

SUMMARY PAPERS

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These papers summarise the presentations and debates at the study days organised by the French Cooperation "Land Tenure & Development" Technical Committee.

Using a continuous, process-based approach to better understand the links between land issues and violent conflict

This paper summarises the discussions and conclusions of a two-day seminar on the links between land issues and violent conflict held on 26th-27th March 2024. It was organised by the "Land Tenure and Development" Technical Committee (CTFD), and took place at AFD.

The Committee's work on various aspects of this issue over the last decade include a one-day event held in 2015, country-specific days on Côte d'Ivoire in 2018 and Mali in 2019, and coordinating a special issue of the journal RIED in 2019.

The two-day seminar in 2024 was prepared with support from Jean-Pierre Chauveau, and led by Amel Benkahla (GRET, CTFD secretariat) and Jacobo Gralajes (Université Paris 1 Panthéon-Sorbonne). Sessions over the two days covered: (i) the conceptual and scientific framework for a continuous, process-based approach to the links between land issues and violent conflict, with presentations by Jean-Pierre Jacob (IHEID Geneva) and Jacobo Gralajes (Université Paris 1 Panthéon-Sorbonne); (ii) analyses of the impact of crises on agro-pastoral activities in the Sahel presented by Blamah Jalloh and Mathieu Pellerin (RBM); and a presentation by Emmanuelle Veuillet (Université Paris 1 Panthéon-Sorbonne) showing how armed groups in South Sudan used the livestock economy; (iii) case studies on different types of conflict and population displacement in Côte d'Ivoire and

Cameroon, with contributions from Pierre Kamdem (University of Poitiers), Mathieu Bonnefond (CNAM), Armand Josué Djah and Michael N'Goh-Koffi Yoman (Alassane Ouattara University, Bouaké, Côte d'Ivoire), Henri Yambéné Bomono and Jean-Marie Nkenné (GRAMUR NGO, Yaoundé, Cameroon).

The seminar ended with a round-table discussion on the implementation of Côte d'Ivoire's Land Law and the challenges of formalising rights in the north of the country, with contributions from Mathias Koffi (Director of Technical Operations at AFOR), Toni Giovanni Pegurri (PhD student, University of Lille) and Achille Gnoko (Head of land issues for the Alerte Foncier platform).

> CONCEPTUAL FRAMEWORK FOR ANALYSIS OF THE LINKS BETWEEN LAND ISSUES AND VIOLENT CONFLICT

Keys to understanding land conflicts and civil wars

There is often a very strong relationship between land disputes and violent conflicts, as we can see from recent history in Central America in the 1980s, and Burundi and Kenya in the 1990s and 2000s. However, while all these conflicts had a land-related dimension, they cannot be directly ascribed to land issues. The fact that they involved multiple, very complex mechanisms shows that we should always try to determine the relationship between land disputes and violent conflicts in a given context.

We can use various parameters to distinguish between different types of land-related conflict:

>>> The "Land Tenure and Development" Technical Committee is an informal think tank composed of experts, researchers and senior members of the French Cooperation. It was set up in 1996 to provide strategic support to the French Cooperation and guide land tenure initiatives.

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rights, and their content and associated obligations, the identity of the protagonists, and the authorities that are able to regulate them (on this subject, see the chapter on conflicts in the reference work “Le foncier rural dans les pays du Sud. Enjeux et clés d’analyse”, QUAE, 2022).

Drawing on analysis that combines extremely wide-ranging empirical data from several geographical areas, this study distinguishes between:

- conflicts around the three types of social obligations associated with rights: (i) obligations within domestic groups; (ii) obligations within customary village frameworks; (iii) detachment from or questioning of mentoring relationships;
- conflicts between different users of a shared-access resource;
- conflicts linked to the commercialisation of land;
- conflicts over the boundaries of landholdings and parcels;
- conflicts arising from multiple and overlapping systems of authority;
- conflicts arising from processes of dispossession, which fall into five possible categories: (i) intra-family conflicts; (ii) conflicts linked to forced displacement; (iii) private appropriation of shared-access land; (iv) individual dispossession in the context of land interventions; (v) collective dispossession linked to territorial claims.

It is also useful to think about how we characterise civil war. **There are no root causes of civil war**, despite ongoing arguments to the contrary. The image of pressure building in a pot that eventually explodes is not appropriate, as far more complex social mechanisms are involved: actors who make various claims to rally support for their cause, who will organise a war, who will foster a culture of war within political movements that tip over into violence. Civil wars are also often seen as moments when the course of events changes radically, a break in normal times that is the opposite of peace. **Instead, history should be seen as a continuum** where more or less acute moments of crisis are accompanied by varying degrees of violence.

Certain methodological approaches can help us better understand how violent conflicts or civil wars disrupt land relations:

- land conflicts are not only about land: they are also conflicts about the institutions that are supposed to regulate land tenure, about identity, and the land rights associated with identity. They are therefore also about citizenship;
- wars have a profound impact on these institutions and identities. They change political authority and affiliations;
- wars also affect processes of economic change and accumulation. For example, they can accelerate the commodification of land and labour, etc.

Fence on a former minister’s land (Allekro, Côte d’Ivoire) © COSEFAC project



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SIDEBAR N° 1

Cross-cutting approaches provide a better understanding of conflict

by Jean-Pierre Jacob (IHEID Geneva)

The logics and determinants of conflict can be better understood when they are viewed in terms of the associated environment, their scalability, and multi-temporal factors.

