## Archie Mafeje Research Institute for Social Policy (AMRI) College of Graduate Studies (CGS) UNISA

Investment on Land or Land Grabbing? Agricultural Development, Agricultural Production and Food Security in Africa.

A Proceedings Report of the SECOND PAN-AFRICAN ROUNDTABLE held at the African Institute for Economic Development and Planning/Nations Unies Institut Africain de Developpement Economique et de Planification (IDEP) United Nations, IDEP Conférence Hall, Dakar, Senegal 5-7 November 2014

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## Introduction

As follow-up to the First Pan-African Roundtable Dialogue on Land Reform, Land Grabbing and Agricultural Development in Africa in the 21st Century that took place in Addis Ababa, Ethiopia, from 17-18 June 2013, which coincided with the centenary of the notorious South African Native Land Act of 1913 that resulted in the dispossession of indigenous black people of South Africa and the jubilee of the Organization of African Unity formed in 1963, the Archie Mafeje Research Institute for Applied Social Policy (AMRI) organised a second Pan-African Roundtable Dialogue on Investment on Land or Land Grabbing? Agricultural Development, Agricultural Production and Food Security in Africa in Dakar, Senegal from 5-7 November 2014. AMRI collaborated with IDEP, United Nations, CODESRIA, Arab-Africa Research Centre (AARC), African Institute for Agrarian Studies (AIAS), Institute for Global Dialogue (IDG), Institute for African Renaissance Studies (IARS) and Thabo Mbeki African Leadership Institute (TMALI). This Roundtable brought together academics, policymakers and civil society activists. Four broad themes formed the basis of discussions during this second Roundtable Dialogue, namely: Reconceptualising the Land Question in 21st Century Africa; Economic Nationalism, Identity, Gender and Class in Land Struggles; Changing Land Policies and Land Reforms; and Agrarian Transformation and Food Security in Africa. The first theme on Reconceptualising the Land Question in Africa of the 21st Century called for a re-examination of the theory, concepts, and knowledge about land in Africa, taking into account the varied expressions of the land question, including indigenous African conceptions of land and land tenure, settlercolonial/apartheid legacies, as well as intersections of land with race and autochthony. Some of the suggested topics under this theme included contested definitions of 'investment' on land or land 'grabbing'; land, decolonising land and understanding the new scramble for African land among others.

The second theme on *Economic Nationalism, Identity, Gender and Class in Land Struggles* focused on examining the internal political economy dynamics and imperialist strategies over the control and use of land and related resources. Papers sought under this theme analysed land tenure systems and ownership patterns; examining the identity of those involved in land deals; decolonising land; mapping land concentration patterns; gender relations and land; conflicts over land; identity and citizenship; autochthony and ethno-regionalism, identifying the geo-politics of land commodification (commercialisation) and land grabbing and what kinds of land and resource movements have emerged over the last two decades.

The third theme on Changing Land Policies and Land Reforms (Redistributive and Tenure in Africa) called for an examination of the role of the state, state-society relations, and imperialism in creating the conditions conducive for the commodification and land grabbing in Africa. Papers on this theme focused on identifying the origins, interests and forces which have shaped land policies and laws, and their reform, and what effects and impacts these have had on society and development. Papers could also examine the effects of large-scale land grabbing (investments) on land policymaking and land reform, including critically examining new directions in 'international' norms and rulemaking around land, with specific attention being paid to African initiatives such as

the SADC facility and the AU land guidelines vis-à-vis external donor-driven initiatives (e.g. FAO guidelines; EU guidelines; World Bank Land Investment guidelines, and so on).

The fourth theme on Agrarian Transformation and Food Security in Africa and Regional Integration through Agrarian Transformation aimed at initiating efforts to broaden the current focus and orientation of debates on Africa's various agricultural 'deficits' (for example, focus on low productivity), by exploring the long-term historical and future of agrarian transformation, in the context of changing world markets and geo-political shifts. Papers could focus on the changing nature of and outcomes (success and failure) of African agricultural policies under different economic policy regimes, (dirigiste, SAPs, etc.). Policies to be examined could include agricultural trade; finance and subsidies; agricultural research and technology development, including GMOs). Papers could also address the changing nature of food and humanitarian aid, and its influences on agriculture and food policies, and donor-dependency, the expanded penetration and impacts of agribusiness monopolies (in African inputs, food and agricultural commodity markets), African agricultural policy and food security as well as an examination of agrarian change in the Global South and its implications for Africa. This theme also sought to examine the role and strategies of Pan-African integration through the transformation of agriculture and land relations, for example, to what extent trans-country investments are promoting mutually beneficial integration.

## Setting the Context

The Second Pan-African Roundtable Dialogue was officially opened by Professor Adebayo Olukoshi, Director of the United Nations-Africa Institute for Economic Development and Planning (UNIDEP) and Professor Sabelo Ndlovu-Gatsheni. Head of the AMRI, UNISA. Professor Olukoshi also acted as the programme director for this session. In his opening statement, Professor Olukoshi highlighted that this Roundtable was a continuation of the conversation that was initiated in 2013 in Addis Ababa, Ethiopia, regarding pertinent land issues on the continent. He noted that the African continent continues to experience dramatic changes particularly with regard to largescale investments in land. In many African countries, significant donor support for large-scale development in areas like irrigation was invested to boost agricultural production in the 1980s. Yet, in spite of these initiatives, the economies of many states continued to weaken through the 1990s. There are increasing pressures due to population expansion, migration and the processes of unequal distribution of wealth and a growing external and regional interest in Africa's natural resources that can undoubtedly be considered as the new scramble for the continent's resources. There are various concerns with regard to land in Africa, such as the lack/loss of competitiveness, a poorly organised productive sector, lack of necessary technology to assist farming and expedite manufacturing coupled with limited research needed to effectively exploit land resources, the disruption of the crop-livestock relationship that support the system of exchange that is often linked to cross-border economics, sustainability and survival. The question posed by Professor Olukoshi was what Africa's role in future will be with regard to its land resources. The content needs to be rethought and rearticulated as much of the policy that governments are forced to implement came about as a result of the demands placed upon them by Structural Adjustment Programmes (SAPs).

Often SAPs did not take traditional structures that sustained communities and regions for generations into account and instead the aim was to implement large-scale projects. Today, we are confronted with questions of dispossession and other factors such as deforestation and soil degradation that were resultant often from changing policies with regard to land management. This diminishes the potential for turnaround trends. Equally, there are concerns that are directly attributed to land policies such as low-level conflicts and issues of human security. Further concerns related to land and agricultural policies are how increasing populations of Africa will be fed. These current developments form part of an African narrative in the displacement and migration of populations. Questions posed by Professor Olukoshi served as an introduction to launch the debate on land developments in Africa and as an appropriate launch for the discussion papers.

**Professor Sabelo Ndlovu-Gatsheni,** Head of the Archie Mafeje Research Institute (AMRI), noted that land reform is one of the central themes that are researched by AMRI and it is also one of the institute's community engagement projects. Ndlovu-Gatsheni asserted that pursuing an African identity at the University of South Africa (UNISA) is in the service of humanity and it is a requirement to project unapologetically African knowledges and ideas just as the late Professor Archie Mafeje, whom AMRI is named after, did. AMRI's research mandate extends beyond the national to an African one.

Professor Ndlovu-Gatsheni highlighted that June 2013 marked 100 years of the passing of the Native Land Act [Act 27 of 1913] in South Africa. This Law was passed to ensure territorial segregation and to allocate fertile land (87%) of the country's land to whites only. This left the black indigenous population with only 13% of the available land. This was increased from the 7.3% originally located to them under the Union of 1910 and the Native Reserves Act of 1902. The remaining land was termed native reserves and could neither be bought nor sold. It belonged to the authority of the chief and it was communally-owned, therefore denying the black population access to it as an asset or to use as surety. The powers of chiefs were strengthened and gave them immense control over black 'tenants' who could not farm on arable white land but were reduced to share croppers and temporary labourers (Lahiff 2014). This Act facilitated easy labour for both mines and white farm owners who no longer had to compete with black farmers (Walker 2014).

Professor Ndlovu-Gatsheni also highlighted that the year 2013 marked the golden jubilee of the African Union (AU) (formed as the Organisation of African Unity on 25 May 1963 and changed to AU in 2001 to expedite the decolonisation process in Africa). It was in this context that AMRI took the initiative to internationally organise the first African land conference with IDEP, IGD, AIAS, TMALI and AARC in 2013. He argued that there seemed to be no consensus between discourses of the 'New Scramble for Africa' and those of 'Africa Rising' and that we (Africans) should take a leading role in reconceptualising the land issue and land reforms. Ndlovu-Gatsheni insisted that researchers need to be on the side of the dispossessed and ensure that their research contributes to a better understanding of the drivers of land grabbing or supposed investment and the topical issue of food production. He highlighted that there was still no consensus on whether to regard land deals as *land investment* or *land grabbing* since the First Roundtable dialogue in 2013 and hoped that the Second Roundtable will debate this further.

