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*The Leadership Challenges of Land Reform in
Africa: A Framework for Dialogue*

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Introduction

Possibly, the most complex, compelling, and explosive issue in African politics today is the issue of land reform. The 2008 electoral crisis in Kenya, the electoral stalemate in Zimbabwe, and the root of the present political controversy in South Africa reflect (in some form or fashion) the issue of how Africans become literal stakeholders in their countries. This reality was confirmed at the *African Presidential Roundtable 2008*, a summit convened by the *African Presidential Archives and Research Center (APARC)* at Boston University. The theme for the 2008 *Roundtable* was *Leadership Matters More*.

At a summary meeting during the Johannesburg segment of the Summit, the former heads of state who convened the *Roundtable* met privately to reflect upon the state of affairs on the continent. *They concluded that the paramount leadership challenge facing Africa's leaders is land reform.* They then issued a charge to the *APARC American-African Universities Collaborative (AAU) Faculty Policy Working Group*, which acts as a resource to the *Roundtable*, to develop a framework for future discussions on this critical subject. They concluded that this issue was of such urgency that it ought to be the focus of the *African Presidential Roundtable 2009*. Adding to the timeliness and urgency of this discussion is that 2009 marks the 125th anniversary of the Berlin Conference on Africa, which precipitated the “scramble for Africa” by European colonial powers. This coincidence makes it particularly fortuitous to take on this challenge.

In response to this charge from some of Africa's most distinguished former heads of state, the *Policy Working Group's* deliberations for the year have been devoted to crafting

the requested framework for discussion. Toward that end, there were many conference calls and much correspondence, which culminated in two meetings. The first meeting was convened on **June 15, 2008**, at The Leadership Center at Morehouse College in Atlanta, Georgia.

In Attendance:

- Ambassador Charles R. Stith, Boston University
- Dr. Jeffrey Allen, Boston University
- Dr. Walter Fluker, Morehouse College
- Dr. Preston King, Morehouse College
- Dr. Drew Smith, Morehouse College
- Dr. Melvinia King, Morehouse College
- Dr. Bonita Ewers, Elizabeth City State University
- Dr. Saundra Copeland, Elizabeth City State University
- Dr. Margery Coulson-Clark, Elizabeth City State University
- Dr. Johnny Houston, Elizabeth City State University
- Dr. Michael Matthews, representing USAID

The second meeting was held on **July 7, 2008**, at Hilton Sandton Hotel in Johannesburg, South Africa.

In Attendance:

- Ambassador Charles R. Stith, Boston University
- Professor Robert Mhamba, University of Dar es Salaam
- Professor Bertha Omari Koda, University of Dar es Salaam
- Professor Samuel Chambua, University of Dar es Salaam
- Lecturer Stevens Ahiawordor, University of Ghana
- Dr. Nana Akua Anyidoho, University of Ghana
- Lecturer Puko Adusei, University of Ghana
- Mr. Charles Nyuykonge, University of the Witwatersrand
- Mr. Joseph Munyagabo, University of the Witwatersrand
- Mr. Okolo Ben Simon, University of the Witwatersrand
- Dr. John Tesha, Africa Forum
- Dr. Michael Matthews, representing USAID

A rich dialogue during the course of those deliberations defined the parameters of this policy paper. The synthesis of the ideas that follow reflects an ongoing collaborative effort on the part of the African heads of state that started this process in Johannesburg.

As a result of this deliberative process, two conclusions were reached that we agreed should inform the discussion on land reform going forward: The first being the parameters of this problem are exceedingly more complex than reflected in the present crisis in Zimbabwe, or any single political context on the continent. The second conclusion was that the context for the 2009 discussion on land reform should be Berlin, Germany, with the rationale being that the Berlin Conference of 1884 “scrambled” the country borders within the continent. The poignancy of using Berlin as the site for discussion would underscore the historic nature of the problem and is in no way meant to suggest that land reform in Africa is a problem for Europeans to solve. Land reform is an African problem that begs an African solution driven by African leadership. Again, this is not to suggest or imply that there is no role for Western nations, multilateral organizations, or other entities or individuals in “unscrambling” the land problem in Africa. The point, simply put, is that Africans must lead the process.