- **The associated environment:** Bruno Latour (1984, *Pasteur: guerre et paix des microbes*, Paris, La Découverte) maintained that the more allies, institutions and significant social events a network is able to enlist, the stronger and more real it becomes. The same can be said of land conflicts, where this reasoning applies not only to the protagonists trying to resolve a dispute in their local arena, but also (in contexts where the State is under construction, or there is customary resistance to a State under construction) to regulatory bodies that seek out conflicts and use them to gain a foothold and increase their weight and legitimacy. Parties to the dispute try to use the political arena as a way of removing the conflict from the individual realm, giving it a more general sociological significance, and driving it in a direction that serves their interests; while actors in the political environment (or at least some leading institutions) try to associate themselves with ongoing conflicts in order to establish their authority and strengthen their legitimacy.
- **Scalability:** It is important to understand the conditions that allow conflicts to shift to a larger scale. Not all protagonists are able to make their disputes and interests known outside their local arena, and many conflicts stay locally contained (especially those managed within neo-customary systems). Conversely, when the State plays a key role in allocating land resources, it is also at the centre of disputes and claims, and conflicts play out in the public arena. This makes it easier for the protagonists to garner support from competing parties or professional organisations. Rural groups facing similar dispossession issues form coalitions and effective lobby groups that can exert pressure at wider gov-

ernance levels, which is where their demands need to be heard if they are to be resolved. The case of the Kalenjin in Kenya is one of the best known disputes of this kind (see C. Boone, 2014, *Property and Political Order in Africa*, New York, Cambridge University Press).

- **Multi-temporality (or temporal forum):** E. Renan (Qu'est-ce qu'une nation? Lecture at the Sorbonne, 11th March 1882) argued that "National unity is always achieved brutally. For all the citizens of a nation to have something in common, they must have forgotten many things about their origins." What happens in States and nations in the making where people have forgotten nothing of their origins, when the most recent institutions do not cover everything up and make people forget the past so that the protagonists in a conflict only have a single frame of reference? The same situation, and the same conflict then has plural political histories, each with its own legal arguments.

The crisis triggered by attempts to evict Burkinabè migrants from Côte d'Ivoire in the early 2000s is a good example of these considerations. Analysis of speeches made at the time clearly shows that the protagonists used three different timeframes to justify their claims:

- the Burkinabè referred to the forced migrations under colonial rule (1930 to 1950) that made them the main workforce on major building sites in Côte d'Ivoire, and based their claim to land rights on the fact that the country was built on their ancestors' labour;
- autochthonous actors argued that Burkinabè migrants should not have land because a growing number of them were refusing to comply with the rules of mentorship, and questioning land rights acquired since the pre-colonial period;
- the Ivorian State, for its part, had started using the slogan "the land is owned by whoever puts it to use" at independence (1960), to compensate for what it regarded as low levels of indigenous investment in land and justify the use of Burkinabè labour on Ivorian farms.

Narratives and political entrepreneurs that feed logics of violence

Most land-related conflicts are not violent. Private disputes are usually contained within a neighbourhood or family space, whatever the society concerned, and do not automatically spill over into a wider context. The key trigger for violence is the 'desingularization' of a cause: when the conflict shifts from a specific situation involving two individuals or two families to wider hostility between two social groups that may be defined in terms of class, ethnicity or linguistics.

This shift from the individual to the collective is facilitated by political entrepreneurs who frame 'the causes of people's misfortunes' in terms of class struggle or political parties. Violent conflicts are often highly fragmented; political entrepreneurs want to create a narrative that draws on ethnic or partisan affiliations, taps into collective identities, pits people against each other and ties them into war. Political entrepreneurs may combine strong local roots with national affiliations, having footholds in each arena that create complex local, regional and national interconnections (for example, a prominent local figure may also

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hold a national position in a political party or authority in a militia, etc.).

These narratives work in both directions: the protagonists' world vision may become more land-focused, while partisan national or political differences (ethnicity, language) sometimes feed into land-related conflicts between neighbouring families or villages.

The politicisation of conflicts does not mean that people are being manipulated. Several studies (on the Cuban revolution and the war in Vietnam, for example) show that people are fully aware that the structure of their daily lives is changing (largely as a result of the pervasive effects of capitalism). These narratives are not fables either; they are based on historical facts, territorial histories and previous claims that are part of the collective memory. **Land narratives in many countries are based on people's lived experience of cycles of colonial dispossession.** This is clearly illustrated by the agrarian history of East Timor, which was first colonised by the Portuguese, then by the Japanese during the Second World War, and subsequently by the Indonesians when the Portuguese left.

Violence may also be fed by **discourses on asymmetric production relations.** The civil war in El Salvador in the 1980s and 1990s showed that landowners are more likely to resort to violence when their status and place in society are closely tied to control over land. The State's response to intense land conflicts and demands for agrarian reform was to defend the landowners' interests and repress the peasantry. This plunged the coffee farming economy into crisis, prompting landowners to invest in other economic sectors, which smoothed the way for negotiations on the land reform. Class and intergenerational relations are also key factors that may lead former plantation workers to join armed groups (as in Colombia), or young people to see war as a way of **escaping from rural societies dominated by elders.**

Governance and territorial and social control

Civil wars reflect the existence of competing social orders as armed groups use their control over territories and populations to establish a social presence and legitimise their authority. Among the many examples of this, studies on Taliban groups in Afghanistan show that they were able to present themselves to local communities as 'more impartial and moral' administrators of justice than their predecessors (who were perceived as corrupt and 'in the pay of the Americans or warlords', etc.).