The next speaker was Professor Sam Moyo, Executive Director of the African Institute for Agrarian Studies (AIAS) and Editor-in-Chief of Agrarian South: Journal of Political Economy. Professor Moyo noted that back in 1975 when he first visited Dakar, the major question then and which still currently remains unanswered was what trajectory of economic transformation the continent ought to follow. The classic model such as the Von Thünen model was the first exploration into spatial economics, but like many European and North American models proposed for Africa, the question is whether these are relevant or even feasible in the continent. For example Von Thünen's model of agriculture operates on the following assumptions of the isolated state, with little topography and consistent arable land that is not subject to drought, floods, migration and pestilence (Hall 1966). Beyond these notions of agricultural land there is a need to think of environmental, social and political conditions as well as the structure of capital and the manner in which finance is articulated and its motivations. Pertinent questions need to be posed and one in particular is how we envision a trajectory for the development of agriculture in Africa. What are the mechanisms at play and what are the social forces of production that can transform the continent, domestic and regional markets? These were originally espoused as a colonial project, which prioritised a division of labour, markets and transformation of the continent. According to Professor Moyo, agrarian policy framework in Africa still encourages importation of food: food security theory versus the comparative advantage myth, leading to decades of deepening food imports. Professor Movo noted that these questions are not necessarily new, but it is important to note who is asking them and therefore who is conceptualising them. Agriculture remains Africa's biggest industry and therefore the largest employer. While other sectors prove to be successful, agriculture still accounts for nearly 40% of the gross domestic product (GDP) of African countries and the livelihoods of seven out of ten people (Masiyiwa 2013).

The perspectives provided are dependent on the literature, research and information available. Concepts and understandings of agriculture on the continent need to be (re)evaluated by researchers, scholars and those influencing and drafting policies. For Professor Moyo, there are greater concerns beyond the notion of Africa Rising. Which measurements are too general or useless to determine development and distribution in Africa? It has been argued that agrarian transformation can only occur where there are economies of scale and this is a project that has been pursued vigorously to various degrees. Part of the continent has experienced large-scale plantations (slave model of agrarian transformation) against the establishment of large-scale family farms by settlers. In a third wave of the scramble for Africa there is an extension of large-scale plantations, and farms (twenty out of forty countries) have moved towards establishing such farms.

Professor Moyo also noted that there is nascent domestic farming, seeking to practise commercial farming that is still primarily focusing on exportation or part of a national land-grabbing initiative. Land has not been grabbed throughout the continent because there is resistance from those using and occupying it. However, this standoff is not a fait accompli as the 1990s spawned policies that enabled land grabbing. It is often stated that Africa is for sale, or more conservatively considered as a destination for large-scale land investments focused primarily on finance, food and fuel. Africa is targeted because there are presumptions that African land is vacant, underutilised and available for commercial activity. There are private equity groups in Africa that are primarily focused on selling land to prospective large-scale investors/farming interests (Nunow 2011).

According to Professor Moyo, it is important to note that it is not only foreign investors who are seeking access to African land but often national governments too. To a certain extent, local authorities and even traditional leaders see an opportunity to profit off expropriating land (Hall 2011). Land that has been used by local communities for livestock grazing and food production is often expropriated and with minimal compensation, a move that has brought communities into confrontation with governments. Acquired land is often used for biofuel production rather than food production (Sulle and Nelson 2009). This is because policies implemented in Africa still emphasise food imports over national food security. Policy development over the last 25 years has resulted in increasing food imports. As a result, questions and objectives need to be reformulated, particularly for countries that are dependent on aid, on how to finance food imports. Arguments have been put forward that large-scale investment can meet these demands, but many large-scale land investments are more speculative (see Ruth Hall 2011). We are faced with the challenge of supporting transformation in terms of policy, but it is also important to ensure adequate food supply to the population. There is still large-scale malnutrition, and so the question is what model should be followed.

Professor Sam Moyo also noted that the year 2014 was regarded as a year of family farming (or perhaps the peasantry) so there is a counter-narrative; the practice of farming to produce a different way. This is a way to introduce a new wave of policies, a production model that includes more people who are able to feed themselves and their region. Such possibility exists and debate should be encouraged on the topic but it cannot, and should not, be answered by external agencies alone; rather we must give the weight to agencies to influence policies. We are still focused on poverty eradication rather than targeting transformation. There is a requirement to debate transformation especially with regard to unequal value chains, particularly the fixing of food prices through MNCs as if the continent cannot be organised to recreate the internal markets for inputs and production given the large markets being exploited.

**The next speaker was Shadrack Gutto,** founding Professor, Chair and Director of the Institute of African Renaissance Studies (UNISA). Professor Gutto opened his discussion with a reference to the First Roundtable on land that was held in Addis Ababa in 2013, which resulted in the publication of articles in the *International Journal of African Renaissance Studies: Multi-, Internat Transdisciplinary (IJARS)* in 2014. He argued that African communities need to participate in developments within their countries, and called for comprehensive land audits and tenancy rights; comprehensive audit of all foreign-owned companies in Africa; an audit of gender and race ownership of land in Africa, and best practices put forward with regard to land ownership. There must not only be a consensus in scholarship but also a connection with the ordinary citizens.

These points raise pertinent questions as to whether Africans do connect with the land or whether sovereign states have stolen the sovereignty of the people. Professor Gutto asked what citizenship actually meant. Have we reached a crisis in terms of conceptual clarification where citizenship is reduced to simply a piece of paper to demonstrate realistically (and therefore tangibly) that an individual, community and group have a legitimate place in a territory? Do the papers dictate the

emotion of belonging to the country and the relationship to the land? These are critical questions because we need to change the paradigms; currently it appears as if governments don't care about their populations and they have become facilitators for the exploiters of land (if they themselves as an entity are not guilty of such practice). When African governments are asked about the ownership of land they remain evasive; a practice that dates from the imperialist occupation. Chiefs/traditional leaders argued that land belongs to three generations; those currently alive, the dead and those yet to be born, that is, it belongs to ancestors, ourselves and to future generations. For Professor Gutto, this was the crux of understanding land ownership and usage in Africa. It is about bringing land back to the people. He also asked if citizens only owned land, and not other resources over and above land such as water sources and minerals. These too have become exclusive economic zones many miles away from the physical land of soil. Understanding the complexities of land must extend beyond ownership certificates and whether this practice can sustain owners and the future generations.

The Keynote Address was delivered by Professor Moustapha Sourang, President of the Commission Nationale de Réforme Foncière (CNRF), Senegal. Professor Sourang began by celebrating the intellectual dynamism of IDEP in hosting the second Roundtable on Land in Africa. He highlighted that he has been following land reform issues in both South Africa and its neighbouring Zimbabwe. On the Senegalese case, Professor Sourang noted that the 1964 legislation on National Domain had the legal consequence that left 95% of Senegalese land owned by the nation/state. The implications of this were that nobody was prepared to invest on state land, that is, on land that does not belong to them. Now in the economy, land is a priority resource, but the situation is difficult without land reform.

Since independence there has been a national Land Reform Commission in Senegal tasked with looking at all the decrees, injustices, excesses, and to propose solutions to remedy the land problems. As land didn't belong to anyone, Senegal has undertaken reforms that do not safeguard motivation and investments on land. The government had to identify the malfunction that hindered the rational use of land. The Commission had to promote solutions to rectify land issues. According to Professor Sourang, land in Africa is not only a cultural good but also an economic one; there is therefore a need for a clear political will on part of the government, but with a social balance to address imbalances. There is need for openness and to carry out land reform that will benefit the nationals of the country. At times, banks refuse to finance agriculture because of a lack of title deeds. The state at times finds itself between the hammer of donors and the nail of communities. Without access to land in rural areas, many simply leave the land for urban spaces. The first President of the country after independence wanted a balance between local and external interests. At the same time the state appeared uneasy when dealing with civil society and academics. What is needed is to take into account modern agriculture that makes farming sustainable. Donors want liberalisation because they want cash crops (export crops) that are not staple crops. An example to illustrate the complexities of the land usage is in Fanaye community where crops cultivated were not for human consumption/food security but rather to produce ethanol and sunflowers for export. This has resulted in strong local resistance to large-scale private sector operators and manufacturing conglomerates such as Senhuile/Senethanol, backed by Italian investors (IRIN 2014). These dramatic changes in the use of the land have resulted in food shortages in the region.

Initially, when the land commission was established, there was an attempt to determine the greatest concerns confronting the government. A balance had to be sought that did not harm farmers who had existed for centuries but who needed to modernise their methods to prevent land from being usurped. There was the desire that the land must be profitable and useful for all parties; farmers, government and the country. Administrators met with external donors to reach consensus and to explain that there was a domestic interest particularly from academics on investment and its impact on these farming communities. The Senegalese approach expressed willingness to reform the existing land system to avoid replicating the Latin America system – where the land was given to major companies and corporations that enriched these companies and left the indigenous population destitute, excluded and impoverished. Rather than promoting agribusiness there was a concerted effort to protect the agricultural economy. The land administration relented but the legal aspect remained and the challenge was to devise a tenure system that would satisfy the farmers, investors and banks (the three entities). Surveys indicated that the traditional farmers are not against changes or averse to investors but their constant concern was the fear of losing the land that belonged to them and their ancestors.

Professor Sourang noted that local governments are required to clarify contractual obligations to any investors (local or foreign), including social investment, technological transfer and how domestic farmers should benefit. Farmers supported this initiative as they did not want to be dispossessed of their land as there have been such developments. Investors attempted to keep the land by expelling the farmers. Professor Sourang noted that Senegal did not wish to replicate the Zimbabwean type of land reforms and similarly, the government wanted to avoid such negative experiences. The development of family farms with return of the leased land to the communities (after 50 years), so that they can decide whether those who benefited in using the land can again be lease recipients or not. It is acknowledged that land reform requires monitoring and that is why an Observatory was required to monitor on behalf of civil society and governments to sound alerts if community rights were violated and also for communities to receive royalties. Reports will be made regularly and affected communities can respond to the Observatory.