Background

The matrix of challenges that confronts African leadership is enormous and varied.¹ New post-colonial governments always have had to right the wrongs of their predecessors’ regimes,² chief of which is land administration, which scholars contemplate has been with Africa since the 1884-85 Berlin Conference.³ The Berlin Conference divided African families and pieces of land in the guise of checking potential conflicts that could ensue

¹ Obasanjo O, D’Orville H, et al, (1990), *Challenges of Leadership in African Development*, Taylor & Francis, Victoria, p. 108

² Markovitz I.L, (1977), *Power and class in Africa: An Introduction to Change and Conflict in African Politics*, Prentice-Hall, p. 282

³ Debusmann R, and Arnold S, (1996), *Land Law and Land Ownership in Africa: Case Studies from Colonial and Contemporary Cameroon and Tanzania*, Bayreuth University, Eckhard Breitingen, p. 9

among colonists during the scramble for Africa.⁴ The alienation of Africans from the Berlin Conference, the imposed mapping out of Africa by Western powers, and the coercive expropriation of native lands by colonial and pioneer-post-colonial regimes, such as the South African apartheid regimes, were in some sense the precursor of future African conflicts and leadership challenges that confront African leaders today.⁵ Millions of Africans and their descendants have been victims of dispossessions and forced evictions.⁶ The complexities of land reform are so knotted that some have thought them to be the main parameter and test of good leadership.⁷ The most common characteristic of bad governance and failed states in Africa is a poorly managed reform program.⁸ Poorly conceived efforts at land reform have lead to civil wars and coups, culminating in *undemocratic* change of government.⁹

While the effect of wholesale dispossession of land from Africans was similar throughout the continent, there were distinct (and noteworthy) differences from region to region.

⁴ See General Act of the Berlin Conference, 26 Feb 1885, reprinted in Garvin RJ and Betley JA Eds. The Scramble for Africa; Documents on the Berlin West African Conference and related subjects 1884—1885, Ibadan University, Ibadan, p. 288

⁵ Robinson R, *The Conference in Berlin and the Future in Africa, 1884—1885* in Forster WJ, and Robinson R eds. (1988), Bismark, Europe and Africa, Oxford University Press, Oxford, p. 1-32

⁶ Asiwagu A.J, (1998), *Fragmentation and Integration: What Future for African Boundaries?* Paper presented at the Fifth Conference of International Boundaries Research Unit on Borderlands under Stress, Durham.

⁷ Chowdhury S.R, Denters E, et al, (1988), The right to development in international law, Martinus Nijhoff Publishers, Leiden, p. 66

⁸ Spoor M, (2005), Globalisation, Poverty And Conflict: A Critical "development" Reader, Springer, p.139

⁹ Basedau M, and Mehler A, Resource Politics in Sub-Saharan Africa, Institute for African Affairs, Hamburg p. 258

Starting in the Southern region, it is estimated that about 3.5 million South Africans were victims of the apartheid regime's *segregatory* land dispossession program.¹⁰ Former and contemporary African leaders often addressed past land administration injustices in their campaign slogans.¹¹ Key amongst ways of dealing with the land problem has been restitution, redistribution, or consolidation of the *possessory* titles. In the execution of such land reforms, which have in most cases been done at different paces, and sometimes across multiple regimes, various reactions have been triggered.¹² The range of responses in the South African Development Community (SADC) to the land reform problem run the gamut from the case studies of the Democratic Republic of Congo, where past and present governments have (somewhat) preferred to stay quiet to land injustices of the past (*consolidation*);¹³ South Africa, where the African National Congress political dispensation has adopted *restitution*;¹⁴ and Zimbabwe, where *redistribution* has been adopted.¹⁵

The land reform problem is complicated by the unique factors attendant to land in West Africa. For example, Ghana has a dual system of land ownership and administration, and this situation has been blamed for the various challenges to land reform in Ghana.¹⁶ Customary land institutions (represented by family or clan heads and traditional rulers), operating a

¹⁰ South African Commission of Restitution of Land, (2007), Land Restitution in South Africa our Achievements and Challenges, <http://land.pwv.gov.za/restitution/BACKGROU.RES.htm> (Consulted on July 14, 2008)

¹¹ The example of the 2008 contestants to the Zimbabwean Presidential Elections is illustrative.

¹² Mwesiga Laurent, Baregu, Mwesiga et al, (2003), From Cape to the Congo: Southern Africa's Evolving Security Challenges, Lynne Rienner Publishers.

