of heads of states can allow them privileged access' (2001, 205). This is reflected by the increased, rather than decreased, presence of mining companies from Canada, Australia and South Africa in Angola, Chad and the DRC (Democratic Republic of the Congo) (2001, 205). Similarly, oil and mineral companies, logging companies and ecotourism/safari operations are found across these countries of Western and Central Africa richly endowed with valuable resources. In her analysis of large land concessions granted to private companies for tourism businesses in the Central African Republic, Rebecca Hardin (2002) explains why such concessions are frequently a source of social conflict. First, the politics of granting and establishing concessions is marked by 'forms of patronage that mediate, rival or even replace' the authority of state agencies, and that frequently combine with 'identity [or ethnic] politics that align rivalries at local or regional levels with those at national or international levels' so destabilizing already volatile situations. Secondly, politically unstable states enable companies to enjoy 'unrivalled dominance' and patron-client connections with persons able to take advantage of the state's fragmentation (Hardin 2002, note 40, citing Frynas 1998).

¹³ Robert Kaplan's writings, especially 'The Coming Anarchy' in the *Atlantic Monthly* (1994), are the key example.

Along with the increasingly important transnational networks linking ruling elites (and their strategically placed allies among 'local' leaders) to foreign companies, other agencies and governments, comes severe competition that, all too often, escalates into violence (Bayart et al. 1999). The current mayhem in the former Zaire (now DRC) is well known to result from the attempts by groups within and across countries to control the minerals, forests and other resources. David Moore, for example, discusses this in relation to Zimbabwe and the geopolitics of the region and to what he calls the 'triple crisis of modernisation', namely, primitive accumulation, nation state formation, and democratization, as the essential context in which to understand the resource wars (2001; cf. Duffield 2001).¹⁴ Michael Barrett also describes how ruling elites construct relationships with non-African states, transnational corporations and international organizations in order to stabilize or strengthen their weak control over their territories, as well as to acquire resources and wealth putatively for the state but more often for themselves (2001, 52; cf. Cooper 2002, 105). These strategies, following Bayart (1993) are called 'extroversion', followed not just by states and ruling elites but also by non-state actors such as religious groups. Kassimir (2001) compares his research in Uganda with work by Bayart et al. (1999), Reno (1995, 2001), Nordstrom (2001), Obi (2001) and Roitman (2001) in demonstrating

how a mix of coercion, wealth accumulation, and a shared strategy of abjuring formal institutions for a 'networking' approach can maintain a contingent and often brutal form of local order that is itself inextricable from the presence of external actors and connections to transnational flows. (Kassimir 2001, 106–7)

In Angola, the negative political heritage of Portuguese colonialism combined with the refusal of rival nationalist movements to give up their aim of 'absolute power' (Hodges 2001, 8) produced a civil war financed by the huge oil and diamond reserves, oil under the control of the government and diamonds largely under that of UNITA. The 'Afro-Stalinism' of Angolan politics has produced the 'shocking paradox' of a country with one of the 'best resource endowments in Africa' yet with massive deprivation among its population and a tiny political elite, divided politically, but marked by ruthless private appropriation of national resources. Most of the oil revenues disappeared into what Hodges calls a 'Bermuda Triangle', dispersed through illegal and falsified means into arms purchases and into the hands of the small privileged group around the President. Diamonds have gone the same way in the two warring camps. Even the attempt to address the problem of land access by the mass of peasants was railroaded by the coastal elite to acquire large areas of land in the interior.

The case of Angola may be extreme but it parallels affairs in other countries such as the internecine conflicts over minerals in DRC by numerous factions

¹⁴ A report in the *New York Times* for 1 June 2003 on the latest massacres in the northeastern Ituri area of the DRC clearly links the 'ethnic' conflicts with struggles to control land, including the gold and coltan therein.

within that country and neighbouring countries, over diamonds and other minerals in Liberia, Sierra Leone and Guinea, over logging in these and other West African countries such as Cameroun, and in Nigeria over oil. In all these cases, the political machinations of ruling elites (some of whom rise and fall in the conflicts) have to be seen not merely as internal to a country or region but as closely linked with the global political economy, specifically with companies, foreign governments and other private agents eager to exploit Africa's resources and to sell arms and various other goods in return. Researchers, other writers and various internet sources, all emphasize these transnational networks. This is the point that has led to theoretical shifts towards seeing the proliferation of resource exploitation, political appropriation and diversification of income strategies that range from 'informal' to illicit, as not a simple regression or descent into chaotic disorder but as new/renewed accumulation and new forms of governing. Reno goes so far as to claim that 'weak' states persist 'because they and their private firm partners continue to benefit from and manipulate their juridical equality with other states, even though [they] lack centralized systems of government and do not provide much in the way of collective goods to citizens' (2001, 214).

A conclusion from these writers enables us to link the debate about the African state, ruling elites, transnationalism and unequal appropriation to that on the effects of the economic 'crisis' since the 1980s on rural economies and 'peasants'. The fact that 'the development of shadow states and illicit networks makes it difficult for citizens to see how they can obtain accountable government' is not merely an 'internal' problem that can be separated from either structural adjustment and liberalization policies or from global trends. The 'downsizing' of African government bureaucracies in favour of privatization tended to 'increase the importance of personal networks, as happened to a significant extent in post-Soviet Russia (Lonkila 2000)' (Cooper 2001, 45, n. 10), networks that have facilitated political and economic practices described above (also cf. Burawoy and Verdery 1999). Also, as emphasized by Kassimir, the problem in conventional political science and economic approaches to Africa's 'ethnic' and state pathologies is that 'subsuming . . . the local and the non-state into . . . civil society . . . (as either supportive of or pathological for democracy) leaves us few tools for understanding local politics . . . [or] . . . the insertion of transboundary forces into the local' (2001, 111). In other words, such approaches isolate the African state from its regional and international context and, by correlating such macro-level variables as 'ethnic difference', 'violence' and various economic development indicators, ignore the politics linking the most 'local' with the national and transnational.