Civil wars enable certain groups to gain ascendancy over others. The jihadist groups that have established themselves in the Sahel over the last ten years initially presented themselves as actors seeking to redress the injustices inflicted upon particular populations. Civil war can also transform class relations: for example, when revolutionary movements use armed force to initiate agrarian reforms or, conversely, when the violence protects property-owning classes, agro-industrial groups, etc.

Armed groups change power relations. They reshape the role assigned to land governance structures, particularly chieftaincies, village chiefs, land chiefs, etc., which can give subordinate groups access to power in a war setting. Very young people may find themselves taking the place of elders (who have died or left), and this has long-term effects on customary authorities and institutions. Civil wars thus create multiple overlapping institutions that conflict with each other, sometimes as a result of humanitarian interventions – as with the peace committees set up in western Côte d'Ivoire, which then competed with other land management authorities.

Links between war and socio-economic change

Socio-economic changes that start in wartime may have long-lasting effects. **Certain population movements can transform land markets,** as shown by the surge in land market transactions in the late 2000s in western Côte d'Ivoire, where the violence was concentrated. Returning refugees can also fuel conflicts and raise very difficult questions, such as what rights should be granted to secondary occupants who are themselves displaced by returnees. This was a key cause of the violence in eastern Democratic Republic of Congo (DRC), and a major issue in Burundi in the 1990s and 2000s.

These displacements also reinforce identity narratives: who has the most legitimate right to stay where they end up after being displaced? Burundi is a particular case in point, having experienced waves of forced displacement. Debates over the past 15 years have centred on who has greater legitimacy: Hutus who were displaced in the aftermath of large-scale massacres in the 1970s, or Tutsis who were displaced during the civil war in the 1990s. Who is responsible for what? Who are the victims and who are the despoilers? It all depends on the narrative.

Social relations are also affected by emergency aid that targets women and young people. Groups that normally have the lowest social sta-

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tus may assume new responsibilities and benefit from unexpected social mobility in times of war. What happens when these people return home? Experience in Sierra Leone and Liberia shows that people are often reluctant to relinquish what they have gained and rarely agree to resume their former lowly status. It should also be noted that refugee camps sometimes become commercially active towns, and that refugee return operations should take account of the fact that people want to stay connected to these markets (meaning that refugees may not necessarily want to return to the place they came from).

War also consolidates forms of accumulation, land grabbing and land commodification by political elites, militias and companies. The same can be said of post-war situations, when States seek to benefit from peace dividends, privatise former state farms (as in Mozambique) or capitalise on new agrarian frontiers (as in Colombia's pacified lands), etc.

In conclusion, we can see that:

- land does not cause violent conflict, but is part of the mechanisms that generate violence;
- land is both an issue in violent conflicts and an arena for opposing visions of authority and citizenship;
- war has complex links with market transformations;
- patterns of accumulation change when war ends, but not necessarily in the way that aid agencies would hope (dominance is often consolidated).

Thoughts on the operational implications of this analytical framework

We need to question the way that international aid agencies position themselves in relation to, and even deliberately participate in, the mechanisms that generate violence. It is important to consider the interplay between armed violence and violence over land, and the role that development/aid operations may play in this. Development practitioners should not underestimate the complexity of land issues, or ignore the fact that aid actors are not neutral and have limited rationales.

Herders' hamlet destroyed following a conflict (Benin) © RBM



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The answer is therefore not to codify, legalise or oversimplify, but rather to support negotiations based on shared moral principles. **This will entail rethinking project intervention methods, or even agreeing not to intervene in certain cases.**

It can be hard for bilateral cooperation agencies not to intervene or to follow the recommendations that may arise from complex situations, as their primary vocation is to respond to government requests to intervene on public policy issues. Researchers and development practitioners still struggle to communicate on this issue, even though it is nothing new. Nevertheless, several trends are worth noting in this respect.

- **There is now a body of evidence-based research and studies on the links between armed violence and rural land tenure.** Further work is needed to identify how research can continue to inform development practitioners and policy-makers on land issues that can no longer be tackled head-on.
- **Professionals are also trying to adapt their intervention mechanisms, using conflict-sensitive approaches and contextual studies** in addition to traditional feasibility studies. The aim of these studies is to identify the social dynamics at work and potential areas of tension. The idea is to “do no harm”, anticipate the negative effects of projects, and try to increase social cohesion through future interventions. In this context, scientific literature is used whenever possible and supplemented by additional research that draws on both public and professional knowledge. The aim is to encourage dialectical stakeholder debates in order to identify divisive issues (between local societies, and

between local societies and the State) from a historical perspective and determine what still binds societies together.

Do short-term aid projects have the capacity to tackle these issues and grasp the highly complex land situations and multiple timescales that feed into political violence and land conflicts? How can practitioners use a reflective approach in contexts where operational teams can no longer work in the field? Dialogue with local partners (who can still go into the field) is essential in these situations, as is the ability to monitor actions on the ground and quickly adapt them to changing situations.

The possible adverse effects of intervening in crisis contexts without due caution include:

- failure to understand changing power relations due to development practitioners’ cognitive biases (as in Rwanda);
- giving local actors biased information (strengthening ‘leaders’ who then use this power to consolidate their economic authority);
- focusing actions on a specific/particularly urgent issue such as returning refugees, but overlooking part of the problem, particularly structural issues (various cycles of predation by certain groups of actors);
- the development of ‘indirect land grabbing’ linked to tensions over land around project intervention areas, which can lead to disposessions or resource capture;
- the initial objectives being manipulated and used to facilitate private accumulation (for example, when activities to empower local actors do not improve their ability to negotiate with third parties).