Professor Sourang asked how the government can build the capacity of local farmers; what the conditions are for title and how a cultural dimension can be introduced. Many communities don't know the empirical land mass; there is mere speculation using sight and therefore it is best that delimitations and controls be ascertained with modern tools. The government cannot carry out beneficial and substantial land reform if the communities did not know the extent of their land. In many local communities farmers are trained to use GPS to identify the parameters of their plot. This helps in terms of paper ownership where localised leaders have a reputation of absconding with paperwork and possibly land titles.

According to Professor Sourang, another aspect to consider in land reforms is the position of women and youth. In African countries farming is patriarchal; women just plant or till land and are not considered recipients and therefore beneficiaries to the land. However, women advocacy groups insist that the government must recognise the contributions made by women and so grant

them access to land ownership and usage, which they are entitled to. The government in Senegal should provide women with the opportunity to apply for access to land on an equal basis as men. Professor Sourang argued that in a patriarchal society, it is assumed by many men that they are the sole head of the family and therefore in times of divorce it is a popular expectation that woman must renege on the use of the land that by 'birthright' belongs to her husband. Men assumed, through cultural practices, that they have right of ownership over all women. To combat this patriarchal mindset there is a need to educate as well, to reform certain practices. The suggestion is for women to provide the education and modern concepts to children. In Africa, it is women that process and market crops and financial investments in the family are attributed directly to women. The trend is that farming women financially oversee the social and educational wellbeing of their children. In defence of their role in society, women have sought access to land and particularly land ownership. The result has been an increase in rice production from 7% to 27% so their incorporation into 'official' farming is pertinent to combating food shortages.

Professor Sourang noted that women, and particularly the youth, are being informed of their rights through domestic and external donors. Women can fill the void left by the diaspora. Rather than investing in individuals who often leave for Europe it is better to consider group investment that can propel development forward. Ultimately the land must remain with the concept of past, present and future and there must be dialogue; farmers and pastoralists; broad-based dialogue and inputs from all parties taken into account and given equal weighting. There should be no anonymous parties. Land reform must be inclusive, gradual and pro-women and pro-youth; and it must be friendly to all parties.

#### Discussion

**Professor Olukoshi** noted that SAPs brought about second generation land reforms and we are now looking at third generation reforms. How do we respond to concerns in our societies? Would there be buy-in and support for investment into land that can be used by external and domestic interests, but ownership lay elsewhere with the people? There are various forms of user rights and access to resources and it contrasts with the approach of seeking and affirming title deeds that were at the centre of SAPs objectives. The centrality of land as a cultural and material asset along with empowering women will propel land development, access to land for more participants and increase the feasibility of combating food shortages for the growing populations. There is a need to reinterpret the social relationships between men and women; rather than viewing women as merely being managers of households, they must also benefit from their labour. It cannot simply be a position of finality that men are owners and heads of the households with minimal input. In many countries, 70% of the population is youth and rather than considering ways to contribute to the country, they opt to emigrate, resulting in a crisis of development. There are a range of issues that strike at the heart of this matter and the work done by Professor Sourang's commission.

# Reconceptualising the Land Question in Africa in the 21st Century

The first plenary session was chaired by Professor Wendy Isaacs-Martin of the Archie Mafeje Research Institute. Speakers in this session included Dr Oussouby Touré and Dr Cheikh Oumar, Dr Kenneth Tafira and Professor Sabelo Ndlovu-Gatsheni and Mr Abrahim Sabir.

The first presenters in this panel were **Dr Oussouby Touré and Dr Cheikh Oumar** whose paper was entitled *Large-Scale Land Rights Acquisitions and Agricultural Investments in Senegal – Some Points of Consideration and Concern.* They argued that the last decade has been *defined* by transactions affecting land, an increase in population growth, a dramatic decline in the production of food and a drop in food stocks that has the potential to fuel a food crisis. All this was exacerbated by the financial crisis of 2008. Land is thus a strategic asset and Africa is experiencing land acquisition for the following reasons: the availability of what is perceived to be available and underutilised land, water resources, an abundance of cheap and unskilled/semi-skilled labour and enabling fiscal tariffs. Of concern is that many of the transactions involving land are not made public. The ownership and usage of large tracts of land remain unknown.

Dr Touré and Dr Oumar argued that the concept of climate change, amongst other concerns, as well as the pressure of access to the resources, increase conflict within regions – the possibility of low-level conflicts to escalate due to unresolved grievances or perceptions of exclusion and favouritism. The policies regarding access to land remain unclear and the question they posed is what the purpose of government adopting pro-agribusiness approaches is. What is the purpose of giving land to investors and do they (investors) fulfil the required mandate? There is a strong impact on the land axis and this is evident in the manner in which land is purchased particularly around the urban areas and then speculated upon. There does not appear to be any intention toward development other than to command higher prices and the rewards to a small group.

Dr Touré and Dr Oumar noted that water is amongst one of the hidden aspects to land acquisition. Schemes that can often disrupt the traditional farming methods are not investigated and this has the potential to erode the pastoral systems on these lands. Without viable success in farming there is little opportunity for sustainability and people may be forced off the land to find alternative sustainability. According to the available statistics, 60% of those who acquire land (or land grabbers) are part of the domestic elite – and this draws alarming parallels to developments in Latin America. Elites in West Africa include religious groups, those who are politically connected and politically aligned families. Perhaps this is indicative of levels of corruption within the political environment but equally it demonstrates that certain public officials can be coerced.

Due to these developments within the political arena and the difficulty in accessing information, Dr Touré and Dr Oumar argued that it is difficult to assess the true extent of the social impact of land usage by interested parties. Often women, where claims are made of their inclusion and

rights of access, are deliberately targeted and expelled from the land. This is further complicated by the dichotomy of land access and usage. On the one hand there is the ownership of the land but on the other there is the financial interest of agribusiness. Often interests in land are for different reasons, but the emphasis is placed on land exploitation for maximum profit that might not be in the interests of the community. Crops are planted that have no bearing on food production but instead are for cash crops, biofuel and exportation. There needs to be a conscientious attempt at changing the manner in which land is used. Land reform should inform so that policymakers and academics can assist in amending laws for the benefit of all participants. Dr Touré and Dr Oumar argued that in fact, we need effective policies before we can speak of land reform.

The next presenters in this session were **Dr Kenneth Tafira and Professor Sabelo Ndlovu-Gatsheni** who presented a paper entitled *Beyond Coloniality of Markets: Exploring the Neglected Dimensions of the Land Question from Endogenous African Epistemological Perspectives.* Dr Tafira and Professor Ndlovu-Gatsheni argued that in the global context, land is viewed simply as a commodity that has little intrinsic value beyond a universal interpretation of capitalism; that it is to be exploited for income/profit generating. The accepted interpretation of land is problematic in the African sense as it ignores the cosmological aspects of the cultural, the social and the spiritual uses of land.

Dr Tafira and Professor Ndlovu-Gatsheni noted that the understanding of land as a resource, in all its forms, must be steered away from its location in terms of market dictates. The argument put forward in this paper is that land must be regarded in terms of power and its power relations. It must incorporate the restoration of dignity. This requires an understanding of historical accounts in Africa that extend beyond the superficial comprehension of political conquest. Coloniality reproduces power relations and it endures into the present context and contemporary period. Therefore, beyond the physical shackles, there remains the psychological enduring and ignored aspects of unequal relations. Dr Tafira and Professor Ndlovu-Gatsheni thus argued that a question therefore needed to be posed on whether Africa has indeed transcended colonialism and escaped the interpretation of concepts that are certainly not African. The story of land dispossession and usurpation by outsiders are thoroughly negative actions. In this sense land is seen as only a commodity that like its people have been plundered and abused in a myriad of ways; actions that continue to occur in the present, and this is extended through the notion of private property.

This foundation informs us of pro-market reforms that are supported and reinforced by institutions such as the World Bank (WB) and the International Monetary Fund (IMF). Their perspective is simply to regard land from a financial angle, an unfortunate mentality that endures even amongst actors in Africa. The market is portrayed as the solution where exclusive land markets are opened to the willing buyer/willing seller mechanism. According to Dr Tafira and Professor Ndlovu-Gatsheni, because this perspective is regarded as best practice and the solution to all those wishing to benefit from the financial system, it problematises the concept and perspective of land. It suggests an approach that land is unoccupied, empty and that no-one is using it – its purpose can thus be invoked by those who consider their rationale to be better placed. With this in mind, land is easily distributed to large-scale farming initiatives to produce cash crops, biofuels and for export. We are thus faced with the orthodox argument that suggests that there is not enough food to distribute to

the growing populations. Yet a rational liberal perspective argues that there is enough food, but it is the manner of distribution that is problematic. Both arguments regard the land as a medium to be exploited for maximum benefit.