Many writers have emphasized the tremendous social, economic and political costs of structural adjustment and market liberalization imposed through aid conditionalities since the 1980s and exacerbated by the increased exposure to unequal international markets (Bryceson and Bank 2001, 12; cf. Daviron and Gibbon 2000). Again, opinions differ on the likely trajectory of these processes. A common, pessimistic view is that neoliberalism and uneven globalization have caused such a decline of state capacity and provision of public goods as to impede

the road to economic growth, modernization and improved living standards for the majority, a road on which some African countries seemed to have started in the 1960s and 1970s. Others, like Cheru (2000), see a potentially positive effect of the economic marginalization of Africa, in that it may produce a push to semi-autonomous development. A more radical 'Warrenite' view, according to David Moore, is that 'globalisation understood as the deepening of commodity relations, the privatisation of formerly public services, the search for cheaper and more productive labour' will facilitate a movement in which 'unfettered global capital' will take Africa over the hurdles of 'primitive accumulation, nation state formation and democratisation to capitalist modernity' (2001, 910).

While I believe that these recent discussions promise more insight into the contemporary politics of African countries than simple recourse to notions of regression and pathology or of rent-seeking by elites, the differences of position sketched above are not ones I am able to resolve and, in any case, these are questions that go far beyond both this paper and my own competence. I introduce this briefest of outlines, however, because I believe that the research documenting social competition and conflict over land, which I review next, should be situated within these debates about the politics and political economy of 'weak' states and their use by national elites and international actors, as well as the ways in which national and transnational politics are linked to 'local' conflicts. The case studies discussed in the next section throw light on new divisions and on the reshaping of old divisions in local settings, the interlinkages between these and national party politics and patronage, and the connections between all the former and international events and processes.

STRUGGLES OVER LAND IN CONTEMPORARY AFRICA

Behind most of the continent's current political crises lie hidden wars for access to and control of productive resources. (Besteman and Cassanelli 1996, ix)

Two important volumes appearing in the late 1980s and early 1990s situated themselves within then current debate about the agricultural 'crisis' in Africa, and summarized findings from research conducted over the former decade or more. Downs and Reyna introduced their 1988 volume of essays as focused explicitly on land 'concentration', stating that 'the least equivocal finding' emerging from the essays was that 'access . . . to land . . . has become increasingly restricted and insecure' (1988, 18). Five years later, Bassett's introduction said that '[t]he thrust of this collection is that we need to examine . . . tenure systems as "embedded systems" . . . [and] to understand the dynamics of agricultural change in Africa today' (Bassett 1993a, 5). Some of the cases presented in the book described increased competition and appropriation, highlighting particularly the ways in which the social ambit of acceptable claims to family or other customary lands was being progressively narrowed; other cases explored the flexibility of customary systems and the failures of government-led land reforms, or

documented the creative ways in which even members of 'underclasses' (such as 'women and former slaves and serfs') were able to obtain land despite efforts to prevent them (Bassett 1993a, 22).

At the time, editors of both volumes saw the collections as representing a minority focus on land in African studies. With hindsight one now sees that, dating from that period, there occurred a large surge in research publications about land and landed resources in Africa. At the same time, a difference of interpretation already evident in the volumes just mentioned became more obvious. On one hand, research showed substantially changing tenure practices in customary systems, including increasing instances of rentals, other short-term transfers and even some sales of land, albeit often disguised as something else. On the other hand, many studies emphasized ambiguity and negotiability among contenders over land, at least at the local levels, suggesting either explicitly or implicitly that access to land was not a problem. I suggested earlier that this latter position was long justified in face of influential premises in development circles that customary tenure was rigid and outmoded, but that it now threatens to obscure more permanent gains and losses in access to land that reveal intensifying inequality.

In this section, I summarize some of the research from the 1990s and early part of the twenty-first century in order to sketch current patterns of social inequality and exclusion in access to land and landed resources across sub-Saharan Africa. The studies reveal complex, intersecting processes and events that produce these outcomes; there is rarely, if ever, a single cause of competition or exclusion. A recent essay by Odgaard, 'Scrambling for Land in Tanzania', says that 'increasing population, heavy immigration [from neighbouring areas], alienation of large areas for plantations, conservation and other purposes, combined with the increased focus on cultivation and expansion of the cultivated area, has eventually led to pressure on arable land and pastures' (2003, 77). Other studies also demonstrate the interaction of multiple processes: competition over land for different purposes intensifies due to growing populations and movements of people looking for better/more land or fleeing civil disturbances; rural groups seek to intensify commodity production and food production, while retrenched members of a downsized salariat look for land to improve food and income options; states demarcate forestry and other reserves, and identify areas worthy of conservation (often under pressure from donors and international lobbying groups); representatives of the state and political elites appropriate land through means ranging from the questionable to the illegal; and valuable resources both on and under the land (timber, oil, gold, other minerals) attract intensifying exploitation by agents from the most local (unemployed youth or erstwhile farmers seeking ways to obtain cash) to transnational networks (of multinational corporations, foreign governments and representatives of African states).

The picture Claude Raynaud drew for Niger in the late 1980s can be seen, through new research, to apply to many parts of Africa. He identified several reasons for the increasing competition over land. Increasing populations and intensified commercialization had brought more land under cultivation, with aerial

photographs showing 18 per cent in 1957 compared with between 47 per cent and over 70 per cent in some parts in 1975, a trend he felt must have increased since then. The commercialization combined with an official policy encouraging members of the salariat, educated and merchant groups to take up commercial agriculture, had also resulted in land 'becoming an important stake on a national scale . . . an object of interest for the dominant social categories – or should they be called classes?' (1988, 227). These circumstances led him to conclude that 'we are at a turning point . . . at the end of a long period during which the possibility of clearing new land gave each family head the possibility of creating a landed domain proportional to his ambitions and to the labor potential available to him'. Now, 'no reserve of land remains . . . deliberate strategies of land concentration . . . by purchase . . . also by the manipulation of social relations . . . A new chapter in the history of peasant societies in Niger is beginning to be written . . .' (1988, 237–8).