Gold-panning site in Goulaleu prefecture, Côte d'Ivoire © COSEFAC project



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It has also become apparent that **it is very hard to stop a project once the appraisal process has started**. There do not seem to be any cases where contextual studies have led to a decision not to intervene. Aid actors and governments alike need to take a genuinely reflective approach to this issue, although it is hard for development agencies to change the paradigm as they often intervene at the behest of governments whose political objectives have not been clearly stated.

Genuine contextual analysis also requires very localised interventions, which are not always compatible with projects to support public policy implementation. Working through NGOs can be a more direct way of reaching local actors and civil society, with reflective monitoring and evaluation to review areas of activity or territories in real time and adapt interventions as the context evolves. It is also important to remember that experts do not play a neutral role in these situations: some may be called upon to act as 'development brokers' between aid actors and local populations.

Generally speaking, the need to think about and question the way that things are done remains a real challenge – but it also provides considerable scope for progress and learning. Analysing the

interactions between protagonists entails working on a very localised scale, which is rarely possible with projects and contextual studies. The community of practitioners and donors working on conflict-sensitive approaches should be able to draw on other knowledge and experience.

In addition to the very detailed studies that can be conducted on ongoing dynamics elsewhere, particularly in the Sahel, we need to be able to cross-reference national- or even local-level analyses in order to consider the potentially negative impacts and effects of the actions that are being taken.

It is also important not to fall into the trap of focusing exclusively on the local level, as local actors operate at other levels too. Pressures experienced at the local level can be due to monopolisation or dispossession by political elites in other regions, which are then completely overlooked. In Liberia, for example, emphasis on the local level led to power being given to intermediaries (local elites who often do not live locally) who charge private foreign companies for their services. We need to be aware that local players are also involved in power games, political games and partisan games, just as national actors are.

Operation to demarcate a cattle corridor in the Senegalese commune of Tankanto Escalé, attended by the mayor © Amel Benkahlia



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> THE CONSEQUENCES OF CONFLICTS, CRISES, DISPLACEMENTS AND CIVIL WARS ON AGRO-PASTORAL ACTIVITIES

Studies and initiatives for informed dialogue supported by the Billital Maroobe Network (RBM)

In 2021, RBM conducted a diagnostic study on the links between livestock rearing and insecurity in the Sahel, entitled "Hearing the voice of livestock breeders in the Sahel and West Africa". Its initial aim was to counter the feeling that policies take insufficient account of the specific difficulties faced by livestock breeders. Nearly 2,000 pastoralists were interviewed in six countries (including hard-to-access countries in conflict zones).

This study highlights **the overlap between the crises in the rural world, the crisis in pastoralism and the security crisis**, which has led to a societal crisis (and growing mistrust of pastoralists) and a humanitarian crisis (forced displacement of herders, declining regional trade flows, decapitalisation of herds). **These crises feed off each other** and cast a deep shadow over the future of pastoral activities. Young people no longer see their future in livestock rearing and are looking for alternatives. The study identified four dimensions of the crisis in pastoralism, and proposed possible solutions to them:

- the crisis in development, which could be offset by securing pastoral lands;
- the societal crisis, which is fuelling violence and a sense of insecurity, and which requires greater social cohesion to reduce violence;
- the crisis in pastoral mobility, which is seriously threatened by border closures, and requires dialogue to renegotiate cross-border and internal mobility arrangements;
- the humanitarian crisis, which requires a rethink of old adaptation strategies that no longer work and which need to evolve to enable herders to become self-sufficient.

The key messages of the study are summarised below:

- insecurity distances people from each other and breeds mistrust and resentment;
- insecurity is bringing new actors into pastoral areas (armed groups, Volunteers for the Defence of the Homeland (VDP), Defence and Security Forces (DSF), Rouga, etc.);
- while some herders have undoubtedly played a role in the insecurity, the vast majority are its victims;

- responses to insecurity should not only involve security measures, but also resolve the four dimensions of the crisis in pastoralism described above;
- pastoralists have many aspirations, these crises therefore require multiple responses;
- insecurity is having paradoxical effects on cross-border dynamics. Sahelian States are developing increasingly divergent approaches to transhumance when they should be harmonising their approaches to it;
- stakeholders (authorities, communities, partners) are struggling to coordinate their efforts to build a Livestock – Peace nexus.

Herders face multiple difficulties and operate in a land economy that is not only largely unfavourable to them, but sometimes also a source of structural injustice. Nevertheless, it has to be said that some of their coping strategies are questionable (living away from village centres, investing in property or trade, making deals with the authorities that are responsible for settling disputes, etc.). Pastoral organisations are doing all they can to make herders aware of their rights and responsibilities, wean them off these questionable strategies, and encourage them **to get involved in a process that aims to integrate governance spaces and rebalance local power relations**.

The aim is to use this multi-stakeholder dialogue to respond to the fourfold crisis in pastoralism and **build consensual, shared solutions for all stakeholders** by developing shared rules of access to natural resources, meeting infrastructure needs, responding to security issues (livestock thefts and/or concentration, social cohesion with displaced/refugee populations), and supporting local conflict prevention and/or management initiatives. This permanent framework for exchange enables the authorities and partners to adapt their responses to immediate and changing needs, help build a livestock-peace nexus, and monitor dynamics on the ground to support the design and/or implementation of national and regional policies.

