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Many developing countries have privatised grazing land to encourage the development of a commercial livestock sector. Botswana's beef export industry is often seen as a successful model to be emulated. However, this success is controversial; policies have favoured a small, commercial elite group whilst neglecting pastoralist populations and traditional rangeland practices.

Work by the International Institute of Environment and Development's 'Securing the Commons' programme examines current policies towards pastoralist landownership in Botswana. The Botswana model of rangeland policy has generally been viewed positively, largely because of the success of the livestock export sector. When examined more closely, however, this model has several problems.

Rangeland policy has largely been based on tackling the problem of the 'tragedy of the commons'. This argument states that communal control of land resources and open access for pastoralists lead to land degradation and overgrazing. The solution advocated in development projects has been privatising grazing land and promoting commercial ranches. Communal areas have been reduced in size and separated from commercial areas by fences to prevent animal movement and disease. Pastoralists have not been able to pursue traditional practices of moving animals to benefit from shifting areas of grazing land. Some groups have lost access to land, notably the San (or Bushmen).

The researchers claim that these policies have led to several problems. They argue that:

- Communal rangelands are not necessarily degraded and overstocked. In semi-arid environments, pasture resources are not predictable: grazing land varies in location and size each year. Traditional pastoralism is a rational response to this variability.
- Commercial ranches have often performed poorly, particularly because many supporting practices (such as rotational grazing) have not been implemented.
- Livestock development policies have favoured elite groups with close links to the government. These policies include a range of subsidies and low-interest loans (such as

for veterinary services and borehole drilling) as well as favourable pricing policies for wealthy landowners.

- Rangelands (in contrast to ranches) are often economically undervalued because analyses fail to capture the full range of activities carried out on them, such as the gathering of useful products and wildlife conservation.

One reason for these policies

is to assist elite groups in gaining access to lucrative European Union markets. There are several issues for policymakers to consider if they wish to make land access fairer to all groups. These include:

- Flexible management approaches that allow for animal movement instead of fencing and determining numbers of cattle for a given area. These could benefit neglected pastoralist communities.
- Policymakers should consider the suitability and fairness of continued donor support for the beef industry.
- There is a need to address the decline in the wildlife sector (and subsequently the tourism industry) which has followed the promotion of veterinary fences.
- It is important to examine how to improve income opportunities for poor households who have lost land to ranches and who have failed to benefit from government support for the livestock sector.

Flexible management approaches that allow for animal movement could benefit pastoralist communities

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Winners and losers: privatising the commons in Botswana, International Institute for Environment and Development, Securing the Commons Series No. 9, IIED: London, by Adrian Cullis and Cathy Watson, 2005



Land disputes in Ghana

In Ghana, conflicts over access and use of land are increasing. Customary rules in the country link land ownership to social group membership. Land disputes, however, can be settled either through the law offered by state courts or within the customary system.

Land disputes account for around 50 percent of the total court cases filed nationally. However a large number of litigants wait for up to two years for their case to be heard and many are never resolved. Constant adjournments are frustrating as people are forced to attend the court for no purpose. The huge backlog of unheard cases, long delays and the incapacity to handle large numbers of cases has brought about a crisis.

Research by the Institute of Development Studies and the Institute of Commonwealth Studies, UK, investigates the factors that have brought people to court over land cases and their experiences of the judicial system.

Disputes can be addressed by informal or 'traditional' institutions as well as at state court level. However, only 37 percent of litigants surveyed had first tried to resolve their case using a 'traditional' process. In spite of the problems and delays, people generally had positive experiences of the state court system.

The research found that:

- There is a high demand for authoritative and enforceable remedies, which only the

state can provide.

- State courts were not inappropriate or inaccessible in terms of language or other factors: most people were able to understand what was going on.
- Women and less educated people also held generally positive views of the process.
- Judges, particularly in the local Magistrate Courts, were well respected and their procedures seen as flexible and user-friendly.
- People are very reluctant to use out-of-court settlements which could affect the likely success of alternative dispute resolution (ADR) processes currently being proposed in Ghana.