Processes of commercialization and commodification of production are at play in other accounts of competition over land, too, from the boom years of the 1960s and 1970s to the subsequent economic stringencies due to the OPEC price hike, indebtedness, structural adjustment programmes and the liberalization of 'global' processes of agribusiness and resource exploitation. The intensification of production and increased reliance on the market for inputs and for many basic necessities have led to competition over land and labour revealed in increased transfers of land through rentals and sales, divisions within families following stress lines of generations and gender, and increasing social stratification. Bassett related the 'further fragmentation of village land [among Senufo in the Ivory Coast] . . . coinciding with the continuing individuation of production units at the conjugal household level' to 'the development of commodity relations through the intensification of cotton cultivation' (1993b, 143). Similarly, the increased skewing in access to valuable grazing land in Botswana occurred through the interaction between increasing commodification of livestock and state-led programmes enabling better-off and politically well-connected cattle owners to obtain highly valued and valuable boreholes (deep wells) that, in turn, facilitated improved access to a larger area of dry-land grazing (Peters 1984, 1994). Under both the colonial Protectorate and independent government, the ability of elites at national and local levels to gain preferential access to material and symbolic resources was critical. Their influence over the definitions of 'communal' tenure and 'progressive' enterprise in debates with the colonial administration during the 1930s facilitated the initiation of the borehole programme. Then, in the 1980s, a land reform programme pushed through by the national political elite enabled many to obtain private control of large areas of formerly common grazing lands, while the maintenance of the ideology of cattle ownership and 'communal' lands facilitated a slow but persistent narrowing in the definition of those with primary rights to those lands.

Amanor explicitly states that the label 'traditional' for land relations in Africa is a misnomer since they 'have evolved to reflect the commodification of land under export crop production and extractive industry' (1999, 129). His detailed

field research in Ghana reveals the inextricable connection across social action at local, national, regional and global levels. He stresses that 'the alienation of land by the state for agribusiness and large-scale capitalist agriculture cannot be separated from developments at the community level' and, in particular, that '[t]he alienation of this land usually occurs with the collaboration of political leaders at the community level' (Amanor 1999, 19). Through careful analyses of rural production in several areas where oil palm plantations, outgrower schemes, state forestry and small-scale family farming co-exist in tense relations, he describes 'a new process of commodification . . . taking place on lineage land arising from the insertion of agricultural modernisation in the form of new seeds and inputs', which produces tensions and divisions within and between families and lineages (1999, 140). He describes increased oil palm production through outgrower schemes but where 'many people have lost their land and . . . food has become scarce'; increased exports of timber from state reserves but deepening poverty among those whose land was taken by the state; 'processes of land scarcity, alienation of land through sale and the emergence of a sharecropping market . . . resulting from the commodification of agriculture and the emergence of large landholders who have been able to wrest family land away from lineage members' (1999, 131).

Unsurprisingly, some of the most intense competition and conflict over landed resources and patterns of exclusion are found in the most densely populated areas such as Rwanda and Burundi, where commentators have included land conflicts in the complex causes of 'ethnic' hostility and civil war, and in the Kenyan Highlands and Hausa areas of Northern Nigeria where land sales and landlessness have long been common. Even where overall population density may not be high, intense competition has developed over valued resources, such as wetlands and river valleys in semi-arid regions or in areas with a single annual rainy season. Many of these, dubbed 'key resources' by ecologists working in Southern Africa (Scoones 1996), are coming under intensified use, and generating increased social competition and conflict among farmers, and between agriculturalists and cattle-keepers (Gebre-Mariam 1994; Shipton 1994; Besteman and Cassanelli 1996, 12; Gengenbach 1998, 36; Woodhouse et al. 2000). Since rivers are important for fisheries as well as for riverine gardens, and riverbeds are also a source for the gravel and sand used in the increased construction associated with growth in urban and peri-urban areas, competition also develops among quite different uses and differently placed users (Peters, current research in Malawi).

The role of the state attracts the attention of many researchers on land. From the colonial to the postcolonial regimes, state intervention into 'customary' systems has tended to be heavy-handed and overly centralized. Recent research in the Mazude district of Mozambique, for example, reports the residents' view that, according to the 'old ways', male elders did not reallocate a field without consulting its latest users, whereas the Land Commission now merely takes the land and reassigns it (Gengenbach 1998, 28). This led villagers to consider 'tenure on Land Commission-given fields as much less secure than on fields secured through customary channels' (Gengenbach 1998, 28). This recent case repeats the lessons

of the literature (noted above) that has documented the negative effects of titling and registration by African governments.

At the same time, some authors warn against exaggerating the influence of African states over land tenure. Sally Moore, reflecting 'on the incapacities of the state' in Africa, argues that 'programmes to create equitable redistributions of property have been frustrated', pointing out how the 'seemingly trivial actions of individuals can demolish state policy', and stressing the cumulative effect of 'actions on the small scale' (1998, 33–4) – the capacity of the 'ordinary' person to ignore, avoid, manipulate or subvert government rules can be large. Sara Berry also has warned about attributing too much determining power to state policy and legislation in colonial and postcolonial regimes (1993). Terence Ranger, rethinking his earlier work on 'inventing' tradition where he was considered to have sidelined social contestation, concludes that: 'And, no doubt, in this era of the assertion of civil society, we shall discover yet again that state invention is surpassed, transformed and often thwarted by the imagination of those in what Moore calls "the domain of local autonomy"' (1993, 107).

Here we have a familiar debate about how to avoid the Scylla of over-emphasizing the hegemony of institutions or ideas and the Charybdis of over-celebrating the agency or initiative of subordinate groups. One may well agree that state action does not determine outcomes, that a multitude of 'small acts' can subvert or refashion the promulgations and acts of the mighty, and that the relative autonomy of institutional arenas facilitates renegotiation of social claims and responsibilities. But one must also pay attention to the fact that small acts and even large-scale responses are as often swept away by powerful agencies (as in the villagization schemes of the Tanzanian Ujamaa policy). As Sally Moore points out, 'the domain of local autonomy is not large' and while her story has more examples of the Chagga people's success in ensuring that their domain was 'insulated from external interference' (1986, 319), many other stories out of Africa reveal the ability of the powerful to overcome even moderate local autonomy (cf. Amanor 1999, 44). The interventions of states in African rural societies may not be 'hegemonic', but the degree to which their 'intrusive' acts (Berry 1993, 101) influence the patterns of access to and use of land needs to be a question rather than a conclusion that they have limited effect. Rejecting an assumption about the efficacy of state power should not be taken to mean that state actions are inconsequential. Clearly, the colonial and postcolonial governments have had profound effects on both the conditions under which customary and other claims and rights are defined and fought over, and on the framing of those claims and rights. Moreover, even with the relative autonomy of some institutional arenas, certain people have more influence over the processes and outcomes than others. The studies reviewed here show us that while state programmes may be thwarted at times, they also have displaced people, undermined the ability of local groups to obtain a livelihood from landed resources and frequently provide the means for considerable appropriation of land by a small elite. We need to remember one of Sara Berry's less quoted conclusions that governments 'have joined the ranks of the exploiters' (1988, 56).