All the protagonists met to discuss the initial results already generated by this pilot multi-stakeholder cross-border dialogue between Burkina Faso and Côte d'Ivoire, and explore consensual solutions.

Despite taking place in a context of high tension and increasingly limited discussions, the initiative generated very rich debates and enabled new priorities to be identified:

- preserving social cohesion in northern Côte d'Ivoire amid an influx of refugee populations;

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SIDEBAR N° 2

Multi-stakeholder dialogue initiative in the Bouna-Ferkessedougou-Banfora border area (Côte d'Ivoire-Burkina Faso)

RBM conducted a study to gather stakeholders' perceptions of pastoralism, identify local tensions and conflicts, and analyse sources of tension and conflict, formal and traditional mechanisms for preventing/managing conflict, and good practices that contribute to social cohesion and can be used to strengthen stakeholder dialogue.

The key lessons learned from the diagnostic study in northern Côte d'Ivoire (Tchologo and Bounkani) are summarised below:

- semi-transhumant systems are the most suitable for most livestock breeders, due to the many disadvantages of intensive systems (lack of access to land, scarcity and high cost of livestock feed, lack of training);
- there are no major tensions between transhumant and sedentary livestock breeders; however, livestock thefts and damage to fields create minor tensions and a feeling that livestock breeders and livestock services are marginalised;
- access to pastoral resources remains an issue due to inadequate or non-existent livestock tracks and grazing areas (expanding cashew cultivation), inadequate and inaccessible water resources (privatised access to dams and water points), and the occupation of certain pastoral areas, which is forcing herders out of them;
- social cohesion is breaking down: pastoralists are stigmatised (accusations, suspicions), badly treated (particularly by the water and forestry services), and it is becoming increasingly difficult to accommodate pastoralist refugees (some villages refuse them entry). Although pastoralists are generally positive about actions by the Dozo in Tchologo and Bagoué, some abuses have been observed;
- several factors were identified as the main causes of farmer-herder conflicts: the arrival of transhumant herders, increased numbers of livestock, increasing amounts of land under cashew, cotton, etc., extensive protected areas, lack of cattle tracks to grazing areas, difficulty accessing water points, etc. Farmers and herders blame each other for these conflicts.

The key lessons learned from the study in southern Burkina Faso (South-West and Cascades regions) are summarised below:

- there are more conflicts between farmers in the Cascades and South-West than between farmers and herders. This is also because herder evictions have escalated since 2019 (an estimated 40,000 people have been evicted from their camps, with mass departures for Côte d'Ivoire);
- there are widespread abuses by both the defence and security forces (DSF) and Volunteers for the Defence of the Homeland (VDP). The creation of VDPs has played a key role in the dynamics of violence (especially since the end of 2022);
- according to the Office of the United Nations High Commissioner for Refugees (UNHCR), progressive evictions since 2019 have led to the displacement of 50,000 people (40,000 of whom are refugees from pastoral communities);
- pastoralists' coping strategies are mainly based on access to classified forests, and this has led to greater stigmatisation because these forests are also occupied by jihadist groups.

The study identified a number of practices that help prevent conflicts:

- self-monitoring mechanism (herders contribute to compensation for damaged fields while the culprit is tracked down);
- donating bulls and/or supporting village settlement events;
- lending draught animals;
- exchanging manure for crop residues;
- negotiated access to classified forests;
- legally recognised conciliation system;
- relations between Fulani herders and the armed Senoufo herdsman they call upon for protection;
- developing close ties (often economic) with traditional chiefs helps rebalance the political economy, which is unfavourable to herders;
- economic incentives for local actors (local mutual aid when transhumant herders pass through);
- mentoring relationships, etc.

But it should be noted that the current situation is undermining all these systems.

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- where possible, enabling certain refugee populations to return to Burkina Faso;
- finding consensual solutions to herders' occupation of classified forests;
- and combatting livestock theft by closing legal loopholes that allow thieves to use emergency procedures to get slaughterhouse vets to stamp the carcasses of animals that were slaughtered in the bush, which means that they can be sold without having been inspected on the hoof.

This kind of dialogue is clearly extremely complicated in situations where levels of mistrust are high. But despite everything, **there is a feeling that populations in cross-border areas have the same concerns, and that this is an opportunity to strengthen cohesion and consolidate land dynamics.** This is best done through holistic approaches, such as using pastoral water works to bring stakeholders together around common goals. This pilot initiative enabled stakeholders to jointly develop a strategic, programmatic tool that can now be used to help move the process forward.

How war reconfigured the livestock economy in South Sudan's Western Equatoria region

Unlike their counterparts in the Sahel, livestock breeders in South Sudan are supported by the authorities, even in predominantly agricultural regions. **The livestock economy in South Sudan is inextricably linked to the wider political economy,** which means that changes and conflicts in and around the livestock economy are reconfigured in times of war.

Sudan went through a series of civil wars from the 1950s onwards, which led to a referendum and independence for South Sudan in 2011, before civil war broke out again. The Western Equatoria region is located in southwestern South Sudan, on the border with the Democratic Republic of Congo and the Central African Republic. It is a fairly large, sparsely populated and very fertile region, with two rainy seasons that allow crops to be grown all year round.