Dr Tafira and Professor Ndlovu-Gatsheni, however, argued that land must be seen beyond its material extraction; that it consists of social and spiritual agents, with equal weighting too. Communal land rights are sacred and therefore incompatible with the individual. This exemplifies the African land perception that has been mentioned before in the welcoming remarks (by Professor Gutto) that there is a link between the past, present and future. The cosmological aspect protects the land and its resources. This suggests a timeless respect rather than a temporary extractive resource for profit. The concept of land is juxtaposed with 'earth' and its values and it therefore requires an African purview of land. Dr Tafira and Professor Ndlovu-Gatsheni attempted to explain their argument through case-studying land reform challenges in Tanzania under Julius Nyerere. They argued that in many African states land is not regarded holistically but rather as a resource that leads to personal gain and enrichment. Dr Tafira and Professor Ndlovu-Gatsheni concluded by highlighting that the problem was that the knowledge of land is interpreted along a particular worldview and anything that contradicts, differs and offers alternative expression is discredited.

The last presenter in this session was **Mr Abrahim Sabir** who presented a paper entitled *Understanding the Land Conflict in Darfur and the Search for Peace*. Mr Sabir explored the ongoing humanitarian crisis in Sudan, and focused particularly on the crisis that has unfolded since 2003 in the province of Darfur. The peace agreement signed with the South led to several conflicts throughout Sudan; some low-level while others are categorised as one-sided conflict and/or chronic strife.

According to Mr Sabir, the conflict in Darfur is about land and racism, that is, it is a conflict that is pitting against indigenous Africans. It is not categorised as the South Sudanese conflict that was popularly regarded as a North-South conflict or a religious conflict of Islam versus Christianity where Shariah law was imposed upon the non-Islamic population in the south. Due to the weakened state, through wars since the 1955 to the present, there is a constant need to seek allies to maintain the centralised political structure. To maintain control over the Darfur region the government has sought to use proxy agents such as the Janjaweed to force indigenous pastoralists off the land. The conflicts are also a result of contestations over accessing watering points for those who are cattle herders. During periods of drought those who possess cattle and are nomadic suffer greater hardships than those who are pastoralists. The farmers often have access to very fertile land and the need by cattle herders to access the land for grazing creates tension between groups.

Mr Sabir noted that the history of the Sudan is complex and before their amalgamations as a unified state the intention was to place South Sudan with Uganda rather than with northern Sudan. The British state had little interest in unifying the populations and the state structure was inevitably weak and prone to uprisings. This began in 1955 with military rebellions and

the continuation of protracted conflicts in Sudan. According to Mr Sabir, the conflict in Darfur, not necessarily representing issues in other parts of the country, is as a result of landless Arabs seeking access to the fertile lands of indigenous pastoralists. For this reason, the conflict has been defined in terms of racial profiling, although the majority of the inhabitants in the province are Muslim. Ultimately the conflict is centred around state weakness and the reward of land access. Landless Arabs are now the owners of land that can be attributed to weak manipulative governments and the consequences of underdevelopment, marginalisation and poverty. Mr Sabir noted that the solution to the land problems in this region lay in a survey of current land uses, improving infrastructure for development, encouraging permanent settlement of nomads, that is, stopping the emigration of nomads.

## Discussion

During the discussions that ensued after the end of the presentation in this session, participants wanted to know what solutions were being sought over the Sudan issue, whether there were any mediation and facilitations conducted by the AU, and if so, how, as they felt only the AU had capacity to intervene in the Sudan case. On issues of African cosmology, epistemology and jurisprudence (as espoused by Dr Tafira and Professor Ndlovu-Gatsheni) and similar to the Nyerere's views, participants wondered if this was good for Tanzanians, and if so, why the land reform policy was not implemented or abandoned. Some participants argued that there was need to give more clarifications on terms used during presentations including coloniality, decoloniality and family farms. Many diverse and complex notions of land ownership needed to be unpacked. Participants also noted that inequality of land ownership within Africans themselves needed to be unpacked more. Participants were concerned that across Africa, the issue of transparency on land deals is hampered by illiteracy especially among women who are affected by land ownership problems. There was a question of how African governments can reframe land policies; where women fit in, in multicultural and multi-religious situations, as all interventions appeared on documents but were not practical in terms of implementation or were not implemented at all. Professor Ndlovu-Gatsheni arqued that there was need to de-partriachalise land reforms in Africa.

# Changing Land Policies and Land Reforms (Redistributive and Tenure in Africa)

The second plenary session was chaired by the Honourable Thoko Didiza. Speakers in this session included Dr Tendayi Sithole, Dr Tendai Murisa, Professor Mandi Rukuni and Professor Khalid Ali El Amin.

The first speaker in this session was Dr Tendai Sithole who presented a paper titled *Being and Land: The Ontological Scandal in South Africa.* Dr Sithole argued that the conception of being misses the ontological aspect in understanding 'beingness' in the South African lexicon. There has not been any engagement with this concept; often conceived as the subject. The subjectivities of the land engagement in South Africa in post-1994 neglected the question of being, but focused primarily on the tangible asset of land and property. It thus failed to engage the fundamental question, that is, what it means to be a being in relation to land.

Dr Sithole proposed that he wanted to qualify this intervention against the politics of consensus. The origin of the land question in South Africa is traced from the Native Land Act [Act 27 of 1913]. The colonial encounter of 1652, often marked as the beginning of the timeline of discrimination and segregation, is the original date of conquest between colonisers and the colonised. The Native Land Act was the institutionalised, normalised separation of black people from the land and created a national population of landless blacks on 13% of the land (although an increase from 7.6%).

This development produced two ontological problems; white privilege and black dispossession. Land for the black population was now communally owned under the curatorship of the traditional leaders who could decide to whom access to land was to be granted. For the white population, it meant an end of competition from black farmers. Depriving blacks of their land also meant that they would serve as labour for two groups of white employers. Firstly, they would provide ready labour for the mines and secondly, they would provide cheap labour for the white farmers. The black population was expelled from the land and this had more socio-economic consequences for them that extend into contemporary reality.

According to Dr Sithole, the 1950s represented the hyper legality of discrimination and particularly segregation. The *modus* of apartheid was separate development and the illusion that it would be equal, but only 'equal' in terms of white definition of the needs of the other population groups. The laws enacted such as the dehumanising Population Registration Act [Act 30 of 1950], the Group Areas Act [Act 41 of 1950], Stock Limitation Act [1950], The Bantustan Authorities Act [Act 68 of 1951]; a continuation of the Natives Administration Act of 1927, reproduced notions that blacks should be landless, dehumanised and considered subservient to the white population. Indeed the legislation affirmed notions that the black population was meant to facilitate the needs of the white population and not for their own self-determination.

Dr Sithole noted that while these laws have all been repealed, their consequences still require attention today. For example, the Constitution of South Africa needs to be amended as it provides no possibility to redress the land question through land expropriations. If you put 'being' into the land you can trace it back to the land question. The embodiment of the Constitution is silent on issues of being. Does this mean that there is no alternative? Those seeking to speak or already speaking of land expropriations have been silenced and cease to be involved. When you wish to deal with issues of land it is considered reverse apartheid. This suggests that matters of redress should simply be a hands-off process or that the past should be ignored. The question of landlessness in South Africa is, however, a racial issue and it came into being through power relations and particularly through the subjection and objectification of the black to the white population. According to Dr Sithole, everything is located at the market and the constitution or there is the common excuse that those who possess political authority must not allow South Africa to descend into the chaos experienced by Zimbabwe through their land distribution process. The form and content of the land question must include the conception of being; otherwise the land question will not be addressed. There is a need to move away from the instrumentalist where the policy of land will call for the concept of being. According to Dr Sithole, South Africa is not yet a nation as it still has to be created and that can only be done when the land issue has been settled.

The second presenter in this session was **Dr Tendai Murusa** who presented a paper entitled *An Analysis of Agricultural Policymaking and Prospects for Africa's Transformation.* Dr Murisa argued that there is renewed interest in agriculture since the signing of the Maputo declaration in 2003 where heads of state agreed to make agriculture a top priority in national development – but noted that there was a disconnect between the African academic and the policy institutions. The continent lacks a narrative on agricultural reform. Land investments are ongoing, but the end of the century has seen an acceleration that did not concentrate on food production but rather production for export. Latest estimates indicate that approximately one-billion people are food insecure or one in seven goes to bed hungry every day (FAO, 2009, Action Aid, 2010:7). The majority of these poor households are based in Africa's countryside. According to Dr Murisa, it is apparent that large-scale investment in farming has resulted in food insecurity, displacement of farmers, environmental damage and the diversion of water resources from small-scale farmers and existing communities. Often this has led to greater impoverishment and the migration of people leading to low-level conflicts in many states. Claims of benefits seldom translate into reality for most Africans.

Dr Murisa argued that the problem is that the modernisation of agriculture and introduction of technology and money do not solve the land problem. We are recovering from underinvestment; land and agricultural departments are weak and underskilled in terms of understanding underinvestment of land. Technology is lacking and we still use the African usage of implements and fertilisers in terms of modernisation. In Africa, much of the cultivated land is not irrigated, and so most small-scale farmers remain dependent on rain-fed agriculture. However, small-scale costs of irrigation are lower and in the long run may be more feasible and realistic than dam-based projects.

Dr Murisa noted that current strategies for the transformation of smallholder agriculture in Africa were inadequate as they narrowly attempt to increase productivity without adequately addressing the historical systemic challenges such as skewed land ownership patterns (especially in former settler colonies), insecure land rights, gender inequalities and unfair commodity pricing structures. Furthermore, the policy trajectory, especially the lack of transparency on the part of African governments around the new land deals/investments, potentially contributed towards increasing land insecurities. In the period since 2003 peasant-based food production systems in most of Africa have either declined in productivity or remained stagnant except for a few countries such as Ethiopia, Malawi and Rwanda.