One example among several where taking up Berry's notion of 'intrusive' state action seems to obscure more serious effects is in Pitcher's (1998) fascinating research on how 'land struggles have proliferated' in Mozambique since 1975. Her calling the activities of governments and concessionary companies 'a series of "inconclusive encounters" characterized by disruption rather than transformation, intrusion rather than hegemony' (1998, 139) does not sit well with her detailed description of major dislocations in people's lives, considerable forced movements and loss of livelihoods, not to speak of lives. Similarly, her notions of 'inconclusive encounters' and 'a fluid and dynamic process' are at odds with her description of a retrenchment of old elites and of their ability to closely ally with and even to produce the new elite, and of the reinforced social differentiation leading to rural people having a pervasive 'fear of loss of land and loss of income in the face of huge land grants to investors and government officials' (1998, 140). I imagine that Pitcher wishes to pay homage to the agency of Mozambican peasants. In pointing to the pluck and creativity of people in the face of multiple dislocations, she makes clear that the peasants are not mere puppets pulled by the strings of powerful forces or agents. But the picture painted so well by Pitcher – the reproduction and retrenchment of privilege at the cost of others and the imposition of new burdens on people who nevertheless still manage to preserve something out of the unequal struggle – surely deserves more apt interpretive frames than inconclusiveness and fluidity!

A related, though different, issue to that of the role of the state as actor is the degree to which the bureaucracies and procedures of the state are used by certain persons for their own benefit. This happens at all levels. Echoing Raynaut's point that land has become an object of interest and accumulation to elites at all levels, Mitzi Goheen described increasing disputes among people in Northwest Cameroon 'trying to hold on to as much land as possible', and elders explaining that they were not able to resolve disputes as in the past when land was 'not so difficult' to obtain (1992, 400; cf. Goheen 1988, 1996). Population had increased fourfold in the Nso chiefdom since the 1950s, but the critical element in the land conflicts was that there has been 'a shift in the nature of productive relationships and the social relations of land tenure . . . land has become a form of accumulation as well as a means of subsistence'. This is particularly so for the local elites who seek to 'acquire large tracts of land under individual title', a process facilitated by the 1974 land ordinance and by the links between local elites and national politics (1992, 391). Between 1988 and her return in 1992, Goheen found that disputes had intensified among the chiefs and that land was being sold for 'substantial amounts of money' to absentee owners (1992, 406).

Similarly, Southgate and Hulme point out that, while commoditization of production is a central element in the growing social inequality in access to land they describe for the Kenyan Maasai, a critical contributing factor is 'the capacity of the patron-client chains that link the national elite to the local level to gain control over resources that offer opportunities for accumulation' (2000, 112). Here, one must understand 'accumulation' to refer not merely to the material

benefits of landed resources but to the 'symbolic capital' that links, for example, political authority with control over land and patronage (Goheen 1992). Critical to the construction and maintenance of these 'chains' of patronage is access to state structures and procedures, including land policy 'reforms' of customary tenure. Paul Francis showed the ability of political and civil elites in Oyo State in South-western Nigeria to benefit disproportionately from the 1978 Land Use Decree by manipulating the allocation committees. He noted the 'irony' of legislation designed to eradicate irrational custom in fact producing a patronage-based mode of acquisition that threatened to abolish precisely the 'private property' quality of so-called customary tenure (1984, 24). Also for Oyo State, Donald Williams described 'chronically imbalanced' benefits of the Land Use Decree in the pattern of competitive appropriation of land in urban and peri-urban areas (1992, 598). He also cited Koehn (1983), who concluded that the Land Use Decree 'protects and enhances the common class and political interests of the managerial bourgeoisie' at the expense of 'the rural and urban labouring classes' (1992, 599).

Williams limits the unequal benefits of the state Decree to urban land, saying he agreed with Francis (1984) that most 'undeveloped rural land' remains under the authority of family heads and titled chiefs who largely operate outside the control of the state (1992, 593). He attributed this to the continuing power of customary tenure in the rural areas. As examples, he quoted a report on the difficulties experienced by General Obasanjo in controlling the farm of over 5000 ha that he had obtained in Ogun State. He cited a *Newsweek* report for 14 August 1989, which reported Obasanjo as explaining that 'local customs and tradition still hold sway in many communities despite the Land Use Decree, and it still takes tedious and protracted negotiation for individuals and corporate bodies to get large tracts of land . . . I had to wade through a barrier of litigations, and threats of it, to finally hold on to this big farm in Ota. And last year, I lost some of the land I acquired' (Williams 1992, 597). Williams also gave the case of Brigadier Rotimi, a retired military governor, who lost the 4000 acres of farmland acquired for less than 2000 naira in Western Oyo State because of a case brought by some families asserting he had not obtained the necessary approval of the resident communities. He lost possession of the land 'primarily because of a failure to execute the transaction in accordance with local customary law' (p. 598, referring to a report in the *Nigerian Tribune* for 10 October 1978).

These two cases, involving highly placed national figures, do, indeed, indicate the ability of some 'local' groups to resist appropriation, and remind us of the caution noted by Swindell and Mamman (1990), among others, that the ability of politically well-connected people to obtain huge farms is contingent in African countries on usually volatile political connections. Yet, in reading about the other examples of large farms established by members of the elite referred to in the same *Newsweek* article from which Williams quotes Obasanjo, one is struck by the evidence of the ability of the rich and powerful to gain access to huge areas as well as the cases where they are not able to hold onto (all) the

land.¹⁵ Additionally, however, there is not a simple opposition between 'local' and 'national' actors as the research by Amanor in Ghana (1999, 2001) reveals. Although high profile appropriations are not absent from the areas he studied, the more pervasive conditions in which social conflict over land is increasing are those processes identified for other parts of Africa: commodification of production, reduced ability to acquire required inputs and basic necessities and class differentiation. In these conditions, persons with authority over land such as lineage heads and chiefs are by no means immune from the state and its representatives, or from taking advantage of opportunities to alienate land to their own advantage. Thus, the comment by Williams implying all is well with rural land as it remains under the control of family heads and chiefs misrepresents much of what is going on.

