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رهانات و آفاق

Rethinking Women's Land Rights Concerns in the Evolution of Large Scale Land Acquisition (LSLA) in sub-Saharan Africa

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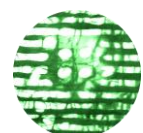
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Abstract

Women's land rights are fundamental for women's economic empowerment. Increasingly, the nationalization of customary land and the current growth in private land ownership and commercial farming are exerting a strong pressure on land and a threat on women's usufruct land rights. The discourse over land reforms in most sub-Saharan African countries like Cameroon is embedded in the evolutionary models where customary landholding systems are changing into state land ownership with greater market integration. These changes are taking place within limited state protection of communal and women's land rights in the process of land registration. This paper discusses the evolution, actors and activities involved in large scale land acquisition in the sub region as it affects women's rights to land. Through simple mapping from in-depth desktop review and limited field observations and conversations with some of the actors involved in affected localities in Cameroon, the paper highlights women's experiences as customary communal land is transferred into private ownership. In fact, wherever LSLA for agriculture has taken place, women's access to land has reduced, making them more vulnerable to hunger, poverty and gender-based violence. This is because women's land rights have not evolved with the evolution of customary tenure within private 'tenureship'. Current processes of large scale land acquisition should therefore create conditions for women's participation in LSLA through a fair degree of transparency and accountability to communities, and relevant institutions.

Key Words: *Large scale land acquisition, evolution, women, accountability, sub-Saharan Africa*

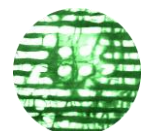


Introduction

Local communities in sub-Saharan Africa, more than anywhere else are fast losing their land to exogenous investors through the contentious process of large scale land acquisition (LSLA). These communities are confronted by a new phenomenon driven by the search for alternative energy and food security in which large parcels of their land previously exploited under customary practices are taken over by foreign companies (mostly from the global north and Gulf States countries), states, and a few powerful local elites for commercial agriculture. AWID (2013), reports that sub-Saharan Africa has the lion's share of the estimated 227 million hectares of land acquired by governments and foreign companies within the last 10 years. While these African communities continue to lose thousands of hectares of their land every year, there seems to be no visible improvements in their standards of living from the promised development of investors. Rather, many more people, particularly women are trapped in constant poverty, without a sustained means of subsistence as they no longer have access to basic human rights and needs such as food, water, fuel wood, which they used to get from the land. Since women in the sub region are socially constructed to assume the above traditional roles in the family, LSLA deprives them of accessing these common resources, thus making them more vulnerable and most affected (Lappin, 2012; Gobena, 2010; Kachika, n.d).

What is obvious is the fact that, it is in the agricultural domain that the battle against rural poverty, hunger and miseries in sub-Saharan Africa will be won or lost and small scale agriculture cannot be completely sacrificed. Agriculture has for decades, dictated rural employment and livelihoods in the region leading to a dependent and harmonious relationship between the land and its users. This is because land is combined disproportionately with other factors of production in the process. The close relationship between land and the population can be carefully traced from pre-colonial times, where land was considered so sacred, collectively owned, and private ownership unthinkable (Kenfack, 2012:7). As noticed in the literature, the structural changes so far witnessed by these economies have also brought about changes in the status of land, and undue shocks in the relationship between communities and their land, as most of the land transformation has not been accompanied by any real changes in rural livelihoods, particularly among women. Thus, while each country in the sub region is unique, they all, nonetheless, share similar socio-cultural and economic features. For example, their economies are based on agriculture and other land-based production, which is the product of a common history. Within such an economic context, rights to land and landed resources are also crucial for survival, social change and growth.

In tenure terms, these countries have also endured a similar colonial legacy, whether mediated through Francophone, German, Anglophone, Anglo-American or Roman-Dutch strategies (Alden, 2012). With one or two notable exceptions (Ghana, and in Liberia until the 1950s), African land rights were uniformly suppressed, deemed no more than rights of access and use, and even in this form only used at the whim of the colonial state (Alden, 2011b). Alden,



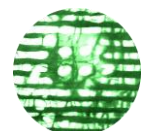
(2012) further contends that ownership of all wildlife, forest, and waters resources; including surfaces hitherto extracted traditionally, were also designated by colonial states as their personal property, although described as public belongings. And so, toward the end of colonialism in the late 1940s and 1950s, land tenure policies continued to be structured around globally-fashioned commercial interests which by then were heartily supported by local national elites (Alden, 2011b) partly for selfish political ends.