Herd of cattle in South Sudan © Veuillet



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Western Equatoria was also one of the first regions to be liberated by the SPLM/A in the 1980s. The SPLM/A later became the ruling party, and the area came to be seen as a refuge for populations and livestock displaced by conflicts in other parts of the country. **The war of liberation helped cement relations between certain groups of livestock breeders and the authorities, and explains certain patterns of accumulation** that were then disrupted when attitudes to the livestock economy changed during the last civil war.

Before the war of liberation in the 1980s, trading activities were quite tightly regulated by the State, with very limited livestock rearing directly managed at the local level. When the war started, the SPLM/A moved into the Equatoria region, ousted representatives of the government in Khartoum and established a new administration that saw the livestock economy as a potential source of funds. The SPLM/A encouraged the development of cross-border markets (which had been highly regulated until then) and started securing and taxing livestock movements, which boosted trade in livestock and products like salt, sugar, oil, etc. that are hard to find in wartime.

Waves of displaced persons came into the area from the east during this period, when an estimated 50,000 people who lived off pastoral activities suddenly arrived with their livestock. Until the 2000s these arrivals were organised by the SPLM/A, which made it hard for local chiefs to plan how to accommodate so many people – and especially animals – in the designated areas. Local people who lost access to certain farmland, forests, watering holes, etc. saw **extensive grazing, which was new to the area, as a form of dispossession** (or even intent to expropriate), and the livestock breeders' arrival led to violent incidents (assault and battery, murder, etc.). Traders, on the other hand, saw the booming livestock economy as an opportunity to accumulate resources.

A new livestock economy was established in the early 2000s, towards the end of the civil war. But the outbreak of violence cannot be solely ascribed to the fact that the herders were incomers, or that they were heavily armed. **The dispossessions and regulatory mechanisms affected herders in different ways, as only some of them were mobilised to guard livestock belonging to the militarised elite.** Livestock do not have the same value as money, and it was very important for the elites to have a 'bank' of livestock that they could use for dowries, etc. The interconnected nature of the camps that were set up allowed large landowners to combine their herds (which could include thousands of animals) with those of local breeders, creating multi-layered situations that enabled certain actors to bypass regulatory mechanisms with impunity.

When internal political crises rekindled the civil war in 2013, the country split along identity lines. New waves of displaced persons and huge numbers of livestock (up to 70,000 head at a time) poured into the region from the north and east, and then had to be accommodated. **The armed groups that had moved into the area claimed to want to free themselves from a predatory cattle economy, and used this rhetoric to recruit in the region** as it tipped over into war. New alliances formed between local people and armed groups that opposed the government (and the livestock economy), and livestock breeders started leaving the region for the first time. Extensive pastures and cross-border trade corridors were closed in 2015, some areas imposed a two-year boycott on meat, and butchers in some towns were forced to close. Activities gradually resumed, but only under government supervision, and taxes increased. The social and economic status of livestock-related professions declined as these activities became less profitable than they had been during the war, and some livestock breeders lost their grip on the market as new arrivals (Mbororo herders) struggling to integrate into the local political economy sold their meat at much lower prices. New alliances formed as the South Sudanese army absorbed other armed groups at the end of the war, and dispossessions ceased.

We can see that there are important **links between the livestock economy, the political economy and the systemic inequalities** that existed in the region, which were linked to the system of domination established during the civil wars. Analysing **civil war as a period of reconfiguration** helps us avoid essentialising relations between actors, and historicise and recontextualise situations. **The case of South Sudan clearly shows that a period of war can encourage or end forms of land dispossession, and exacerbate or reduce inequalities** as different actors compete for, assume and change the role of the State.

It would be interesting to examine how this livestock economy interacts with neighbouring spaces that have the same political dynamics, as there will be lines of communication between them. The links between the livestock economy and the political economy also become blurred as other sectors come into play (especially those linked to oil revenues, in the case of southern Sudan).

Land dispossessions in northwestern Cameroon, illustrated by the case of Sabga

Land dispossessions are also widespread in parts of northwestern Cameroon, where **elites have taken over vast tracts of grazing land** for ranching.

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The situation in the village of Sabga shows how these processes marginalise small herders.

The Mbororo, who are one of many Fulani sub-groups, have long been sedentary herders in Sabga. According to oral sources, transhumant Mbororo herders from Nigeria first discovered the area's rich high-altitude pastures and salt springs in the early 20th century. They were granted space in some of the highly structured traditional chiefdoms already established there, and settled in Sabga, which became known as the first Fulani enclave in northwestern Cameroon.

The Mbororo have been involved in a dispute with Fulani billionaire ABD over the extension of a ranch in Sabga since 2001. Mbororo herders from various enclaves in the north-west are contesting the acquisition of large landholdings for agribusiness, which are depriving them of their right to move their herds over high pastures. **This dispute has led to violence, legal action, and mobilised national and international institutions**, including a specially instituted inter-ministerial commission, the US Embassy in Cameroon, and the UN Special Rapporteur on the Rights of Indigenous Peoples.

In 2004, a letter explaining the dispute was sent to the Minister of Justice and the Keeper of the Seals. A group of young Mbororo met in the capital Yaoundé and set up the Association for the Social and Cultural Development of the Mbororo (MBOSCUDA). The other party in the ADB conflict responded by setting up an alternative association, SODELCO. **The two associations are officially supposed to be fighting to protect and defend the rights of the Mbororo in the North-West region of Cameroon, but are actually fighting each other for leadership and political influence.** Each claims to be the legitimate representative of the Mbororo people, not only in the North-West, but in Cameroon in general.