¹³ *ibid*

¹⁴ South African Commission of Restitution of Land, **Loc Cit.**

¹⁵ De Villiers B, (2003) Land Reform: Issues and Challenges : a Comparative Overview of Experiences in Zimbabwe, Namibia, South Africa. and Australia, Konrad Adenauer Foundation

¹⁶ Agbosu, L., Awumbila, M., Duwuona-Hammond, C. & Tsikata, D. (2006).

variety of land tenure systems, hold nearly 80% of land in Ghana.¹⁷ Superimposed on these customary systems are legal and institutional systems inherited from colonial rule. The complexity is not only in the co-existence of these systems but also in their internal incoherence: first, customary land tenure systems are not clearly defined or uncontested¹⁸ and have been melded with common law so that notions of ‘allodial’ titles and chiefs’ customary control over land historically have been invented, reinforced, or constrained by legal or policy frameworks.¹⁹ Second, the formal legal, institutional, and policy structures themselves are incoherent, conflicting, and inadequate for addressing the current challenges. The complexities of these multiple systems give rise to a number of tensions, such as those that exist between ‘traditional’ and ‘modern’ management, collective and individual interests, and state priorities and community rights.

Further complicating the picture in West Africa are variations stemming from geography, location, cultural, and historical factors. The spatial variations of urban, rural, and peri-urban have their own peculiar challenges. For instance, as urbanization spreads and land hunger grows in urban areas, the issue of peri-urban land becomes increasingly important in terms of access, ownership, and livelihood issues, which tend to be distinct from those for urban and rural areas. The question of culture has implications also, as the variations on customary land tenure systems stem from different norms of inheritance, control, and access.

¹⁷ Kasanga, K. & Kotey, N.A. (2001). *Land Management in Ghana: Building on Tradition and Modernity*. International Institute for environment and Development. Nottingham: Russell Press.

¹⁸ Amanor, K.S. (2006). The changing face of customary land tenure. Paper presented at the International Seminar on Contesting Land and Custom in Ghana: State, Chief and Citizen in Accra on 28 September, 2006.

¹⁹ Quan, J. & Antwi, Y. A. (2006). State intervention in customary land management in Ghana: Risks and opportunities of development aid. Paper presented at the International Seminar on Contesting Land and Custom in Ghana: State, Chief and Citizen in Accra on 28 September, 2006.

Historical processes and events are also important for understanding the ways in which people create systems of management. Historically, there have not been many substantiated settler colonies in the sub-region, and much of the land remains in customary hands; however, colonialism did change the ways in which customary chiefs related to land, and these interventions have been the cause of many conflicts. Civil wars in Liberia, Sierra Leone, and Cote d'Ivoire have had profound impact on land systems; the complete collapse of institutions meant that new modes of access and control have emerged, and this is complicating attempts to draw up legally enforceable land policies in the post-conflict era.

The preceding suggests that on-going land reform in various countries in the West African region must be carefully thought through. Land reform must take into account the overlapping systems of land management and, in particular, the customary institutions. In a household survey conducted in Ghana, 86% of respondents wanted traditional chiefs to be owners or trustees of land, to regulate land matters, to fix land prices, or to have the authority to register land transactions.²⁰ However, there are lingering questions about the potential of these 'traditional' systems to deal with the complexities of ownership, control, and use of land in an urban setting, with the rapid commercialization of land, among other issues.²¹ There is still inadequate research into the functioning of these institutions, and therefore, there is not yet agreement on how these should feature into reformed land systems.²² The

²⁰ ISSER (2005). Land policy in Ghana research project: Report on land tenure and land policy research survey, July. Unpublished report, Institute for Statistical, Social and Economic Research, University of Ghana at Legon.

²¹ Payne, G. (1997). Urban land tenure and property rights in developing countries: A review. London: IT Publications/ODA.

²² Agbosu, L., Awumbila, M., Duwuona-Hammond, C. & Tsikata, D. (2006).

statutory systems must also undergo reexamination and restructuring. In Ghana, as in the sub-region broadly, formal land institutions are ill-equipped in terms of research, funding, human resources, logistics, and credibility. There is also a question about the lack of coordination among these agencies.

The issue of land reform has a unique set of qualifiers in East Africa. Tanzania provides an excellent window through which to see some of the historic mechanisms used to address this issue and the precedents to be overcome. Land tenure in Tanzania has gone through three major phases: pre-colonial, colonial, and postcolonial. Access to land and land holdings in each of these phases reflects the administrative structure of the time. Before Tanzania was colonized by the Germans and then the British, the general structure of land holdings were based on traditional law and structure of each respective tribe.²³ The low population and abundance of arable land allowed people and their chiefs to migrate from place to place while looking for fertile land, which they cleared and cultivated for as long as that piece of land remained productive and sustained livelihood. In almost all of the tribes, chiefs and elders [Headmen] controlled and allocated land to individual members of the tribe. Specific pieces of land were demarcated for grazing and others as forestlands for cutting firewood. The traditional leaders and the heads of the families handled land conflicts within tribes, clans, and families using traditional rules and regulations. Conflicts over land involving two or more chiefdoms were settled through war.