As a majority of respondents felt that going to court was the best option, the researchers warn there may be no easy set of alternatives to the problem of the backlog of cases in the Ghanaian courts. New court suits are being filed at a faster rate than they are being cleared.

However, they suggest how the court experience could be improved:

- State courts need more staff and resources to deal with demand, particularly at the local levels.
- ADR systems can solve land disputes but they should be state supported and monitored: the Commission for Human Rights and Administrative Justice operating at the district level is a good example of a state-supported ADR system in Ghana.
- Administrative reforms' such as more



Workers repair soil by traditional methods to protect from soil erosion and dry land Myint Thar Zi, Myanmar.

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realistic scheduling of cases and more use of legal remedies for striking out cases, are essential.

- The Magistrate Courts at district level should be the main focus of any reform efforts and extra resources as they can offer a flexible, accessible and effective system.

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State courts and the regulation of land disputes in Ghana: the litigants' perspective, Institute of Development Studies, IDS Working Paper 241, by Richard Crook, 2005
www.ids.ac.uk/ids/bookshop/wp/wp241.pdf

Women and land rights in India

Policy support for women's land rights in India has not translated into title deeds in women's names. When agriculture depends heavily on women's labour, why have women not joined together to demand rights to land?

Research carried out in Jharkhand, India, asks this question. Commentators often argue that to overcome inequality, women need to work together across boundaries of class, caste or religion to achieve their common interests. However, not all women have the same interests regarding land rights and they are therefore unlikely to work together to pursue greater equality. In fact, men's and women's interests within a family group are often more similar. A woman's position as part of a household is perhaps the most important influence on her loyalties and alliances in relation to land.

In Jharkhand, many factors influence the position of women with regard to land rights:

- Women do have power: agricultural production is dependent on women's labour, which they can and do withhold if rights are not given to them.
- Women often side with their household,

rather than with another woman. Equally, men regularly support a woman's land claim when it is in their interest.

- Customary rights allow women to inherit land in some cases, as widows or daughters. However, these are often challenged by male relatives, since competition for land ownership is high, in a context where land markets are absent.
- Women's interests change with their social position throughout their lives.
- Collective action works only where a group has common interests, but class, caste and other differences frequently outweigh gender identity.

A land claim by a woman based on parental

Not all women have the same interests regarding land rights: they are unlikely to work together to pursue greater equality

or marital inheritance is considered a challenge to men, since land provides status and identity. Other women are just as likely to oppose it, though, if the claim threatens their household status. Women therefore need the support of the wider community, especially men with power, in making land claims and are often better off making male allies than trying to rouse collective action by women.

Policies must understand differences between women and competing and

changing interests outside gender:

- Land titling and reform programmes should include secondary rights to the land, including women as named heirs. Untitled areas traditionally considered women's plots should be officially demarcated.
- Customary laws are more socially acceptable than existing state law and provides for land rights for women in certain cases. These aspects of customary law should be included in and legitimised by official policies.
- As well as land, women need access to credit and technology. Collective action would be more useful in helping to access these resources. It is in the interests of all women involved in agriculture, so more likely to achieve collective support.
- Policymakers need to avoid generalising across groups, gender or geographical areas and take account of people's differences and changing circumstances throughout their lives.

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'Questioning Women's Solidarity: The Case of Land Rights, Santal Parganas, Jharkhand, India', *The Journal of Development Studies*, 41:3, by Nitya Rao, 2005

Evaluating land policies in highland Ethiopia

People living in the rural highlands of Ethiopia suffer from land degradation, low agricultural productivity and poverty. Finding solutions to these connected problems requires policymakers to understand the potential impacts of different interventions.