The over-centralization of state powers via one-party politics and dictatorship from 1960-1990, left political power, social power, and economic hegemony in the hands of a small elitist class (Alden, 2012). Alden further contends that this hegemony was upheld by purposefully sustaining the colonial norms of resource ownership that vested ultimate ownership of all land and resources in the State. For example, in the 1970s, Sudan, Malawi, Uganda, and Somalia all passed laws which made rural populations more or less tenants of the State, and also in Francophone Africa (Alden, 2011d, b). Similar land legislations passed throughout the continent during the 1960s and 1980s narrowed the scope of customary access and use rights. Customary land became reclassified to state land through the use of the state's right to eminent domains, which enables involuntary expropriation of customary land for a 'public purpose' (CIFR, 2011).

Building upon colonial tendencies, post-independent states can claim ownership to all technically 'unoccupied' forest, water and rangeland resources; a situation that is devastating for the vast rural majority on this land operating under customary norms. Conservatively, over half a billion rural Africans are customary land holders (Alden, 2012) and not more than 10% of the total land area of the sub region is subject to formal statutory entitlement, (Alden, 2011a; 2011b). Women constitute the majority of these land users whose access to land is customarily regulated. Unfortunately, customary land tenure is not secured, thereby putting their rights over such lands on the balance. Moreover, it is the vast expanse of land under customary tenure and considered by external forces as 'unused and underexploited' that is at the centre of current LSLA and without due consideration to those whose livelihoods have for ages depended on it. New LSLA therefore raises issues like: what happens to those who like women used to live and depend solely on these lands? It is along this line of thinking that this paper traces emerging trends in LSLA and its implications on the activities of women—as key actors on the land—but who are often forgotten in the process.

Methodology and Conceptual Framework

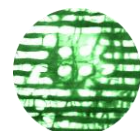
A huge amount of scholarly and advocacy works exist on women's land rights and the impact of LSLA on women in Africa. Most of our analysis is drawn from desktop reviews on the phenomenon and complemented with field observations and experiences from Cameroon. Although we concentrated on published articles from Peer Review Journals, we also consulted the reports of international organizations, government, and non-governmental organizations interested in the subject, including some social blogs and internet sites. These diverse sources aided in enriching the diversity and reliability of information collected.



Evolutionary theories of landholding make a number of common assumptions about the transformation, from “traditional” to market landholding systems. Ingrid, (2002) notes that those that emerged, derived from the ‘Boserupian’ thesis, have gained prevalence over the 1990s in debates over tenure reforms in Africa. The thesis explains how the shift from ‘traditional communal systems’ of land holding towards ‘modern individualized systems’ begins spontaneously under conditions of growing land scarcity, associated with growing population density, advances in farming technology, and the emergence of agricultural markets (Boserup, 1965; Feder & Noronha, 1987: 143, Ingrid, 2002). As land value changes with scarcity, landholders seek tenure security and assert more individualized land rights, which cannot be protected under the customary system (Ingrid, 2002). This leads to disputes over land and rising litigation costs, causing inefficiencies in the rural economy (Ingrid, 2002). The state institutes land titles as an attempt to protect emerging private rights and end costly litigations, since titling provides tenure security and incentive to invest on, and/or transfer land (Ingrid, 2002). It stimulates new markets in land, which increases production as inefficient producers are forced to sell up their land to efficient ones (Feder et al., 1988; WorldBank, 1989; Platteau, 1996). However, this has not readily been the case. Titling has not improved the productivity of production systems in sub-Saharan Africa, and it is now widely regarded as unnecessary and even harmful in the African context (Atwood, 1990; Bruce & Migot-Adholla, 1994; Platteau, 1996; Deininger & Binswanger, 1999; Toulmin & Quan, 2000, Ingrid, 2002). Bruce and Migot-Adholla (1994) in particular, contend that customary tenure can provide sufficient tenure security to allow farmers to take a long-term interest and invest in their land. Nevertheless, the belief in evolutionary development has not changed, as landholding systems are now considered to be spontaneously evolving with greater market integration, even without state-sponsored protection of private land rights (Ingrid, 2002).