The ways in which local, national and international processes intersect in deepening social inequality in access to valued land have been made clear by research in the fertile Jubba valley in southern Somalia. Detailed historical and social research conducted there has shown 'how local struggles for resources became increasingly intertwined with national and international ones' (Besteman and Cassanelli 1996, x). The analytical challenge engaged by the researchers was to displace the simplistic notion that the tragic civil strife in Somalia was the product of ethnic and clan rivalries. While the 'conflict over rural land in Southern Somalia intensified during the period of armed anarchy that followed the ouster of . . . Barre in 1991', the authors insist that conflict 'was rooted in earlier processes of land occupation and expropriation by the Somali state and its governing elites, as well as in large-scale demographic shifts and changing market conditions' (1996, ix). In particular, the Land Law of 1975 enabled 'those with privileged access to the mechanisms of registration' to obtain titles to land that had been used for generations by local farmers (1996, 11–12). Catherine Besteman's masterly book and earlier papers (1994, 1996) richly document these processes in the Central Jubba valley. She shows that while the society in which the small-holder farmers lived was far from egalitarian – it was slave-based and ridden by patronage – the area's economic and political marginality led to its benign neglect for many years. The customary practices of landholding in the villages were very inclusive in a context of high agricultural risk, simple technology and little socio-economic differentiation among local farmers. Beyond the area, however, there developed a 'mercantile-state elite class', particularly during the 1960s when there was a huge influx of foreign aid and again after the late 1970s (after Barre's 'scientific socialist' regime fell). The latter period has been described as generating 'frenzied . . . private profiteering from government resources' (Samatar and Samatar 1987, 684, cited by Besteman 1999, 200). Within this context, the sweeping Land Law of 1975 and amendments over the following decade 'set

¹⁵ Williams (1992) quotes the *Newsweek* article as referring to a former Chief of Staff with 8000 ha in Katsina and Kaduna states, a former permanent secretary with 639 ha in Gongola state, an ex-minister of transport with 500 ha in Oyo state, as well as Obansanjo's more than 5000 ha in Ogun state (p. 597).

the terms of state domination over land tenure and land use . . . and heralded the end of Gosha villagers' autonomy, self-sufficiency, and productivity, and the beginning of unbridled and unproductive expropriation of Jubba valley land' (1999, 206). The subsequent manipulation of the titling process facilitated extensive expropriation, ending by the late 1980s (when Besteman did her research) with 'every single cultivated or bush farm used by every single family in Loc . . . legally held by someone else' (1999, 213). Most of these new title-holders (most of whom were not from the local area) were less interested in land for cultivation as for speculation, telling Besteman that they saw the titled land as a 'potentially valuable investment' (1999, 219). She describes them as 'increasingly powerful regional 'big men' who followed the example of national elites in laying claim to the land of the people whom they were entrusted to protect and represent' (1999, 217). This sad story did not end there. Besteman's book ends with references from the early 1990s that portrayed intensified violence over land control in the Jubba valley as different militias competed for political superiority. Again, she emphasizes that this is not an unhappy accident of civil strife but a central outcome of political-economic and social processes:

The transformation of Jubba valley space in the context of state-making, nation-building, and donor-financed 'economic development' directly contributed to murderous militia activity, environmental destruction, and the virtual annihilation of agricultural productivity in the very area targeted to provide for Somalia's future. (Besteman 1999, 215)

This conclusion has been echoed many times in the literature reviewed briefly in the previous section, linking civil disorder and wars within Africa both to internalized political and economic struggles and to international development aid, transnational networks and global events. Similar dynamics are seen in post-war Mozambique, where numerous authors have reported escalating land disputes through the 1990s into this century. Gregory Myers cites reports by many organizations working in Mozambique (including CARE-Mozambique, Food for the Hungry International, World Lutheran Federation, OXFAM, World Vision, UNHCR, as well as Mozambican church groups) that observe 'numerous cases of land grabbing and disputes' in the sites where they work. He also quotes the National General Union for Cooperatives as stating that, 'we have very serious problems with high-ranking government officials in Maputo Province over land' who 'were responsible for several of the worst land disputes', and a representative of the Mozambican NGO, Kulima, as saying 'that large joint-venture enterprises were, with government complicity, taking land from small-holder farmers' (Myers 1994, 604–5; cf. West and Myers 1996; Amanor 1999, 2001; Hardin 2002).

The granting of large concessions for agricultural production, hunting reserves, grazing, forestry and timber exploitation, tourism and mineral exploitation, is particularly at issue in this pattern of land appropriation and social conflict. As of May 1994, Myers says a very rough estimate is that 40 million hectares of land have been granted in such concessions or 'sold' to private commercial enterprises

(1994, 609). This would account for over half of Mozambique's land area (1994, 610). This is a 'rough' estimate because not all concessions are reported and the 'lack of transparency' in granting procedures also entails overlap in boundaries and even in some areas being granted more than once!¹⁶ Officially, such concessions are supposed either to be of unoccupied land or, if it is deemed necessary to remove some occupants, to provide compensation for those removed. Nevertheless, there are numerous reports of both regulations being flouted. The outcomes are widespread complaints and conflicts over land grabbing by government officials and their enabling non-local commercial farmers and others to obtain land that is claimed by peasants. Myers adds that such actions appear to occur 'as if the current government is "temporary" or in "transition"' (1994, 613).¹⁷

Another aspect of the social conflict over land in Mozambique is that the disruptions of civil war have led to people moving from place to place as well as being moved to resettlement areas, all of which have resulted in complex layers of competing claims to land (Myers 1994, 614). This lack of a clearly established claim by particular groups presumably also facilitates the claims of powerful people to large tracts in the name of agricultural and national development (1994, 612), in the same way as the former state farms have been claimed by commercial interests and government officials in their private capacity (1994, 609).¹⁸

Another process central to the social competition and conflict over land is that centred on conservation and 'sustainable' use. We have already seen from research cited that colonial and postcolonial governments' demarcation of parks and reserves has displaced rural groups, causing both short-term disruption and long-term ramifications. The influence of environmentalism in development in Africa since the 1980s has produced renewed state efforts to demarcate conservation areas as well as its apparent opposite, community-based natural resource management. Variants of the latter have developed in the form of game-based tourism and ecotourism, many as public-private or community-private ventures. Some of these have had positive outcomes for local groups' land claims and/or for their income, such as some of the CAMPFIRE projects in Zimbabwe. Others, however, including some of the CAMPFIRE projects, have had the result of shifting costs to local 'communities' and extending the reach of the state bureaucracies rather than giving more rights and freedom in resource use to local

¹⁶ In the Limpopo valley, the Ministry of Agriculture and the Gaza office of DINAGECA have granted concessions of about 170,000 ha in the same area. The Ministry of Agriculture has also granted a hunting concession of about 100,000 ha and the Ministry of Mineral Resources granted concessions totalling about 4000 ha – all of them in the same valley (Myers 1994, note 39). He also quotes statements made at the Second National Land Conference by smallholder farmers from Homoine, Inhambane province, that their lands had been distributed to others three times: once to ex-combatants, once to displaced people in the civil war, and now to new private interests (Myers 1994, note 40).