Research from the Norwegian University of Life Sciences in collaboration with the International Food Policy Research Institute, USA, uses a bio-economic model of land management and agricultural production to assess the impact of possible policies on farm households in eastern Amhara. In this area, people's welfare and land quality are both deteriorating. During the last 20 years, most households have shifted from selling surplus grain to buying grain for their own survival. Farmers have little or no opportunity to diversify their income sources and droughts make many people dependent on food aid for survival.

Researchers have developed a bio-economic model that considers the economic, social and ecological factors that influence food security. This model explores the links between households and ecosystems and the effects of these links over time. One benefit of dynamic models like this is that it describes the relationship between human activities and natural resources. Modern computer power allows models that are far more complex than what was possible only a few years ago.

In eastern Amhara most households have shifted from selling surplus grain to buying grain for their own survival

Using data from more than fifteen years, the research describes the potential impacts of different programmes, including increased access to credit for fertiliser, food-for-work, tree planting and off-farm employment opportunities. The model predicts the effect that each of these has on land management, productivity, food security and poverty amongst small farmers in eastern Amhara. The research shows:

- Increasing fertiliser credit can increase agricultural productivity, food security and income, but could also undermine farmers' incentives to invest in soil and water conservation. This would probably increase land degradation.
- Increased employment opportunities through programmes such as food-for-work can increase household incomes substantially. However, these also likely to reduce food production and soil conservation unless food-for-work is targeted towards soil conservation.
- Promoting tree planting on degraded land could increase incomes significantly without compromising food production or soil conservation. If combined with

Why do the Maasai split up group ranches?

In south-western Kenya, mobility and common land ownership are fundamental to livestock survival. Why do many Maasai pastoralists support the division of collective group ranches into individual plots?

Group ranches were introduced to Kenya during the 1960s to commercialise Maasai livestock management systems whilst respecting their traditional methods. Under the Land (Group Representatives) Act of 1968, every member of a group ranch was deemed to own the land in equal undivided shares. Group ranches offered the Maasai protection against future land-grabs. However, calls for subdivision within Maasai pastoralists emerged within a decade.

Research by the Collective Action and Property Rights (CAPRI) programme, USA, reveal four key motivations for supporting subdivision within the Kajiado District of Kenya:

- The Maasai anticipated future land scarcity, as population growth placed increasing stress on the common land.
- Failures of collective decision making, such as difficulties in enforcing livestock quotas among group ranch members and excluding non-members. Livestock quotas and exclusion were incompatible with traditional practice of individual livestock ownership, did not comply with normal standards of reciprocity and against the interests of wealthy livestock herders.
- The promise of new income-generating opportunities through leasing and cultivating land.
- The possibility of using land titles as collateral to access alternative sources of income.

Subdivision did not result solely from economic reasons: individual ownership was intended to further secure their land from being taken by non-Maasai people and/or powerful individuals from within the community.

The research has some important findings:

- Group ranches are subject to various incentive problems that create high governance and management costs.
- For excluded groups, particularly youths and women, the costs of change outweighed the benefits as it created new uncertainties regarding their future access to resources.
- While young men can contest their exclusion through diverse forums, women often lack opportunities to articulate their preferences.
- Even though the transformation of land property rights may be triggered by economic factors, it is also a political strategy for securing control.
- Policies must secure collective rights, particularly in highly variable environments.

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The transformation of property rights in Kenya's Maasailand: triggers and motivations, International Food Policy Research Institute: CGIAR Systemwide Program on Collective Action and Property Rights, CAPRI Working Paper No. 35, by Esther Mwangi, 2005
www.capri.cgiar.org/pdf/capriwp35.pdf

conservation incentives, this could result in improved land management as well as increased incomes and food security. A combination of different policies is likely to be the most successful at increasing food security and reducing land degradation. It is important to design and select these policies carefully to maximise benefits and implement them effectively. The research suggests:

- Policies should focus on developing the non-farm sector. These should be complemented with policies that focus on conserving the natural resource base in the region.
- Food-for-work programmes undermine food production. However, linking these to conservation investments may reduce this negative effect and make food

production more sustainable.