The rapid growth in demand for agricultural land—in this case through LSLA—is putting pressure on property rights systems, particularly where the vast majority of land is under customary tenure (Ingrid, 2002). Proponents of the Evolutionary Theory of Land Rights see property rights evolving toward more formalized systems due to increasing competition and demand within the system. They argue that formal land rights allow collateralization of land and efficient credit markets to develop and increase security of tenure, resulting in greater confidence by land owners to undertake capital improvements that will lead to improved agricultural productivity and welfare (Demsetz 1967; Otsuka and Place, 2001; Platteau, 2008, Ingrid, 2002).

Perhaps, what is obvious is that much of this Evolutionary Theory is based on assumptions of relatively gradual, endogenous change, which does not necessarily hold with many of the changes now taking place. Today, the pace of the change is more rapid, the scale of land deals is much larger, and demands are largely from outsiders and not from current land users. Even domestic investors are usually not from the communities themselves. Moreover, large power imbalances exist between those seeking to acquire land now and the current landholders, who



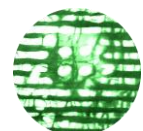
shape the nature and outcomes of any deals. This necessitates a reassessment of tenure security under both statutory and customary tenure systems.

Overview of the Origin of Large Scale Land Acquisition

In Africa, the process for dispossessing ethnic land was both the basis and the result of capitalist colonialism (Mbembe, 1996). At the beginning of colonial installation in Cameroon, the German administration, by 1836, legally eliminated all the customary legal systems regulating land (Rudin, 1938). This created a situation in coastal areas like Limbe and Kribi, where the local communities were irremediably deprived of their historical land rights and, in some cases, evicted from their land (Oyon et al, 2004; Oyono, 2013). Consequently, all of Cameroon's coastal land was annexed to the German Crown (Mveng, 1985). With the defeat of the Germans during the First World War (1914-1918), the imposition of a French-British joint mandate systematically augmented the disappearance of collective property, previously protected by a customary legal system (Anyangwe, 1984). Huge units of customary land became state land (Oyono, 2013). As Diaw and Njomkap (1998) put it, after independence, all the legal instruments relating to land governance simply affirmed the hegemony of the state over land and forest, in a legal unilateralism. The first determinant of these transformations in land ownership was highly political; occupation and territorial annexation with legal, material and symbolic State violence, and total domination as the key driving forces (Oyono, 2005; Oyono, 2013; Nquiffo et al., 2008).

By distributing African countries among western powers, the Berlin conference (1884-85) is, arguably considered as the first founding framework of the dispossession of customary land in the country (Mveng, 1985; Oyono, 2013). During German presence in Cameroon, a series of decrees were issued, legalising the colonial empire's property claims on customary lands and forests, which according to them were 'lands without masters' (Rudin, 1938; Oyono, 2013). The Decrees of 1893, 1900 and 1913 were some of the early tools of the German's legal instruments for occupying and controlling land in Cameroon (Oyono, 2013). Oyono, (2005) again notes that the primary objective of these decrees was to ensure that there was maximum concentration of land in the hands of the German Crown and European private agro-industrial companies. These three decrees thus set into motion the historical process of customary land dispossession in coastal Cameroon (Schanz, 1914; Oyono, 2013).

The establishment of land concessions for agricultural purposes was an effective way that the German colonial administration used to grab customary lands and forests, installed and consolidated a trading system based on the great capital (Mbembe, 1996; Oyono, 2005, Oyono, 2013). In the 1890s the Germans launched the process of creating large agro-industrial plantations with the creation of West & SudkamerunGesellschaft and the WestafrikanischePflanzungsgesellschaft Victoria, respectively in 1894 and 1896 (Rudin, 1983; Oyono, 2013). Vast plantations of rubber, tea, cocoa, banana and oil palm spread throughout coastal Cameroon, and elsewhere in the hinterland, installed on customary land by the two German companies, (Rudin, 1938; Etoga, 1971; Oyono, 2013).