¹⁷ Also see: 'Since structural adjustment began . . . in 1987, the chaotic alienation of land, including land grabbing and speculation, have grown dramatically' (West and Myers 1996, 29).

¹⁸ A situation found in other African countries as well as described for Russia and other former Soviet countries where imposed privatization policies have had the same result (Stark 1990; Humphrey 1999).

groups (Hoben et al. 1998; Schroeder 1999a; Ribot 1999; Alexander and McGregor 2001; Hammar 2001; Schafer and Bell 2002).

In light of the intensifying competition over land and landed resources across Africa, it is not surprising that new schemes to promote environmental protection along with benefits to locals have themselves become new resources over which groups compete. A government plan for an ecotourism project on the Wild Coast of the Eastern Cape in South Africa, intended to attract foreign investment as well as to benefit local people, led to 'major conflicts centred on resource tenure', over the definition of the 'community' which designated the local beneficiaries and over legitimate claims to ownership of the land identified (Kepe et al. 2001). In Cameroon, different groups with competing interests in forests supposed to be regulated by a community-based management project have turned the project into a battleground (Sharpe 1998). Small-scale timber extractors want the current landholders to maintain stands of maturing trees, whereas the holders see greater immediate value in selling the partly cleared land to incoming farmers, who include retired civil servants and other formerly salaried people. Disputes and litigation setting the landholders against incoming farmers, some of whom are originally from the area, some not, are on the increase. At present, the game-rich areas of countries in southern Africa are awash in such conflicts. Not only do many ecotourist projects fail to devolve the income from tourists to 'locals', but they set various locals against one another and these against various outsiders in the struggles over claims to land. In Zimbabwe, researchers have been told by residents that they have been moved in favour of game animals: 'You have moved us to let your wildlife in' (Hughes 2001, citing Madzudzo 1996), and that such projects are 'ransoming everything that we have. First it was the animals . . . Now it is the land' (Hughes 2001, citing Dzingirai 1995, 7).

All these cases reveal the mutual imbrication of local-level politics and social change with national and international political-economic processes. None of these 'levels' or any intermediate one (district, region, 'meso') is determinative. While the evidence of uneven appropriation by local and national elites, some in collaboration with transnational networks, seems overwhelming at times, detailed field research reveals political action by groups that gives the lie to an overly deterministic interpretation of 'rent-seeking' elites or a 'new barbarism' à la Kaplan. The research by Jacqueline Klopp on Kenya is instructive.

Klopp says that 'deepening corruption around land allocations' (2000, 8) in Kenya has not attracted the attention of political scientists as much as is warranted, given that reports of 'land-grabbing' and 'resistance . . . are daily occurrences in Kenyan newspapers (2000, 18). She attributes this relative silence to theoretical orientations either towards 'transitions' and a focus on 'the formal level . . . largely to the exclusion of informal maneuvering . . .', or towards 'neo-patrimonialism' that views "'corruption" as par for the course and marginalize[s] resistance' (2000, 8). She shows widespread political resistance to the many cases of 'grabbing' public lands by politically high persons or their clients. Resistance takes the form of demonstrations, court cases, complaints to

political leaders, sabotage and violence. These reveal, she argues, not complicity with neo-patrimonial 'politics of the belly' and a philosophy of every man for himself but a political effort to sustain a public domain. The political actions she describes are not all coordinated and are carried out by a heterogeneous range of people. Some are highly localized, with people defending particular plots of land threatened by the powerful. Some are the product of organization that crosscuts types of persons and that acts in terms of a non-privileged, non-elite category, sometimes referred to as '*wananchi*' or 'citizens', sometimes 'squatters' (those without legal rights), being oppressed by privileged elites or 'local tycoons'. There is also emerging 'a small group of organizations . . . to assist the struggle to preserve public property' (2000, 20).

While some of the oppositional rhetoric of these Kenyan groups harks back to anti-colonialism (with complaints about '*bado ukoloni*' 'still a colony' and '*bado uhuru*' 'not yet freedom' [2000, 22]), some, too, invokes newer social divisions and claims that resemble the moral debates of class formation ('citizens', 'squatters', 'slum dwellers' versus 'grabbers', 'tycoons', 'corrupt and greedy'). Other studies that document the escalating use of courts in conflicts over land (and other property) can persuasively be related to similar social strains related to the intensification of social differentiation. Michael Sheridan (2000) describes chronic litigation in Northeastern Tanzania, and the excessive use of ward courts for 'minor complaints', with plaintiffs often spending more on their costs than the value of the subject of dispute (one example is of protracted dispute over a duck). People were aware of this and explained it to him in terms of a mode of social conflict: 'We used to use weapons, magical defences, and elaborate underground bunkers, but now we use words' to fight (2000, 17).

Jens Andersson describes similarly pervasive recourse to local courts in Save Communal Area, Zimbabwe, and, again echoing Sheridan on Tanzania, says: 'Land conflicts are not profitable for the litigants . . . nor . . . do land cases usually result in lasting settlements' (1999, 556). Jan Kees van Donge presents similar descriptions of local litigation over land for Tanzania and Malawi. He tells how, in Mgeta, Tanzania, there were numerous quarrels about land and a considerable use of local courts. He wondered why this was so when the cases did 'not lead to binding decisions which clarify future decisions', and when people reported that the more usual outcome was 'the depletion of the resources of all parties involved' (1993, 197). People laid out 'staggering amounts' of resources to pursue cases even as they saw that 'in the end, everybody is worse off' (1993, 210). In Nazombe, Southern Malawi, van Donge documents a similar situation of conflicts over land and high 'costs of litigation' in local courts, as well as people saying they 'deplored . . . the waste of energy and money in land conflicts' (1999, 49).