The danger that Africa can find itself in is the generation of GMC seeds and investments to agriculture of the green revolution to Africa. However, there has not been a rush to the GM crops as only four countries on the continent have done so, namely: South Africa, Egypt, Burkino Faso and Sudan. These four states allow for the modified crops to be harvested for commercial benefits. The argument and the support for these crops lay in the promised yields exceeding often three to four times the normal crop yield and therefore having more earning potential. However, Africa might find itself as another ideological battleground for GM crops eagerly promoted by the US but sceptically viewed by Africa's largest exporter destination, the EU.

The next paper in this session was that of **Professor Mandi Rukuni** that was entitled *Impact of Land Rights on Productivity of Agriculture in Africa with some focus on Impact of Large Scale Based Investments.* Professor Rukuni argued that land is a primary aspect of production in Africa. With few having access to land, it is difficult to have large-scale food production. Fundamental land rights are central to government legislation and emerging trends and issues – land grabs; investments in biofuels. It must be considered that many investors claim to have an interest in agriculture, but more so the access to water resources in Africa. For other investors, it is the interest in cash crops and biofuels that are salient rather than an interest in combating food insecurity on the continent.

Professor Rukuni noted that land tenure security is still a major issue and is widespread in countries such as Botswana, Malawi, Mozambique and South Africa. Land reform is a very complicated process, more than is imagined by politicians. Because agriculture in Africa is traditionally associated with subsistence food production, only a fraction of the total yield is sold on the local market. With the rapid development of urban growth, new opportunities are available to farmers to produce more food in order to meet the needs of urban dwellers. The shift from subsistence to a market economy, however, requires a change in mentality and must be supported by both technical and economic measures. As a first step, farming must be seen as an attractive employment option by the youth, rather than to leave rural areas for urban areas or other countries in search of jobs.

Professor Rukuni highlighted that land tenure determines how land is used, possessed, leveraged, sold, or in other words, disposed of within societies. These rules or policies regarding ownership are determined by the state and incorporate traditions, cultures and often parties with vested

interests such as political and social elites. Often, it is claimed that land rights belong to communities, but they can be accrued to individuals and organisations. The customary rules of land tenure predominate in Africa, but in an attempt to woo external, regional and local investment, governments are granting land use rights for an extended period of time of up to fifty years in the case of Senegal, for example.

Often, however, there are ambiguities within and between the customary and statutory systems, partly due to inaccurate and incomplete records. Land property rights are registered to individuals, families, or organisations for the land they occupy or use informally or under customary law. Tenure security refers to the assurance that the land one owns or holds for an agreed period of time or purpose, is certain. Tenure security requires property rights that are clear in purpose and duration and accepted as legitimate and legal.

Professor Rukuni noted that the economic decline in 2008 resulted in renewed interest in smallholder agriculture as a catalyst for poverty reduction in Africa. Thus issues regarding land tenure have become the focus of the development community, especially in rural Africa. Strengthening the property rights of the rural poor, as argued by policy analysts and academics, can result in increased investment, thereby leading to economic growth and more equitable development.

The last paper in this session was that of **Professor Khalid Ali El Amin** entitled *The State, Land* and Conflict in the Sudan. Professor Ali El Amin analysed state infringement on customary land rights and the erosion of traditional local governance institutions overseeing land tenure rights in rural Sudan and the implications of this on peace and security. Professor El Amin highlighted that land has been a central factor in most conflicts in Africa. In Sudan, he argued that state land policies have resulted in ambiguity and dualism in land tenure and they incorporate both modern statutory land ownership in the modern legal sense and the customary tenure adopted by most rural communities in practice. Worse still, land held by most Sudanese rural communities under customary tenure has been under constant threat of expropriation by the state and private businesses, both local and foreign. That is, ruling elites encroach on communally owned land to pursue their commercial farming and mining interests, and local business interests allied to them, depriving whole communities of their land use customary rights, eroding their sources of livelihood and relegating them to poverty and marginalisation. This leads to disenchantment, grievance and violent conflicts. In different regions, and though in slightly different ways, there has been an increasing denial of communal rights and the weakening of local governance structures regulating it, leading to multi-layered violent conflicts in different parts of Sudan.

Professor El Amin's article began with an overview of some features of customary land tenure in Africa and the evolving different forms of tenure systems in Sudan. It then moved on to discuss state legislations to introduce modern statutory land tenure forms and the persistent effort to own and control communally owned land held under customary tenure before analysing state legislation to legally control communally owned lands, how this impacted on different communities in different regions, and the forms of conflicts such state action has generated in the different regions of Darfur, South Kordofan and the Blue Nile states and around Khartoum State.

Professor El Amin concluded his paper with a short account of recent developments in the elites' drive to give away Sudanese land to foreigners on an unprecedented scale, with consequences that have been highlighted above.

#### Discussion

Participants highlighted that attaining the goal of food security amongst smallholders should be a top priority within Africa. This can only be possible if African governments adopted land agrarian reforms that focused on smallholders and minimised their attention on large-scale investors who produce for export.

## Agrarian Transformation and Food Security in Africa

The third plenary session was chaired by Abdon Sofonnou and the speakers included Dr Chérif Salif Sy, Mr Alexis Campal and Mr Ward Anseeuw. The first presenter was **Dr Chérif Salif Sy** who presented a paper entitled *The Agricultural Services Programme and Producer Organisations (PSAOP): A Programme for Agricultural Development and Capacity.* Dr Salif Sy analysed labour and the rural sector as defined by the government of Senegal after the failure of the SAPs and Agricultural Sector Programmes. He indicated that the country's President had tasked his organisation to carry out locally initiated interventions instead of taking directives from the WB and IMF, which also made much sense to them. He added that they had neglected national integration, and instead focused on regional integration, arguing that national integration is important as it allows people to feel that they are part of the nation.

There is a need to correct the imbalances of the past that continue into the present and to align the objectives to that of the nation. In 1992, the President of Senegal requested such initiatives and development and sought the results. It has not been an easy undertaking because of the solidarity clause, and the settlement communities have different dynamics. However, such situations have created spaces and possibilities for effective visions for land planning. Dr Salif Sy noted that through their local activities, they were able to identify margins within which to manoeuvre. It allowed them to determine the orientation of local communities and societies, particularly since the SAPs of the 1980s and 1990s have failed in Africa.

Dr Salif Sy highlighted that as an advocate of construction by nationals rather than relying on external expertise with knowledge that might have little relevance to the African environment and social reality, political leaders have been encouraged to take control and direct the manner in which they want the country to succeed. The President (of Senegal) stated in 1994 that the failure of the Agricultural Sector Reform had been noted and that as a leader he was disappointed because of the destruction caused by the SAPs on the economy and particularly so on the agricultural rural

sector. The President reiterated that such development would not be repeated and instead it was important that the rural agricultural sector formerly neglected, be redefined and reconceptualised. SAPs failed to promote any development, but destroyed all the sectors in rural areas; destroyed established cottage industries in the process with the result that jobs were lost and unlikely to ever recover.

Dr Salif Sy indicated that since 1994, the state was not going to be determining the factors behind the failure of the agricultural sector alone; but with some shareholders, prepared to put structures into place and to implement plans to improve the situation. Structures that implemented a top-down approach mainly consisted of teams of engineers who consulted the affected communities. Government decided to use the PSAOP as it too had incentives to reorganise the territory and land use to change the planning. The issue of land grabbing is not new after all; colonial officials and administrators stole huge tracts of land and used it as leverage amongst various influential stakeholders.

Dr Salif Sy noted that there was a need to make changes in the ministry of Agriculture (the ministry of livestock, the ministry of fishing) to enable capacity building. Ministries were updated and necessary staff was retained so that the ministries could function effectively and efficiently. Management had to change and the programme was funded by Senegal, but the WB was also involved, which was a weakness. Their programmes failed, yet the institution refused to renege on the country or acknowledge their failures. Other stakeholders included UCTF – judiciary and technical unit managed by a stand-alone unit where the ministries had little influence and cooperation here. Farmers had the OP agency – the armed wing of the people, to assist the farming organisations. There was also the ANCAR – national agency for rural and agricultural counselling; this structure does not invest or finance anything, but provides intelligence – farming techniques. It does not intervene and acts on requests. The fifth component is research related to ISRA and ITA and FNRAA. These financed all interventions for research, and to diversify techniques and new products. The INP also assists the FNRAA in desalinating the soil. A study was undertaken to determine the available arable land for agricultural use and such an undertaking could not be done by a single entity.

In 2014 the agricultural and pastoral law (blueprint law) was passed that would determine how markets would function. This law proposed (no dialogue between the universities and the organisations) a national research system to bridge the gap. This is how Senegal is organised to take on board rural development. However, there are many weaknesses; the biggest is the financing, and the budgets are miniscule so agents cannot be placed in every rural community. Organisations don't know how to sustain these units because of the lack of resources. We had, for example, only a third of the projected budget so we could do all that we intended to implement.