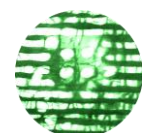


As co-colonial administrator of Cameroon, the British creation of the Cameroon Development Corporation (CDC) in 1947 in coastal Cameroon represented an important milestone in the process of large scale land accumulation by the state and its foreign partners (Berderman, 1968). After combining all the plantations left by the Germans, the land concession attributed to CDC covered the land around Mount Cameroon, and a good portion of the useful land of the southern part of British Cameroon in 1960 (Berderman, 1968; Oyono, 2013). In the 1980s, the whole part of Coastal Cameroon west of Douala was occupied, notably the land of the Bakweri ethnic group of the area (Etoga, 1971; Oyono, 2013). In French Cameroon, vast plantations of oil palm were equally installed in the coastal areas (Konings, 1993; Oyono, 2013).

The British, who governed Southern Cameroons under the UN mandate, reproduced the same spirit of the legal instrument developed by the Germans to transfer customary land to agro-industrial plantations (Berderm, 1968). In this part of Cameroon, the Freehold Lands Acts of 1927, 1937 and 1948 converted customary land into Crown land (Ardener, 1956; Oyono, 2013), before leasing large units to private companies' land (Bakoume et al., 2002; Oyono; 2005, Oyono, 2013). The dispossession of customary land was not limited to British Cameroon (Anyangwe, 1984) as the French colonial administration did not act differently in French Cameroon and Gabon (Oyono, 2005; Oyono, 2013; Alden, 2012). Here, the French introduced decrees on land and forest land (1920, 1925, 1926, 1935, and 1946), copied from the French Civil Code and made similar to those of the Germans and the British to acquire native land.

Oyono et al., (2012) noted that this legal machinery drawn from the Roman Law is so vigorous that more than 50 years after independence, it is still predominant in all the official tools relating to land and forest governance in post-independence Cameroon. Land is currently governed by orders No. 74-1 and No. 74-2 of July 1974, whose key word is "state supremacy over land" (Oyono, 2013: 5). Similarly, the Cameroon's current forest legislation of 1994 is fully organised around the "ideology" of state hegemony over forest. The situation is not very different in Cameroon's neighbour, Gabon.

Gabon endured the dispossession of their lands and resources, both in law and in practice (Alden, 2012). In 1899, France declared itself owner of the Gabonese soil. Virtually, the entire country was then allocated to French logging companies. Having established their first colony around the Libreville estuary in the 1840s, the French did not question the ownership of the land, but simply introduced a law (1849) to regulate how Africans should sell their lands to immigrants (Alden, 2012). The pretence that Gabon was 'empty of owners' only came later, when France sought to expand its control to the entire country. With local elites increasingly party to the benefits and integral to political dominance, it is perhaps not surprising that independence in 1960 did not bring with it liberation of majority land rights (Alden, 2012). Today, and as Alden, (2012) further remarked, the only way land ownership may be secured outside the tiny private sector transactions is through grant or sale of parcels



by the government. The process is sufficiently inaccessible, politically-advantaged, complex, expensive, and demanding of demonstrated development that only a minority of urban and even fewer rural inhabitants have completed since 1902.

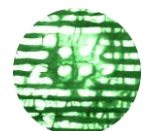
It is important to note that though customary land rights were dispossessed from the local people from the colonial era, some African nations still recognise customary rights. In Ghana for example, land ownership can be classified into two broad categories: that under customary ownership (constituting 78% of the total land area) and that controlled by the state (20% of the total land area), with the remaining area under some form of shared ownership (Deininger 2003). The Ghanaian Constitution of 1992 forbids the sale of customary land, only allowing for temporary alienation through leasehold titling (CIFR, 2011). CIFR (2011) also reports that Mozambique has one of the most progressive land laws in Africa. In addition to protecting land use rights acquired under customary law or through 'good faith' occupation, the 1997 Land Law is widely seen as striking an effective balance between protecting customary rights and enhancing land access for investors. However this protection is short-lived because all land in most of Africa without a tenure system is considered state land. Usually, the state determines what is 'public purpose,' which usually leads to the violation of the rights of the local population. Constitutional provisions in many countries provide for both the protection of private property rights and the power of the government to acquire land without the willing consent of the owner (CIFR, 2011). But, to what extent are these provisions effective, especially in the face of powerful capitalist-driven LSLA?