Andersson and van Donge both relate the reported increase in recourse to courts as closely related to 'leadership conflicts'. If one relates these cases to the others reviewed, the overwhelming impression is of social turmoil over deepening social differentiation, particularly with regard to land and landed resources but also, necessarily, to questions of legitimate authority within and between key

social units of families, lineages, villages, 'ethnic groups' and so forth. As Amanor reminds us, the 'structures of inequality' being documented between generations, genders and communities have to be placed within 'wider processes of commodification of agriculture and social differentiation' (1999, 20).

A key socio-cultural dynamic of differentiation emerging from case studies turns on divisions within significant social units – family, lineage, village, 'tribe' or ethnically defined group. This can be seen as a process of *narrowing in the definition of belonging*. Social conflict over land takes the form of stricter definitions of those who have legitimate claims to resources, or, in other words, group boundaries are more exclusively defined. This has been documented for Northern Ivory Coast (Bassett 1993b, 142–3), Botswana (Peters 1994), Ethiopia (Lastarria-Cornhiel 1995), Zimbabwe (D. Moore 1993, 1998) and Ghana (Amanor 1999, 2001). The metaphors of difference include 'stranger' and 'squatter'. In Gokwe, northwestern Zimbabwe, families denied legitimate status as members of the landholding community are called 'squatters' by those claiming 'original' settlement. Gokwe had been a place, from about the 1950s, where people could go to find land, a 'frontier region of immigration and cash-cropping culture' (Worby 2001, 496). Over time, the waves of incoming settlers began to result in disputes over land, particularly grazing pastures. This was further exacerbated by a more recent decision by the local Council to establish a protected area in the name of conservation, which required evicting those already living there. In Malawi, too, losers in conflicts over land that seem to be leading to high rates of 'litigation' in local courts are defined either as strangers or as witches (that is, asocial beings; Van Donge 1999; cf. Peters 1997).

Sometimes, competition over land leads to efforts to exclude some users through various types of enclosure. For Zimbabwe, Louise Fortmann describes a 'growing practice of private individuals annexing parts of communal woodlands or grazing lands by enclosing them with a fence'. Unsurprisingly, such moves cause 'considerable . . . tension' among others who have been using the common resources (1995, 1056). Fortmann goes on to note that some villages 'may also take actions that interfere with individual tenure', and gives the example of 'one village [that] decided to establish rotational paddocks, pastures which are fenced and grazed according to a predetermined system. When this was done, individual farmers lost their arable plots and were allocated others' (1995, 1057). Although this second example is of a group (village) action rather than individual, both may be seen as enclosure: the first instance by an individual, the latter by a delimited group. Similarly, a study of 'wetlands in drylands' in four different countries in the mid 1990s revealed 'a discernible direction of social change towards greater commoditization and *de facto* [and] . . . *de jure* . . . "privatization" of land and water', a situation glossed as 'enclosure' (Woodhouse et al. 2000, 2).

This same study points to 'unevenness and contradictory effects' of these processes as well as the variation across cases (Woodhouse et al. 2000, 2), citing Samori (Mali) as supporting the proposition made by Berry that 'the strength of customary claims to land is the principal obstacle to the "enclosure" and concentration of landed property in rural Africa' (1993, 210). Moreover, boundaries,

physical and legal, do not automatically ensure exclusion where (some of) the excluded reject the legitimacy of the exclusion. Thus, the Malawian owners of small estates in the southern region try in vain to keep surrounding villagers on customary land from lopping branches from their trees. Even though the villagers do not reject the term 'theft' insisted on by the owners, they make a counter claim of rightful access to the forests on estate land based on the practices of former (white) owners as well as on claims of common kinship and residence (Walker and Peters 2001).

Elsewhere, the acts of people determined to use resources from which they have been formally excluded take on a closer resemblance to criminal acts. Nowadays, Nyambara says of northwestern Zimbabwe, 'conflicts over land have become ubiquitous' (2001, 539), and people are beset by accusations of witchcraft, threats and acts of violence, particularly against cattle, as well as pervasive theft of cotton by roaming 'gangs' of young men unable to get access to the land they want (cf. Hammar 2001). In Ghana, similar gangs of young men are 'night harvesters' of oil palm bunches from the Ghana Oil Palm Development Corporation. They are seen to be illicit by all but condoned by many because the land used by the Corporation was taken from local people, because the terms under which people work as outgrowers for the Corporation are found unsatisfactory and, critically, because young men are unable to participate in such schemes because they do not control land (Amanor 1999, 109).¹⁹

In addition to the types of social conflict described – mounting court disputes, illicit and semi-criminal acts of theft – research is documenting what some call 'informal formalisation' (Benjaminsen and Lund 2003). These entail more definite signs of new boundaries and new definitions of in/exclusion. While legal titles remain a minority in much of rural Africa, at least among smallholder families, there appears to be a trend towards developing 'informal' documents and other means of recording land transfers that depart from the oral methods prevalent among customary systems. Most of those so far described in published sources come from francophone countries, mostly in West Africa. Lavigne-Delville (2003) cites cases from several countries (Ivory Coast, Burkina Faso, Benin, Rwanda and the Comoros) where farmers are using signed documents or 'contracts' to record land transactions, particularly those considered 'unusual and illegitimate' in that they involve the transfer of lineage or communally held land for money. Lavigne-Delville compares his findings on 'informal formalisation' methods with those from other parts of West Africa where rural people have been described as following 'a strategy of keeping track in writing and piling up papers to safeguard acquired rights' (2003, 95), even though the particular purpose of these 'pieces of paper' is not entirely clear. He concludes his essay by asking rhetorically: 'More than a systematic titling process, is it not this type of state-led institutional innovation . . . legal recognition of "informal formalisation" procedures

¹⁹ These 'criminal' acts around access to and use of land and landed resources must surely remind one of the many documented for the English periods of land accumulation and enclosure by elites (Thompson 1975; cf. Hobsbawm 1969).

. . . that rural dwellers (or some of them at least) are really asking their governments to pursue?’ (2003, 104; cf. Platteau 2000).