The second presenter in this session was **Mr Alexis Campal** and his paper was entitled *Land* as a *Source of Sustainable Wealth through its Products.* Mr Campal spoke about Africa's inability to leverage its natural resources. He attempted to trace various changes through centuries of social development in Africa, highlighting how communities moved rapidly from natural resources towards fishing for sustenance. Communities planted and domesticated, but needed to defend

themselves from attacks. He argued that we were never able to show that land is a sustainable wealth to enable our independence instead of relying on other people and that it is pointless to just show that the resources are underexploited and our continent is suffering from a low productive level; we need sound use of resources. It is related to low control of the exploitation technique and low production. How to ensure natural resources (land) should become a source of wealth; how to transform it into a source of trade and sustainable food security base: this needs to be addressed through more research. Land has always been a source of conflict. We now import mangoes, when we produce them! Marketing cannot just jump ahead of industrialisation. We are exploited through food markets with immense markups; we need to protect the land and it should benefit the population so that more food can be produced and a chain of development can be produced so there is economic dissemination and financial independence. Imported food is expensive and yet our populations are poor. In the north of the country there is land grabbing and investors claim to plant rice but produce biofuel. Yet biofuel did not benefit the Senegalese but Italians and their factories. Mr Campal argued that there needs to be equitable exchange rather than exploitation of natural resources particularly natural products. The taxes are punitive and harming farmers and there is little incentive to produce food because of the lack of proper remuneration.

The last paper in this session was by **Mr Ward Answeew** and it was entitled *The rush for* land and Agrarian change in Africa: Resource Grabbing or green revolution? According to Ward, growing demand for food, animal feed, fuels and fiber, combined with a shrinking resource base, liberalisation of trade and investment regimes and increased price volatility, are among factors causing increased commercial pressures on land and fuelling a new global rush for land (L. Cotula et al. 2009). This rush primarily affects agrarian economies, mainly in Africa and Asia. Lands that only a short time ago seemed marginal to investment interest are now being sought by international and national investors and speculators in quantities hitherto unseen. Yet, according to the FAO, agricultural production in the developing countries would need to double by 2050 in order to feed the projected world population (FAO 2009). Ward's conclusion was that while African agriculture seemed on course to produce a revolution in this once-neglected sector, it was, however, clear that this green revolution is not yet benefiting Africa, particularly Africa's rural masses. It is becoming apparent that the host economies remain significantly marginalised from renewed investments in agriculture. The long-term nature of typical large-scale acquisitions effectively locks communities and smallholders out of land for several generations. The changing structure of agricultural production, based on renewed production and investment models, goes beyond the issue of the land itself, leading to corporatisation and financialisation of agricultural practices and a trend toward concentration and intensification, with the marginalisation of family farming and the proletarisation of farmers who are becoming rent-seekers or landless labourers.

## Agrarian Transformation and Food Security in Africa Part II

The third plenary session 2 was chaired by Dr Patience Mutopo and the presenters were Ms Bongiwe Njobe and Dr Busani Mpofu. The first presenter in this session was Ms Bongiwe **Njobe** who presented a paper entitled Contemporary Strategies for Agricultural Transformation in Africa. According to Ms Njobe, historically, focus has been on productivity, food security and exports. More recently, focus is on agricultural policies that are environmentally and technologically sensitive. The major question is how land is controlled and used. Ms Njobe preferred considering use requirements first above all other considerations and suggested separating agrarian reform from land reform, because conflating the two may cause confusions because there are multi-stakeholder contestations of land and agricultural resources. Ms Njobe argued that we haven't touched issues of rural residence and public infrastructure, such as transport and development. She noted that when colonisers came, they went to areas of extraction; areas of high-potential agricultural land and some which also sit on rich mineral resources. Colonisers extract minerals and use the land for agriculture. Manufacturing or industrial development is always close to agricultural land. Occupied land in peri-urban areas gives insights into settlements preferred by the landless. Current Johannesburg and Pretoria were built on land very fertile for agriculture. Land reform should not be about agriculture only. Industrial use and biofuels also compete for land. Agrarian reform should be about the contestation for fertile land and water. The liberation struggles sought to reverse the legislated dispossession of land orchestrated by the Native Land Act of 1913. The Freedom Charter also emphasised usufruct rights. Post-1994, within this charter, we have compromised the issue with a 3-leg land reform initiative: distribution, restitution and tenure. CADEP created by a forum for Africa, inspired by NEPAD, tries to respond to these issues. It's a moving programme although it has faults. The connection there is about prosperity with 4 strategic areas; land, water, etc., but has evolved into a more delivery-orientated framework. Yes, agriculture is connected to other sectors of the market, but it cannot deliver jobs. There is need to improve policy practice, capability, evidence-based planning; and the need for improved coordination. CADEP shows the contestation for land capability and needs to define the context of contestation, clarify concepts and theories and engage with the AU for prosperity. Ms Njobe noted that Africans know the value of land. There is need for a new paradigm; new choices to manoeuvre through contestations.

The last paper in this session was presented by **Dr Busani Mpofu** and it was entitled *Embedded* in the Past?: How Rural-biased Land Reform Approaches still fail to transcend colonial urban development policies in sub-Saharan Africa. The paper attempted to argue for ways that African governments can use current land reform processes to avail more land for the landless in urban areas. According to Dr Mpofu, in the last decades, countries in sub-Saharan Africa have been urbanising at a very fast rate. In 2010, for example, the UN Habitat, the United Nations Agency for Human Settlements, argued that cities will swell by 85% in the next 15 years. In countries like South Africa, for example, 62% or two-thirds of the population already resides in urban areas. Yet, land reform in Southern Africa has been primarily focused on the redistribution of agricultural land in rural areas, ignoring urban areas because national governments' approach to land reform is still embedded in colonial and apartheid political views that represented Africans as 'belonging' to rural areas and towns and cities as European areas. Highlighting case studies from former white settler countries including South Africa and Zimbabwe, Mpofu's article argued that there is need for a

radical re-imagination of African approaches to urbanism, a decolonisation of urban development concepts and the adoption of new models suited to local conditions, as current colonially imported approaches are of limited use to Africa. That is, while there is an undeniable need to make rural economies more inclusive and address the consequences of colonial and apartheid legislation that resulted in land dispossession in rural areas, national governments' approach to land reform must take cognisance of urban land pressures.

## Discussion

Participants noted that the issue of separating land reform from agrarian reform needed further scrutiny. It was also highlighted that the issue of rural-urban interfaces in African development is not knew, as a similar discussion focusing on Kenya took place in the 1980s, especially the works of Michael Cowen and Kabiru Kinyanjui. Some participants argued that it's very difficult for many countries to address urban policies, perhaps we need to develop rural areas even more. Colonial Zimbabwe in the 1970s also tried to introduce a policy of community development with a view to develop rural areas to stem rural-urban migration in search of employment opportunities. However, current land restitution claims in South Africa, for example, District 6 in Cape Town, Johannesburg, Pretoria in the Gauteng province and land occupations in urban areas all highlight urban land pressures that need to be addressed urgently. Having land in urban areas does not mean lack of modern structures or being rural. Policymakers should not import policies and impose them wholesomely on African communities. In the Senegalese case, it was indicated that there is general good information on land, but the national government is usually the main actor on land deals and sometimes it does not divulge enough information. There is therefore a need to combine all land uses, applications and information in general.

## Special Session on Senegalese Land and Agrarian Reform Policies

This session was chaired by Hon. Thoko Didiza and presenters included representatives of the public and private sectors in Senegal. The Respondent was a land and agriculture specialist from Côte d'Ivoire.

The first presenter was **Mr Omar Arouna,** a representative of the agribusiness sector in Senegal. He noted that for 40 years after independence, emphasis on the development of agriculture in the country was just for the sake of production, but this contributed to poverty, soil erosion, losses and other negatives for small farmers. A new criterion on growth-led markets for stakeholders was thus discussed to promote the value chain in agriculture. Currently, Senegal has embarked on an agricultural programme, designed by Senegal but funded by the World Bank (WB), in a

process that allows the agribusiness sector to move into villages. It's important to emphasise that the programme was not designed by the World Bank. The aim is to build an inclusive process, and capture the produce of the farmers. But farmers in villages are facing a number of problems including drinking polluted waters. Roads, electricity and telephone networks are bad, but we encourage them to open to the outside world and develop local vegetable markets. Mr Arouna noted that Dakar is closer to Western markets. In 2000, for example, 20 000 tonnes of agricultural produce was exported from Dakar, mainly because of delays in various processes, but currently about 80 000 tonnes are being exported because of the involvement of agribusiness. The agribusiness sector therefore needs to involve those working on markets.

According to Mr Arouna, agribusiness recommends the setting up of a land scheme where foreigners and locals meet to buy into the project, discuss with local communities first, including the sharing of royalties and women will benefit most in terms of income and employment. It's true that land reforms have not been working well in the country, but this project funded by the WB is an unprecedented one and involves the leasing of land. But the importance of agribusiness should not be undermined. While the funding comes from the WB, it's important to note that the project was designed by the Senegalese.

The second presenter was **Khaly Fall Saed** from the Senegal River Valley authority. Mr Saed noted that from a legislative context, land management should be decentralised and managed by rural communities, but there is a persistent problem of technical skills to better manage the resources. There is also a need to devise regulatory tools to complement those of the national Domain and help local communities to respond to need and establish a land information system tool. The purpose will be to devise methods whereby irrigated agriculture in the River Valley fit in with other methods of land occupation, taking socio-economic conditions into account. While a participatory approach is good for the local player, tools, techniques and institutions should be used to work with local communities. Mr Saed noted that there was need for more clarification of land status, integration and strengthening of communication. He suggested 4 major ways to achieve improvement, which is: improving laws, and adapting to local conditions, data collection and validation of information data. This should involve group discussions by locals, a mapping exercise in identifying problems; choice of land occupations or zoning, for example, what type of farming, on what space, in what areas, and so on, and the application of pilot tests, which should take three to four years. That is, for each territory, zoning should take place and the local government and territorial services should take the lead in this.