The Current Situation of Large Scale Land Acquisition in sub-Saharan Africa

The quest for alternative sources of clean energy by most western powers has encouraged the growth of jatropha, oil palm; sugar cane and sweet sorghum for biofuels (see Table 1). The introduction of such energy green economies has fueled the 'land grab' phenomenon. Conceptualized as it is today, where investments in land and water are geared towards export at the expense of local communities, Tendo (2012) believes the green economy agenda puts a commercial value on a supposedly priceless nature in an effort to promote global, corporate interest. This means that land is not considered in the greater sense of the public, common. In so doing, large scale land acquisition neglects customary rights and promotes the eviction of communities and women from ancestral land. Women as greater victims lose even the usufruct rights enjoyed under customary land tenure system.

Table 1: Some of the Current Trends in Large Scale Land Acquisition in SSA

| Country | Project | Year of deal | Ha | Country/investors | Crop planted |
|---------|-----------------------|--------------|------|-----------------------|--------------|
| Ghana | Prairie rice project, | 2008 | 1250 | Joint Prairie Rice of | Rice |

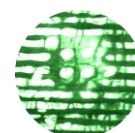


| | | | | | |
|--------------|---|---------------|--------|---|------------|
| | Lower Volta | | | Texas, USA and Ghana Commercial Bank | |
| Liberia | Atlantic Resources | 2010 | 840000 | Samling Global of Malaysia | Oil palms |
| Mali | Malybia Irrigated Rice Project (Segou Region) | 2009/ 2010 | 100000 | Libyan | Rice |
| Mozambique | proCana Sugar Cane Project | 2007 | 30000 | Mozambican ProCana and British BioEnergy Africa | Sugar cane |
| Sierra Leone | Addax Sugar Cane Plantation | 2010 | 20000 | Addax Bioenergy owned by Addax & Oryx Group of Switzerland | Sugar cane |
| Tanzania | Sun Biofuel Miombo Woodland Project | 2009 | 8,211 | Sun Biofuels Tanzania Ltd affiliated to a UK company | jatropha |
| Tanzania | AgriSolAgric Business Model Project | 2009 | 80,000 | AgriSol Energy a branch of US-based AgriSol | Multiple |
| Cameroon | SG SOC Oil Plantation project | 2009 | 20,000 | Sithe Global Sustainable Oils Cameroon owned by US Herakles Farms | Oil palms |

(Source: compiled from various sources)

Women's Land Rights in Africa

Most customary tenure systems in Africa favor men, allowing women's rights primarily through a father, husband, brother, or son (Lastarria-Cornhiel & García-Frías, 2005; IFPRI, 2011; Fonjong, 2012). Despite the fact that statutory land-rights systems in many countries allow women to own land, titling programs do not automatically improve women's land tenure security. Evidence has shown that women lose out in the processes of formalization, particularly in land titling programs (Lastarria-Cornhiel 1997; IFPRI, 2011) since many cannot afford the process of land registration. Efforts now should target women's land rights in new land registration and formalization programs (Global LandTools Network 2008). Since most of the reforms are recent, the evidence to date is fragmentary, and focuses more on women's security of tenure vis-à-vis localized challenges to property rights from within the family, rather than on external challenges (IFPRI, 2011).



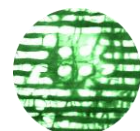
There is a huge debate on whether customary or statutory systems are more gender equitable or gender inequitable (Ikdahl et al., 2005; Jackson 2003; Whitehead and Tsikata, 2003). Of course, rather than debating the point based on the preferences for one system or another, it is important to understand current land tenure patterns by gender (IFPRI, 2011). The increasing demand for agricultural land in recent years by foreign and domestic investors brings a different context, and increases the urgency of considering how to make land tenure more secure for women (IFPRI, 2011).

There is consensus in the literature on large scale land deals (Cotula, 2010; Cotula et al., 2009; Smaller and Mann, 2009; Von Braun and Meinzen-Dick, 2009; Wiley, 2010; World Bank, 2010, IFPRI, 2011), that those with customary and common property are particularly vulnerable to losing their land and livelihoods (IFPRI, 2011). In some countries, the state has the right to claim ownership of the land with the justification of development, and negotiate with the potential investors. This negotiation, as in the case of Herakles farms in Cameroon is done without (even) consulting local land users and customary rights-holders. Even if these deals are considered legal under national laws, they are often not considered socially legitimate, particularly where stakeholders, especially customary landholders, were not consulted or did not consent (IFPRI, 2011).