²³ The United Republic of Tanzania, 1997, National Land Policy

The formal rules and regulation over land ownership emerged under German administration, and this paved the way for the nationalization of land and ensuring access to land by settlers, while at the same time protecting the natives. In order to secure fertile land in an area conducive for extensive plantation agriculture, the German Administration passed a decree declaring all land as Crown land vested in the German Empire. This was the beginning of land alienation from the natives by the colonial masters. According to the decree, “transfer of Crown land could only be affected through the conveyance of ownership or lease,” although in practice it failed to stop land grabbing.²⁴

Under British rule, all land in Tanzania, whether occupied or unoccupied, was declared to be public land. The Ordinance also introduced the concept of “rights of occupancy” to Tanzania, which placed land under the control of the Governor to be held, used, or disposed of for the benefit of the indigenous people of Tanzania. The Ordinance and its definitions failed to protect native rights in their land, because it could not prevent compulsory acquisition of native lands by the Colonial government for the benefit of immigrants.²⁵

The policy opened a door for people from all over the world to acquire land through the colonial government as immigrants. The Ordinance, therefore, did not provide a watertight protection of land rights for the benefit of the natives. Land ownership was not harmonized through a unified legislative framework. The pre-colonial land ownership system, through

²⁴ *ibid* p. 6

²⁵ Gita Gopal, et al., (1998), *Gender and Law: Eastern Africa Speaks: Proceedings of the Conference Organized by the World Bank and the Economic Commission for Africa World Bank Publications.*

the informal rules and regulations, continued to operate alongside the formal rules and regulations both during the German and British Colonial era.

Following independence in 1961, the new government of Tanzania converted the “Freehold Titles”²⁶ into “Leaseholds,”²⁷ which were later changed into “Rights of” in 1969. All of these changes were aimed at attaining “social justice” by advocating for socialism, fighting capitalism, and developing private capital through the eradication of a small landed class. The government introduced socialist development approaches to ensure equity in access to economic development assets. This included nationalization of all plantations developed since colonial periods and, in urban areas, nationalization of all commercial private buildings and real estate. The nationalized plantations and real estates were placed under the management of state companies.

Villagers were forced to move into “Ujamaa villages” to live as a family, and all good arable land, hitherto traditionally owned, was placed under the control of the Ujamaa Village government. By this act, land in rural areas was therefore alienated from the traditional ownership systems and placed into the public domain.

The global neo-liberal developments in the mid-1980s ushered in a reverse in direction of Tanzania’s development policy, from socialism to market capitalism. This necessitated review of existing policies and the enactment of new ones. The National Land Policy was enacted in 1997, and established a dual system of tenure that recognized both customary and

²⁶ *ibid*

²⁷ *ibid*

statutory rights of occupancy as equal in law. Accordingly, the term of tenure for Statutory Right of Occupancy shall not exceed 99 years, while Customary Rights of Occupancy shall have no term limit. Under this policy, all land in Tanzania is publicly vested in the President as trustee on behalf of Tanzanians.

The new land policy, however, does not resolve the problems created during the “Ujamaa” era, when land was taken by force from individuals, families, and clans and entrusted to Ujamaa Village governments. The new policy did not provide legislative procedures for returning plantations and nationalized village land back to individuals and families. Corruption and a weak enforcement of rules and regulations have created room for the disadvantaged to lose prime land to the urban elite and foreign investors. His Excellency Julius Nyerere’s three predecessors have failed to ensure that the implementations of land policy and legislation are consistent with the practical realities on the ground.

It must be recognized that land reform is not merely an administrative exercise but a political one that must grapple with a variety of vested interests. There are power differentials between different social groups, even within a particular land system, and this has implications for control, access, and use of land. Further, the relationship between the statutory and customary systems is intensely political. And, perhaps the biggest political question is the role of the state in the distribution and administration of land.

It has also been pointed out that land reforms have the potential to further deepen poverty and vulnerability for certain groups who are already marginalized, such as women and the poor,

through increasing competition for land, oil, and mineral resources, within the context of economic liberalization. It is therefore important that the reform processes balance the emphasis on registration and other formal processes with greater attentiveness to the question of access and livelihoods.²⁸ In other words, land reform should ultimately focus on the ability of people to make a living and escape poverty.