The third speaker was **Mr Ibrahima Diop**. Mr Diop talked of the need to ensure that land and agricultural actors combined their efforts to ensure food security in the country; the departure from the 2008 emergency food crisis is an issue of concern in the country. To ensure desired changes, some actors need to change their behaviour. Mr Diop noted that informal traders originally came from rural areas, but there is a missing rural enterprise. People from there produce to eat, not to sell. Medium enterprise need to be decentralised. But the question, according to Mr Diop, is who will implement the programmes. He noted that new alliances have been signed between the public and private sectors to mobilise resources. He also argued for the need of a market, a consideration of the idea of culture and who will buy produce.

Talking about the private sector view, Mr Diop noted that they tend to think about the larger picture that benefits them, ignoring local economic issues and culture. He argued that there was a need to work towards protecting family farms, thinking of sustainability, and not about profit, only like agribusiness. Family farms produce cereals, palm oil, vegetables, and fish and do not concentrate on the type of agriculture for exports only. Mr Diop noted that he was not against agribusiness but he also wanted this sector to contribute to efforts towards achieving food security in the country. As the agricultural sector seemed to be capable of absorbing employment demands, there was thus a need to introduce the youth into family farms in both rural and urban areas. Even in the periphery of Dakar there is evidence that family farming has been increasing in the last 50 years. Rural communities are increasing, depending more on family farms. There is evidence that family farms have a capacity to develop, especially when given support and extra services.

The Respondent was Mr Simeon Koffi from Côte d'Ivoire. Mr Koffi argued that in Côte d'Ivoire, the focus is on agribusiness while also maintaining subsistence farming. In Côte d'Ivoire, only locals are entitled to land in rural areas. Family farms don't work in Côte d'Ivoire and foreigners have had plots for a number of years. But in Senegal it is not clear who is a foreigner and the department of rural development's laws are not clear. However, Mr Koffi noted that even in Côte d'Ivoire there seems to be a policy vacuum; there are agribusinesses of all sizes. While farmers produce rice, those close to the regime import rice, so it's a matter of political choice.

### Discussion

Participants argued that there appeared to be a vacuum in policies in Senegal and that the office of the Ministry of Trade need to do more about marketing and supporting small farmers. The lingering issue of the informal sector was also highlighted. On the issue of exports promoted by agribusiness, participants noted problems of determining terms of trade for the local producers in global markets. The issue of patriarchy in the public and private sector was also raised, and the need for public/private/producer partnerships, that is, a need for the harmonisation of policies. It was noted that family farms in Senegal need to be supported because they are the source of food. Participants needed to know why the World Bank was behind the back of local implementers of the programmes. Some participants felt that some civil societies were working in complicity with external agencies and emphasised the need to depend more on local views. But it was also noted that not all proposals of the World Bank were adopted as there were tense negotiations with the WB that delayed the implementation of some programmes.

# Economic Nationalism, Gender, Class, Identity and Land Struggles

The fourth plenary session was chaired by Dr Tendayi Sithole from the Department of Political Science at the University of South Africa. Presenters in this session included Dr Patience Mutopo. Dr Gloria Sauti and Professor Wendy Isaacs-Martin. The first speaker in this session was **Dr Patience Mutopo** who presented a paper entitled Corporate Land Investments and Rural Women in Zambia. Mutopo analysed the impact of corporate land investments in Africa within the ambit of bringing foreign direct investments. Most of the investments originated from the United Kingdom, Israel, Ireland, Germany, Sweden, Norway, China and other European and Middle Eastern countries. Her paper drew on new information from the Zambian case study collected in 2012, as well as a trawling of existing material for gendered information to paint a vivid picture of the particular impact on rural women from Mwaanga and Mimbolo villages in Kitwe district of corporate land investments and women's responses. According to Dr Mutopo, ZAMBEEF (Zambeef Products PLC, incorporated in Zambia), one of the largest integrated agribusinesses in Zambia, is at the forefront of cooperate investments in Zambia. Mutopo discovered that while the investments are largely negotiated as bilateral aid-related projects in which both parties (investor and host countries) are set to benefit, a deeper empirical analysis revealed that the companies' modus operandi always favoured the investor's own economic needs at the expense of host countries and local communities whose livelihoods depend solely on rain-fed agro-activities (Fairhead, Leach and Scoones 2012; Matondi and Mutopo 2011; Richardson 2010; Daley 2011). Rural women have become the worst victims of corporate investments in land in sub-Saharan Africa as most of them lack the knowledge and the cultural sphere, which further entrenches their position in the private sphere affecting their capacity of bargaining and negotiating with traditional leaders. In her paper, Mutopo shows that in Zambia, for example, land seizures by ZAMBEEF have left many rural women destitute.

The second presenter in this session was Dr Gloria Sauti who presented a paper on Intersections of Land, Patriarchy and Poverty among the Badirile Women in South Africa. The Badirile women live in Brandvlei near Randfontein west of Johannesburg. Dr Sauti demonstrated the extent to which women are deprived of land ownership both in areas they hail from, and where they work and live. Women, both rural and urban, have largely been marginalised and excluded, or are poorly represented by government in terms of land allocation. According to Dr Sauti, patriarchy remains a dominant factor in both rural and urban areas and has resulted in major consequences for women. She highlighted how landlessness cannot be divorced from homelessness, illiteracy, illness, poverty and disintegration of families and society. Most Badirile women originated from rural areas where land is owned by their spouses (males). Women who owned pieces of land inherited them from the estate of the deceased husband or because the husbands who are migrant labourers in the cities have abandoned their families. Chiefs still have the power to repossess and redistribute land when a husband dies. Unable to survive and make a living, women emigrate to seek employment on farms or in local factories in various locations. They live in RDP housing, built by government and offered free of charge to the poorest of the poor. However, most RDP houses in the area appear to be reserved for men, and women have to bribe their way into them. The majority

of women live in 'chicken pens' provided by employers who pay them miserable wages. This renders them unable to purchase land and this violates women's human rights. Dr Sauti therefore questioned the effectiveness of social policy and land redistribution policies in a democratic and 'decolonised' South Africa

The last speaker in this session was **Professor Wendy Isaacs-Martin** who presented a paper entitled The Politics of Land Ownership in South Africa: The Self-Perceptions and Identities of Backyard dwellers within the Coloured Community. Professor Isaacs-Martin sought to establish whether backyard dwellers perceive that racial identifiers are linked to spatial planning and (re)distribution or not. She began by highlighting that issues of spatial (re)distribution are contentious and emotive in South Africa, partly because of competition amongst communities for access to resources, distrust of government structures (Hweshe 2009), lack of communication between leadership structures and populations who feel that they are being ignored, marginalised or excluded from certain processes (Radebe 2014; Bank 2007). The beginning of majority rule in 1994 heightened the expectations of many informal settlement residents and backyard dwellers who believed that they would receive free houses from the ANC-led government. However, slow roll-out, corruption and the rapid increase of urban populations impede successful delivery of houses and thus limit the number of homeowners. Communities have responded to the lack of housing with accusations of government apathy and racism (Johns 2009). This is also true of those who live as backyard tenants, specifically the single ethnic racial group of the Coloured population in the Western and Eastern Cape Provinces who comprise about 9% of the national population in South Africa. Popularly known as backyard dwellers, these are individuals or families who rent and reside in temporary homes made of wood, plastic and corrugated iron in the yard of main houses usually council-owned properties in impoverished areas.

Professor Isaacs-Martin established that allegiance to particular ethnic and racial identities remains high amongst Coloured backyard dwellers who perceive this firstly, as the reason behind their lack of access to land and housing. Secondly, they perceive this exclusion and marginalisation as responsible for their economically depressed predicament. For many, perceptions of marginalisation are racially constructed. That is, the collective sentiment expressed by Coloured yard dwellers is that they are ignored by officials and government in general because of their racial identity. However, many choose to remain in these structures due to close proximity to employment opportunities as well as access to infrastructure such as water, sanitation, electricity and waste removal. For the homeowners, especially the old, women and unemployed, renting out backyard shacks is a source of income.

Land invasions amongst the Coloured yard dwellers often occurred on land adjacent, or in close proximity, to the existing predominantly Coloured townships. The perception of yard dwellers is that vacant land, owned by the municipalities, are not being used and invaders justify their behaviour as a result of marginalisation and exclusion. They, however, respond in anger towards the national government and are often hostile towards 'invading' squatters who are often black Africans.

## Discussion

In the discussions that ensued after the presentations in this session, it became evident that women in both rural and urban areas tend to bear more challenges in relation to lack of access to land for farming and housing due to illiteracy and lack of knowledge concerning laws governing ownership of land. Where law or policy existed to support women, it is an issue to do with weakness in its implementation. Patriarchy is another factor behind women's challenges. Conflicts between traditional and modern authorities or government systems also complicate the welfare of women. One, for example, would expect indigenous authorities, chiefs in this case, to protect their communities from large-scale land grabs from foreign entities, but it turns out that they have become agents in some communities. Participants encouraged more research on views of traditional leaders who happen to be women especially in South Africa. Participants also raised the need to examine what is happening to the family in Africa vis-à-vis landlessness; how 'missing men' (through migration) in Southern Africa is affecting families.