Comparatively, very little thought has been given to the gender implications of land deals. Behrman et al., (2011) point out that the strength and distribution of land rights is one of the most important factors influencing who will sit round the negotiation table over LSLA and the subsequent claims to any benefit streams. Unregistered and undocumented land rights that may hardly be recognized by the state and by outsiders are especially vulnerable to expropriation (IFPRI, 2011), because they are considered 'unused'. But the rapid pace of LSLAs is outstripping the efforts to register customary land rights, and especially women's land rights (IFPRI, 2011). This is mostly problematic when the external investors bring their own lens through which they view land rights and gender roles in agriculture. Most often, they recognize only titled land ownership and fail to accept the existence of a wide range of property rights, and the complexity of men's and women's roles with independent and interdependent rights and responsibilities (IFPRI, 2011).

Women's Land Rights in LSLA

The benefits and costs of large scale land acquisition are not felt equally within community members. Negative impacts are likely to affect not only those who are over-dependent on land, but mostly women, who are socially and economically the most disempowered. The effects of such power differentials within communities are most significant and widespread in gender, especially intra and inter household gender relations. Several case studies expose the propensity for women to suffer disproportionately from such impacts. Mutopo, (2012); Mutopo & Manase, (2012) describe the example of women from Mwaanga Village in Mozambique, who were adversely affected when their land was illegally grabbed by the ZAMBEEF Company; although they had farm permits that were legal under the Zambian law.



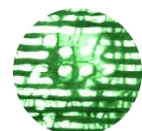
The loss of this land led to loss of security, most especially women's voice in the domestic sphere, and increased violence against women. There were also inadequate safety nets which made the women to be more vulnerable as they are the ones who have to look for food alternatives for their families (Mutopo, 2012; Mutopo & Manase, 2012).

According to an ILC study that focused specifically on gender (Daley 2011), the vulnerability of women arises from four different factors. Firstly, it arises through the constraints and systemic discrimination that women generally face in relation to their access to ownership of, and control over land, including the level of legal protection of their land rights. Mutopo et al., (2012) also add that it is as a result of women's lack of knowledge on corporate investments and its effects on their livelihoods. In fact, Kameri-Mbote (2013) sums up these vulnerabilities by stating that women's rights in Africa have been affected by a convergence of government policies related to the current shift towards greater commercialisation and competition for land to discriminatory customary laws.

The challenges confronting rural women in the context of LSLA have their roots in the legacy of widespread land acquisition during the colonial era and patriarchy. Then, land held in common was grabbed mainly for the production of export crops on large estates (Oxfam, 2013). In a greater part of Africa, the farming of commercial crops, whether on plantations or small farms, fell to men—women played just a supporting role, assisting through sowing, weeding, harvesting, and carrying out menial tasks (Oxfam, 2013). Small-scale food production was pushed on to marginal lands and left almost entirely to women, with minimal support or infrastructure to strengthen the sector or women's roles within it (Federici 2009; Kevane and Gray, 2008; Oxfam, 2013). Also, land was mainly controlled by male household heads, with the assumption that the rights are held in trust for all in the household. Women are relegated to a subordinated position in accessing land grounded on husbands, fathers, uncles, brothers and sometimes sons (Kameri-Mbote, 2013).

Today, these gender roles are still practised, though, two comprehensive trends point to significant changes. The first is the growing feminization of the lowest rungs of agricultural labour on commercial farms. While employment may doubtfully strengthen women's economic independence, it does not necessarily equate to their social or political empowerment. As farm labourers, rural women hold less bargaining power than their male colleagues and have few opportunities to work their way out of poverty (Oxfam, 2013).

Scholars are consistent that crops in many parts of Africa are considered to be either women's or men's. Married men and women have distinct responsibilities and activities, including separate crops, agricultural plots, tasks, and sources of income. Experience has proved time and again that women lose control over the crops they grow as soon as these become commercialized (Oxfam, 2013). When a crop shifts from being a traditional subsistence crop managed by women to one for sale in formal markets, the share of income received by women tends to drop (Njuki et al., 2005). This shift is no exaggeration. Scholars like Njuki et al., (2005) maintain that when a crop becomes commercial, it changes gender and becomes a

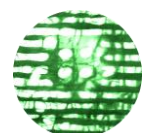


man's crop, as it is men who control its production, marketing, and, most importantly, the use of income accruing from its sale. This has serious implications for crops that women grow for food, such as cassava, which is currently being considered for its potential as a source of biofuel (Holt-Gimenez & Shattuck, 2008). Furthermore, as more land is planted with cashcrops, such as soy, maize, eucalyptus or jatropha, less land is available for vegetables, pulses, and other women's crops common to mixed farming.