When a local dignitary who opposed the ranch project died in 2007, ABD got the local administration to help install a successor who supported his cause. This was the first step in the takeover of high altitude pastures (Chabal Land) in the village of Sabga, which led to the displacement of over 2,000 small-scale livestock breeders and their cattle. Since then, there has been tension between the ranch, which is guarded by armed militia, and the Mbororo population.

As the conflict escalated Mbororo herders were displaced to other parts of the country, such as Fouban in the west, N'Gaoundéré in Adamaoua, and the predominantly agrarian lowlands, resulting in increased pressure on land. At the political level, the leadership struggle between MBOSCUDA and SODELCO had the unintended effect of further marginalising the Mbororo in the country's political economy (Fon, 2008).

The challenges of implementing the Land Law in Côte d'Ivoire

The socio-political crises that swept through Côte d'Ivoire in the early 2000s meant that it took a long time to implement the 1998 Land Law, and that it only went through a few minor changes, despite raising many questions about the transmission of rights to the heirs of non-Ivorian owners and the extension of deadlines for issuing certificates, etc. In 2016, the State decided to set up an agency dedicated to implementing the law and created the Agence Foncière Rurale (AFOR), which has been operational since the end of 2018.

In 2019 an Operations Manual was developed, describing and framing all operations to secure rural land tenure in accordance with the legal framework.

These operations were organised into seven main activities:

- Preparing for the integrated operation;
- Social and land activities to inform the population about the programme to secure land tenure;
- Delimiting village territories;
- Land certification operations;
- Consolidating concession holders' rights;
- Promoting agrarian contracts;
- and Closure of the operation.

Considerable progress was made in delimiting village territories through the PAMOFOR programme, which ran from 2018 to 2024. **Almost 60% of the 8,576 official villages had been demarcated by the beginning of 2024.** However, the number of certificates issued (32,000) and agrarian contracts signed (just a few dozen) fell well short of the initial targets. At the political level, very high targets had been set for the number of certificates to be issued (1,500,000) and the area to be covered (23 million hectares) by 2033. Actions will therefore continue until 2029 in 18 new regions, through two complementary new programmes (PRESFOR and FB-PR Foncier) that aim to issue a further 540,000 certificates.

AFOR can learn several lessons from the operations that have already been carried out:

- **the shift towards mass land certification will require adjustments** to the technical and legal system, which was originally designed to issue certificates on demand. This process has already started;
- **operators need to take more account of how people feel** about initiatives to secure land tenure, and the public need to be given more

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information about the programmes that are currently being implemented;

- **the list of official villages needs to be updated** as anomalies have appeared. A study has been launched with this in mind.

Extending operations to issue certificates in other regions will present a number of challenges, particularly in the north. **The situation in northern Côte d'Ivoire differs from that in AFOR's current intervention zones, due to major migratory movements and the arrival of refugees** from Burkina Faso (90%) and Mali (10%). The UNHCR estimates that there are nearly 50,000 refugees in the region, who the local authorities have placed with local indigenous families or in dedicated neighbourhoods, depending on the area. They access land and grazing through leases, planter-sharer contracts, etc. AFOR's initial analyses show that the main difficulties in the area relate to increased pressure on land, the rise in illegal gold panning, the shortage of agricultural labour, and the development of land sales, etc. To help formalise agrarian arrangements, model contracts between farmers are currently being tested, along with agropastoral contracts.

Researchers feel that it would be appropriate for the Ivorian government to look at the socio-economic effects of issuing certificates before it starts mass certification operations in new regions, to see whether the land policy has achieved its stated objectives (securing investments, agricultural activities, etc.). The findings from research conducted in early 2024 in villages where the most certificates were issued in Sud Comoé and Mé region should be seen in light of the very recent implementation of the reform (barely four years).

A certificate does not necessarily correspond to a plot of land. The number of certificates may have been inflated by certain surveyors' practices, which not only went against local people's advice, but were also unjustified and verging on fraudulent. This led to some farmers' fields being divided up and numerous certificates being issued for very small pieces of land. Although AFOR changed the way that service providers will be remunerated in future programmes, so that they will be paid per hectare rather than per certificate, there are fears that procedures will still be biased, and that collective certificates will be issued for very large areas of land.

Village rural land management committees (CVGFR) are rarely, if ever, asked to update land certificates even though this may be necessary for various reasons. If a certificate holder dies, the most legitimate rightful claimant takes over the certificate, which should logically then be updated by

changing the holder's name or adding the names of various rightful claimants. However, it has been noted that the procedures for updating certificates are rarely used. This may be partly due to a general lack of awareness about when certificates need to be updated, and the fact that people have to pay to update them even though they were issued free of charge. Côte d'Ivoire needs to ensure that certificates are updated if it wants to continue implementing its land policy independently of TFP programmes, which will eventually come to an end.

The motivations for certification seem to vary: some people want to secure their land purchases and avoid them being open to future challenge; others see free certification as a possible opportunity to gain easier access to credit (to build a house for their old age, make investments in the village, etc.). Obtaining a certificate may also be a way of getting round the matrilineal inheritance system that prevails in some areas.

It has also already been noted that a significant proportion of the land certificates that have been issued have been subdivided, thereby removing the land concerned from the rural land tenure system. This raises questions about the reform's possible effects on agricultural development in Côte d'Ivoire.