Reflections and Conclusions: Recommendations and Possible New Research Agendas This Session was chaired by the Honourable MP Thoko Didiza and the speakers included Professor Sabelo Ndlovu-Gatsheni, Professor Shadrack Gutto, Professor Vusi Gumede.

Generally, this was a continuing dialogue of the old problems of land questions as African societies evolve and adapt to new situations. There are still policy questions that were raised during the first roundtable dialogue that was held in Addis Ababa in 2013 that remain unanswered even today. There are also conceptual and theoretical issues that have not been resolved such as the issue of the nature of the link between land reform and agrarian development. Delegates disagreed on some of these. The link between agricultural development and land reform and the relationship between the two needs to be explored further.

We are preoccupied with the need for a socio-economic transformation programme for the African continent and agriculture plays an important role there; and by extension, the role of land reform.

The major outcome of the roundtable dialogue on *Investment on Land or Land Grabbing?*Agricultural Development, Agricultural Production and Food Security in Africa is that it provided an opportunity to question the strange relationship that exists between the majority of African political elites and western actors in relation to land policies on the African continent. The interests of the political elites and corporations appear to override the interests of local communities who tend to lose access to land because of the dealings of the earlier two. It was also noted that women continue to be victims of a power matrix that is racial, institutional and patriarchal in a maledominated state and foreign-land-hungry corporations.

It was noted that the best way to preface the 2014 Roundtable Dialogue was by revisiting the concept note of the dialogue, or themes contained therein which included: reconceptualising the land question in 21st Century Africa; economic nationalism, identity, gender and class in land

struggles; changing land policies and land reforms, redistribution and land tenure; and agrarian transformation and food security in Africa.

There is a need to explore and understand the historiography of the land question in Africa to understand what has transpired in the past and what is new about our current interventions on land policies. There is a need to audit scholarship on the land question in general since the 1960s when some African countries gained independence from colonial masters.

The issue of the African family, and the question posed as to what is happening to the African family in the post-colonial environment.

The other theme that emerged from discussions is that of approach, or methodology; the question of class analysis; what happened to the class analysis. Perhaps it should not be abandoned but understood in a holistic manner, including gender and race analysis, particularly in countries like South Africa where these are entangled paradoxically. We cannot speak of class while ignoring gender lest we fall into the trap of Marxist gender blindness. Looking at the middle class discourse in countries like South Africa, one realises that the middle class is growing rapidly but is very consumerist and therefore not a true one. It is content with consuming foreign goods, brand names and so on. We are not consuming what is made in Africa. Perhaps we need to look at the changing class structures in Africa.

Another theme that came to the fore was the question of urban land challenges and the need for land readjustments in the wake of rapid urbanisation in most African countries. Linked to this is also the question of women; where they feature in all this. The Senegalese case study during the roundtable, particularly the question of family farms versus corporations, is not only restricted to Senegal but also experienced in other parts of the continent variously in terms of policy formulation. There was no consensus on this. The roundtable debate also noted that Africa was also faced by what can be classified as 'internal land grabbers', particularly men and elites grabbing land. So land grabbing is not restricted only to international grabbers. There is also the ongoing debate of whether what is happening are large-scale investments or land grabs. Governments view it as land investments whereas researchers and others think of it as land grabs.

This raises questions of the importance of carrying out land audits that was initially raised by Professor Gutto. We also need to know what knowledge(s) inform our land policies and land tenure systems. This is because our policies may be borrowing from elsewhere, but it is important to think about it from inside rather than borrowing models from outside that might not necessarily work.

Papers that were presented on the Sudanese case studies raised an important theme on nation, conflict and land, known as the national question in some circles. The land question can never be divorced from the national question. So this needs to be revisited.

There is a need to 'bring back land to the people', involve people and the expanded civil society and let them determine their destiny. Policy clarity is therefore very important. There should be better policy targets; target women and youth, and even targeting the poor in a broad sense.

The issue of socio-economic transformation has been discussed from a structural transformation point of view, which to some extent can be regarded as narrow. It is not only about the economy but about sectors and subsectors and socio-economic development. There is a need to develop an ideal development paradigm for the continent for us the address the land and agrarian questions that we have been debating. We may not need to look elsewhere for answers on development solutions; but perhaps we need to revisit groundbreaking works that have been produced by scholars like Claude Ake, Thandika Mkandawire, Sam Moyo and Samir Amin among others who have argued that the development paradigm adopted by African governments is not ideal for their economies. Some paradigms can also be developed from the perspective of African renaissance. Communalism as exposed by Walter Rodney and others can also be explored.

The interface between theory and practice requires tackling, especially through looking at case studies through research. It was also suggested that the discourse of the Scramble for Africa and Africa Rising needs to be fleshed out more, as since the time of the SAPs, many academics are in support of the global status quo rather than questioning it. There is a need for connection and knowledge sharing among policymakers, academics and civil society so that we can have a bigger impact with focus and traction. Codesria continues to work on issues of land so we are not working in silos, but it is important that knowledge sharing occurs.

Leaders in African countries must know that people are working and watching to see what is happening. Our universities should use this knowledge for teaching purposes. There is also a need to understand what land is. Does it only entail tilling it? What about the accompanying resources like water and minerals found on land occupied by people and which the state readily asserts belongs to it? The issue of class, race and gender analysis cannot be abandoned. We need a new type of scholar, who, while disseminating knowledge, will also act as a social activist to avoid complicity in what's happening. There is also a need to look at the impact of indigenous knowledge on land reforms and to identify destructive tendencies that tend to wipe out existing knowledge.

On the question of the state; we need to unpack if the state is predatory, parasitic, 'eating the blood of the people' or has become an agent of foreign companies. These companies enter into South Africa and move further within Africa and simply change their names to mimic political correctness and are therefore being thoroughly deceptive. These are phenomenon we need to deal with regarding FDI and whether they are investing in Africa for themselves or for Africa.

## Research Agenda and Training

Research and training need to lead to more conceptual clarity, particularly in terms of how theory and the concepts are defined. There is a need for policy reviews grounded in theory. For example, most governments always claim that their policies are correct, and that they only have implementation challenges. However, it has also been realised that at times, governments implement wrong policies altogether. Policy reviews are important and they help us to write up policy briefs that governments can readily use and that supra-national organisations like the African Union, NEPAD and regional organisations can use. Policy failure can also mean that policy has not been reformed for too long; it hasn't evolved with the times.

The need for land audits have to go hand in hand with the monitoring of land reform programmes and policies related to agrarian development.

Theoretical reflecting; more theorising need to happen across disciplines; multi- and transdisciplinary. We need to form research teams and ensure that the teams investigating the various themes and concerns are from different fields; we need to apply different methods so that we fully unpack various phenomena. This may help through the application of different methods and taking into account African experience, not overlooking African culture as argued by Ake and taking into consideration our different political experiences.

Historical geo-political differences and our own realities also need to be taken into account. There is a feeling that African governments may not be failing in their development policies but are captured by some interests. It may be that the private sector captured that African state, especially in Southern Africa (John Saul). We may be having a corporatist state that will never deliver for the majority of its underprivileged communities. We may need a different state. Sub-regional research teams are also needed, together with the capacitating of our master's and doctoral students.

#### Comments from the floor

Participants argued that there was a need to look at how the post-colonial state and governments are using constitutions to act against land reforms; consider the geo-political dimensions of land reform; consider the link between land grabbing, urbanisation and migration; consider the role of sub-regional powers such as Egypt and South Africa; for example, South African investments in Angola and Zambia, the supermarket shopping mall and intersections of business and land deals. Zimbabwe has perhaps been 'overanalysed' in some circles, but was ignored during this roundtable dialogue. The search for a new development paradigm has to continue, perhaps through updating what was initially proposed by scholars such as Claude Ake.

In his closing remarks, Professor Olukoshi argued for a need to achieve incremental progress in all areas regarding the land and agrarian questions, highlighting that it was clear that there is insufficiency of existing or received knowledge on land. Whilst we knew a lot yesterday, it appears that we do not know much today. As such, there is a need to strengthen analysis and data collection on land. Whilst doing so, we also ought to realise that the African family itself is changing in the face of rapid urbanisation across the continent. The old questions of ownership, equity, citizenship and the like are also permanently being updated. Class is also an understated narrative, that is, to talk of class is to talk of the process of recomposition. In the midst of all this, debates are still raging concerning the nature of capital; financial, consumerist, speculative. There is also the unresolved issue of inequality as huge resources are in the hands of the few and there is also limited production.

Honourable Thoko Didiza encouraged the production of more policy reviews and policy briefs on land and agrarian challenges. Honourable Didiza bemoaned the increase in land conflicts, transboundary conflicts; class conflicts right across the African continent as a whole and the need for more collaboration across the continent to share ideas on land and agrarian challenges facing the continent.

This report provided highlights of the discussions that took place during the roundtable dialogue. It became clear that the topic of land grabbing or land investments is becoming topical in the African continent, and it is becoming an issue of concern to, and investigation amongst, researchers and civil society. There are plans to publish in a book, revised and peer-reviewed papers that were presented during the roundtable dialogue. An alternative to this is to publish the papers in a special journal issue on land or agrarian issues.

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