Summarily, LSLA takes away women's customary land rights and increases their burden. In the latter case, research by AWID, (2012) and other scholars has shown that LSLA go along with water grabs which affect communities' access to water. Water provision is the primary responsibility of women at house hold level in the sub-continent. As more land is being forfeited to commercial agriculture, so is the communities' ability to sustain food resulting to food insecurity. Hunger and food crisis were recently reported in the village of Fabe, South West Cameroon when SGSOC or Herakles Farms took much of their lands and began a commercial oil palm nursery in 2010. In Lipenja, another nearby village, local authorities confirmed that food shortages resulted from the fact that most farmers abandoned their farms for employment offered by the company's oil palm nursery in the village. Generally, food insecurity, of course, has two implications on the burden of women as they will bear the brunt of feeding the family as home managers on the one hand, and suffer a fall in income derived from the cultivation for food crops. Even where compensation is made for the loss of community land, women are left out to the benefit of men who as head of households may participate in land deal negotiations (AWID, 2012).

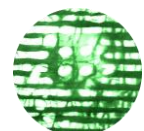
Conclusion

The current situation of large scale acquisition in the continent is a re-enactment of the colonial rush for Africa. The sole difference today is that the process includes local capitalists and is done with the complicity of most states, in violation of local legal framework and the rights of indigenous communities. It thus thrives mostly in corrupt countries where the level of transactions, transparency and land regulation is poor and the rule of law weak. As such, local people in general and women in particular do not participate in the land negotiation process. This review thus highlights the fact that the underlying evolutionary models as they apply to landholding differ in practice as conceptualized. The decisions driving the evolution of landholding systems are taken by men, who are the idealized 'heads of households' (Ingrid, 2002). Women exist only as the wives of household heads; their actions are considered secondary or unimportant to the changes that landholding systems undergo (Ingrid, 2002). Evolutionary models and the policies therefore render women's land claims and the forms of tenure insecurity that they face, invisible. Meanwhile, gender is central to understanding the organization and transformation of landholding, and shaping women's differential experiences of tenure insecurity as gatherers, users and conservers of land.



But, given the neglect of local communities in land deal negotiations and governance, it is important for them to claim their space rather than have to depend on space that will be ceded to them by the state, which is unlikely to come. The case of Benin where the people established a local institution 'Synergie Paysanne' (SYNPA) to protect their interests against the rush on farmlands by government and political elites (Nonfodji, 2013) is a good example in the right direction. In fact, the promised non-farm employments, infrastructural development and social change that large commercial farming is expected to bring to affected local communities is an illusion. LSLA in its present form does not hold any better promise for local communities and women in sub-Saharan Africa. The practice disregards both the written and living law and is sustained through political power, rather than community-based legitimacy; and by so doing, violates the rights of local communities and vulnerable groups. It only helps to compound an already bad situation for women who are customarily denied land rights, and to an extent, creates landless peasants and agricultural wage laborers (IDRC, 2012), who may not be able to (even) provide food for themselves. The future of local communities and women in particular in the current context of LSLA lies in the political will of rethinking the practices and processes involved in land deals in the sub region. It needs to be checked by promoting transparency in land transactions, and recognizing that local communities should play a central role in deciding the future of their land, and also that women who are the pillars of these societies cannot be neglected.

Several countries in Africa have either formulated their land policies, or are in the process of doing so. Reforms that seek to formalize land rights must intentionally consider the economic, social, and political dimensions of property rights to ensure that women are not left worse off by the process. At the same time, to be effective in the long term, the reforms must consider the social, as well as legal legitimacies of the change they seek. Progress so far made by land reforms is inadequate. Their implementation and enforcement may still be gender-biased or prejudiced against women, as in Kenya, where the laws technically allow women to own land, yet nearly all land is registered in the names of male elders. True change needs a concerted effort and the diligent implementation of positive land laws to benefit the women, and this is where the utmost challenge lies.



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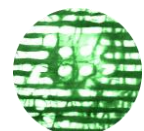
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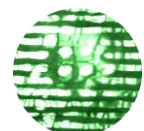
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