Mathieu et al. also describe a range of new practices related to transfer of land for cash in rent or sale agreements in the cotton provinces of Burkina Faso, where ‘exchanging land for money, which was once unthinkable, is now becoming common practice’ (2003, 109). The most formal is a written record (*procès-verbal de palabre*) signed by the seller, buyer, customary authority and local administration officer. The researchers see this type of document as ‘a hybrid and legally organised procedure, at the interface between administrative procedures and custom’ (2003, 120–1). Other types include typed or hand-written documents recording the transaction but without mentioning such words as ‘sell’ or ‘buy’; some of these are signed by a local official. The least formal but still new practices involve ‘exaggerated’ public displays of ownership and of social exchange between transactors, which are intended to demonstrate ‘proofs’ of ownership that ‘will be convincing and justifiable in the face of future threats or challenges . . .’ (2003, 124). The authors see the rising value of land for market-oriented agriculture reflected in a ‘social demand for more individualised, precise and formalised land ownership rights’. But, they conclude, because ‘[t]he process of commoditisation and formalisation of land rights appears to be totally embedded in social relationships . . . [t]he changes in land transactions are . . . slow, quite dependent on local circumstances, contradictory, exclusionary (that is, there are winners and losers in the new transactions), complex and ambiguous’ (2003, 126).

These remarks echo, of course, those already cited from other authors who point to the variable, uneven and contradictory processes at play, as they also echo those emphasizing the flexibility and ambiguity of customary tenure systems. Nevertheless, the same studies also show new and/or intensified efforts to demarcate boundaries and to delimit the definition of those to be included as ‘owners’. In other words, they describe processes in which some people, some social categories, are being excluded from rightful claims to land. In these studies out of Africa, one cannot help being reminded of the long, slow and ambiguous process described by E. P. Thompson in his analysis of how the definition of those with rights to the English commons was increasingly narrowed from the mid-sixteenth to the eighteenth centuries: court cases came to define some customary rights as ‘too vague and uncertain’ while others, associated with property such as houses, were upheld (1993, 132).

CONCLUSION

Recent studies from many parts of Africa reveal not merely that relations around land are socially ‘embedded’ but that they are embedded in unequal social relationships. The pervasive pattern of most rural land lying under various types of ‘customary’, communal or collective holding – whether of chiefdom, village, clan or lineage – does indeed mean that many people continue to have some access to land for cultivation, wood and other uses. The lauded flexibility of customary

tenure, often in practice more resembling extended family tenure, remains an important asset to small-scale producers across the continent, and the rhetoric of trusteeship or guardianship ('for the living and the yet-to-be-born') retains truth for many places. At the same time, the proliferation of incidents of conflict over land cannot be ignored. The documentation of increasing competition and social conflict around land and landed resources across Africa belies the assumption that socially embedded systems of landholding and land use guarantee access, let alone equal access. Nor do the examples of social 'negotiation' around land and of fuzzy or ambiguous claims and counter-claims to the same lands gainsay other examples of fierce conflict and exclusionary processes.

In this paper, I have suggested that the surge of studies and other reports over the past decade or more that detail mounting social competition and conflict over land require a reorientation of research and analysis. The emphasis on the socially strategic uses of negotiability and ambiguity in relations over land has served well to undermine simple, economistic premises about the insecurity of all property that is not individually owned. Now, that emphasis has become a barrier to analysing the social relations of inequality surrounding land, and the desire to attend to agency, multiplicity and contingency obscures processes of inequality and social differentiation. So, too, while notions about the backwardness of customary tenure have mostly gone,²⁰ the new turn to seeing customary systems as either moving along an evolutionary path towards more individualized property or adapting flexibly to changing conditions ignores the significance of social differentiation and competition.

The proliferating tensions and struggles between generations and genders, or between groups labelled by region, ethnicity or religion, are intimately tied up with the dynamics of division and exclusion, alliance and inclusion that constitute class formation. The research shows that as land becomes a property or a commodity, so we see developing 'a very different sense of "belonging"' – from someone belonging to a place to a property belonging to someone; in short, a shift from inclusion to exclusion (Peters 1998, 360). As various authors remind us, class is not 'a static category, or a "thing", [but] a relationship, which is itself enmeshed with other relationships, such as those of race and gender' (Sylvain 2001, 725). Sylvain's analysis of 'baasskap' between Afrikaners and Ju/'hoansi in Namibia shows how the patriarchal relations between farm-owner and servant, between white patron and black dependant, 'shape class relations on [the] farms'. Amanor demonstrates a similar dynamic in his studies in Ghana (1999, 2001), where generation, gender and kinship relations intersect with the dynamics of commodification and linkages among national elites, state agents and international corporations to produce social formations that are riven with inequalities. Detailed analysis of the 'historical and cultural formation of [a particular] class system' (Sylvain 2001, 725) involves, then, a determined move away from

²⁰ There are some holdouts. Pierre Gourou (1991, 156) argues that 'communal tenure protects the individual from indigence. But it is an obstacle to technical progress [which in agriculture] cannot be realized outside of private and hereditary property' (cited in Bassett 1993a, 13).

notions of undifferentiated local 'communities' and 'social networks', a move brilliantly made by Gerald Sider (1986) in his analysis of Newfoundland petty commodity fisher families discussed earlier.

The socio-cultural dynamic around competition over land and its place in class formation must also be seen in relation to the fact emphasized by Catherine Besteman: 'Struggles over defining, controlling, using, and benefiting from the environment are . . . central to the projects of state-building and nation-making' (1999, 226). The research on competitive struggles over land and land-based resources clearly shows the critical roles of state agencies, members of elites and a national 'dominant class' (Moore 1991), persons able to use state bureaucracies and procedures for their own benefit, as well as the increasing importance of transnational networks linking nationally based agents with international corporations and foreign governments. These latter linkages are seen by some researchers to represent not only modes of accumulation but new types of governance in a volatile globalized world.

In sum, reports out of Africa show that the mounting social competition and conflict turning on land are part of processes that stretch from the most local to the most global. The challenge of linking 'small acts' to wider processes will be taken up differently by different researchers, depending on discipline, topic or site. Here, I have suggested that the stories so well told about inclusionary practices of land-use and about the ability of 'small acts' and small people to out-manoeuvre the powerful must be complemented and modified by stories of differentiation, displacement and exclusion.

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