- Local participation in conservation must be encouraged to ensure that investments have lasting effects.
- Food-for-work can stimulate tree planting programmes, particularly if markets for tree products can be developed. This may reduce the level of land degradation.

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www.ifpri.org/pubs/abstract/rr140.asp

Agrarian reform and rural poverty in South Africa

The economy of post-apartheid South Africa continues to grow. Yet between 45 and 55 percent of the population remain in poverty. This inequality is most obvious in rural areas, where over 70 percent of poor people live. Policymakers are increasingly recognising the importance of rural land reform to poverty reduction.

There is considerable evidence that poverty in South Africa is increasing. Unemployment has risen rapidly, with significant job losses in the mining and commercial farming sectors. Much debate focuses on the idea that South Africa has two disconnected economies – one urban and industrial, the other a ‘third world rural’ economy. Research from the University of Western Cape, South Africa, focuses on the rural dimensions of the ‘two economies’ debate, focusing on the contribution land and agrarian reform can make in reducing inequality and rural poverty.

The South African government is making

land reform central to its poverty reduction strategy. Programmes aim to support poor rural people by redistributing land and securing land rights for people with little or no possession. However, the research emphasises the important difference between land reform and agrarian reform. Agrarian reform includes land reform, but also considers agricultural production and distribution, and how these connect to economic and political power. Lobbying by large farmers and landholders and a limited understanding of agricultural development means agrarian reform is not yet on the policy agenda.

The research argues:

- South Africa’s current land reform programme does not focus on poverty reduction and current policies are unlikely to achieve targets.
- Many stakeholders (including government officials and policymakers) are sceptical about the contribution of rural agriculture to economic development, particularly small-scale production.

- Without policy changes, rural areas will remain a place populated by poor migrant workers.

Land reform and agrarian reform are inseparable and policymakers must accept this. Problems with land reform can only be resolved through an agrarian reform that provides access to tools and equipment, draught power, marketing outlets, infrastructure for irrigation, transport and

communications, and support services such as extension and training. This wider approach must consider the political relations between rural communities, government, civil society and businesses. However, this poses even greater challenges for policymakers.

For agrarian reform to succeed, the research suggests that policymakers must:

- lose their doubts about small-scale agricultural production
- refocus policies on the diverse livelihoods of poor rural people
- engage poor rural people in policy decisions, planning and implementation
- secure fair access to land and natural resources across the whole country, addressing gender equality and restoring land taken by force
- provide area-based land reform that identifies districts or zones on the basis of local needs and opportunities
- work with social movements that engage in political mobilisation in rural areas.

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‘Agrarian reform and the ‘two economies’: transforming South Africa’s countryside’, by Ben Cousins, in *The Land Question in South Africa: the challenge of transformation and redistribution*, edited by Ruth Hall and Lungisile Ntsebeza, 2005
www.ids.ac.uk/ids/aboutids/Seminarseries2005/cousin.pdf

Policymakers are increasingly recognising the importance of rural land reform to poverty reduction

useful websites

Arid Lands Information Network
www.alin.or.ke

Collective Action and Property Rights
www.ifpri.org/themes/capri.htm

Drylands Research
www.drylandsresearch.org.uk

International Arid Lands Consortium
www.ag.arizona.edu/OALS/IALC

International Institute for Environment and Development Drylands
www.iied.org/NR/drylands/index.html

The International Land Coalition
www.landcoalition.org

Land Tenure Centre
www.ies.wisc.edu/ltc

Oxfam – Land Rights in Africa
www.oxfam.org.uk/what_we_do/issues/livelihoods/landrights/index.htm

Pastoral Development Network
www.odi.org.uk/pdn/index.html

Programme for Land and Agrarian Studies
www.uwc.ac.za/plaas

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