Citizen monitoring by the Alerte Foncier platform in 65 villages (around 10% of the villages covered by PAMOFOR) raised a number of points that are worth noting:

- some villages refused to engage with the procedures for formalising certificates because they had no administrative relevance;
- **there is still insufficient training for CVGFR members**, both in terms of the number of people trained, and land demarcation equipment and support, etc;
- the way that land operators conducted operations led local people to apply for individual certificates, creating **a risk that the patrimonial dimension of land will be lost**;
- the operations helped improve women's access to land, but also led to a resurgence of conflicts between members of indigenous families (48% of conflicts recorded by the CVGFRs that we met), between members of different indigenous families (25% of conflicts) and between host villages and settled villages (17% of conflicts).

This citizen monitoring shows that **more stakeholder communication and awareness-raising is needed**, and that the focus should not be solely on issuing certificates. There should be more recognition of local practices to regulate socio-land relations, as initially envisaged through support for the formalisation of agrarian contracts.

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Operations to secure land tenure in the North will be extended into selected areas that are not affected by insecurity. This is a wise decision by AFOR, as it is hard to see how the land policy could be implemented in areas that are vulnerable to jihadist incursions. It is also worth noting that virtually all the production systems in northern regions revolve around cattle, regardless of the community concerned. Breeders have shifted to sedentary systems and are developing both livestock and agricultural activities, while farmers and local elites have also acquired herds. **There is therefore considerable interest in the agropastoral contracts that AFOR is currently testing in the northern zone.**

However, it is hard to see how the land policy is going to respond effectively to the concerns of transhumant herders, who are currently worst affected by jihadist threats. The encroachment of cashew fields into their former grazing areas has forced them into classified forests, where livestock thefts are rife, and which are also occupied by jihadists. **Transhumant herders are often overlooked by land policies and local participatory approaches to negotiated access to natural resource.**

It is important to conduct upstream negotiations with transhumant herders before any certificates are issued, to avoid the risk of all customary land being certified and no room left for commons. This kind of staged process (securing commons, then issuing individual and collective certificates) would be a highly appropriate approach to tackling interconnected security, social cohesion and land policy issues. Côte d'Ivoire's land policy cannot be implemented in the same way in the north of the country as it is in the south, and adaptations of this type could be envisaged.

> CONCLUSION

Rural areas are affected by multiple crises that cannot be resolved through standard government responses and land policies. **Contextual analysis is an extremely important precursor to any public intervention**, in order to understand the types of actors concerned, their relationships and networks, sources of tension that may divide them, points of convergence that link them, and issues that may strengthen social cohesion. These can then be used as a basis for informed, multi-stakeholder dialogue that helps build a shared vision of the area's future and avenues for joint action.

However, this kind of analysis does not fit easily into large-scale public policy implementation processes, which are necessarily framed in terms of approaches, and all too often include overambi-

tious quantitative objectives that create numerous biases and sometimes adversely affect operational implementation. National land policies often overestimate the demand for land certificates, set overambitious objectives for short-term projects, and rely on mass land certification to reduce the cost of hitting their inflated targets. Côte d'Ivoire illustrates the challenges of land certification: balancing the time that operators spend informing and involving local people in recognising and socially validating rights with the time spent on demarcation operations; discrepancies between the boundaries of administrative villages and those of customary villages; operators who are insufficiently trained, equipped and monitored; and lack of capacity building for local land management bodies, etc. This means that projects often end without having completed their work, leaving people with diverse types of land tenure that can potentially increase tensions and conflicts (for example, the same plot of land may be covered by one or more certificates, depending on how the operator works).

The current demographic dynamics in many West African countries are placing huge pressure on land, creating high demand for rural land, and accelerating the pace of change through subdivisions, purchases, etc. The prevailing insecurity in the Sahel has also led to major population movements between countries, bringing huge numbers of animals into certain areas. It is estimated that 350,000 head of cattle arrived in the Boukani and Tchologo regions of northern Côte d'Ivoire in recent months alone.

In view of these dynamics, there is an urgent need to look beyond formalising customary rights and consider the local negotiation approaches that are being promoted to enable different activities to coexist peacefully, strengthen local governance institutions, and establish forums for stakeholder dialogue. The aim is to enable all local people to agree on **how they want to live together, what rules they define and which institutions can legitimately enforce them**. The level of inclusion and quality of dialogue in these processes are important first steps in strengthening social cohesion.

National administrations are trying to adapt to changing situations in complex settings, and ensure that the approaches they develop are as relevant as possible. Despite the political will for change, they are struggling to capitalise on research findings, use them in a meaningful way, and create spaces for collaboration between operational staff and researchers. The 'Land Tenure & Development' Technical Committee is using this approach to capitalise on the experience gained from past programmes in affected and neighbouring countries.

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It is now up to States to tackle this issue, with dedicated budgets for feasibility studies and operations monitoring phases, and measures to ensure that pre-existing 'contextual experts' or expertise on the ground are properly mobilised.

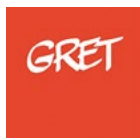
There has also been much discussion about role that civil society can play in this respect. Civil society often has a long-term presence on the ground, and is sometimes the only actor able to intervene in areas that governments can no longer reach. How can we better use existing networks to **enable governments to reach out to local people, support them, strengthen local organisations' skills, consolidate territorial dynamics and ultimately reinforce social cohesion – if necessary, by 'correcting course' on certain points?** Given the critical issues

at stake, it is up to all of us to quickly find pragmatic, relevant mechanisms that will strengthen these synergetic actions. ●

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