Framework for Discussion

To reiterate a point made in the introductory and background sections of this paper, land reform in Africa is complex. The optimal objective of discussions going forward is to be focused, meaning selective. One way to achieve that focus is by taking it from the top, concentrating on the key political aspects of the problems involved. Implicit in this approach is an appreciation of the fact that it is the politics of land reform that must ultimately be negotiated to deal with the problem. Crafting a framework would seem to require addressing a number of philosophical and practical issues; viz., (i) the language of land reform; (ii) the ethical issues in land reform; (iii) the balance of land, labor, and capital; (iv) the relationship between land reform and development; (v) the meanings and requirements of land distribution; (vi) the existing models for land reform; (vii) the comparative redistribution of land; and (viii) the question, “Is small beautiful?”²⁹

²⁸ Tsikata, D. & Awumbila, M. (2006, May). Gender equity, land tenure and land tenure reforms in Ghana. Paper presented at an ISSER Seminar at the Institute of Statistical, Social and Economic Research (ISSER) at the University of Ghana, Legon on May 17, 2006.

²⁹ Schumacher, E.F. (1989) *Small Is Beautiful: Economics as if People, Harper Perennial*

For this Summit on land reform to be productive beyond other efforts, it is important to 'begin at the beginning' by understanding the political as well as programmatic challenges endemic to dealing with such a challenging issue.

I. THE CONCEPTUAL FRAMEWORK FOR THE AFRICAN PRESIDENTIAL ROUNDTABLE 2009: LEADERSHIP CHALLENGES ON LAND REFORM IN AFRICA

While it is useful for the *Roundtable* to be selective in terms of its overall approach, it is also necessary to devise a fairly comprehensive template for the upcoming Berlin conference, which would entail drawing up a full agenda for the proceedings, inclusive of working session topics. The *African Presidential Roundtable 2009* should be one-and-a-half days, with five sessions, each session lasting two-and-a-half hours, with two presentations per session, yielding a total of ten (10) presentations.

Each presentation invited is designed to address a specific focus or topic on land reform. Presentations will be solicited from political leaders and policy makers, as well as public intellectuals and recognized specialists. A mix of such known and unknown presenters will provide a diversity of ideas and backgrounds. Given that the event is going to be held in Germany, a member of the European Union, leading European academics, politicians, and public and private sector leaders will also be invited to attend.

II. LAND REFORM: LANGUAGE

The language of land reform is evaluative. It signals actual or prospective change that is not just desired, but needed. Presumably, by use of the phrase, we intend the change and reform

in question to be 'a good thing.' We implicitly accept its positive ring, with its normative connotations.

III. LAND REFORM: ETHICS

At its most elementary level, talk of land reform is talk about doing what is desirable. At the next level it is about doing what is 'right' or 'good.' This locates the discussion in the province of what is ethical. At this level, the problem of land reform is most adjudicated in the universe of competing and sometimes conflicting values: What are the rights of the individual versus the rights of the state? Are there any valid *a priori* rights for present land owners despite the maldistribution of land, which are legitimate *a posteriori* despite the claims of those historically dispossessed? What are the points of conflict and coalescence between moral values and market values in land reform? All of these questions are relevant to figuring the right, just, and fair redistributive model for adjudicating competing claims on the land.

After dealing with these issues, the trans-ethical problem is that a redistributive model of land reform is not the only sort that must concern us; land reform, generically, is not often inconsistent with other types of reform that may be equally or more pressing. Let us say that all varieties of land reform are good, in the abstract. Still, we recognize that (a) different types of land reform compete internally with one another, and (b) land reform as such sits in a common basket jostling against competing ideals. The ideals of reform to labor practices, medical institutions, political practices, political structures, business administration, manufacturing processes, scientific research, education, ethics, and so on, all rightly clamor

for attention. So, land reform, however desirable in the abstract, cannot always (or usually) be accorded concrete precedence in practice.

One problem is to avoid making an issue of land when the land really is not the issue. And, this brings us to the question of other issues that may connect with land but where land is not a direct priority. Take nationalization: a state may nationalize a farm, waterway (canal), mineral resource (oil wells, copper mines), industry, etc. It may equally privatize these resources. Sometimes, nationalization makes sense. At other times, it is entirely self-defeating. Assuming or relinquishing control of the land might be viewed as a type of land reform. But, if so, it shows how confusing our notions of desirability may be (as built into all of these internally divergent notions of land reform).

IV. LAND REFORM: BALANCING LAND, LABOR, & CAPITAL

The classical economists (e.g. Smith, Say, Malthus, Ricardo, Mill), in a simplified model, identified Land, Labor, and Capital as the universal “factors of production.”³⁰ While the classical approach has been superseded by neo-classical schools of thought and by the modern rational choice theory, these approaches also have stern critics. The classicists’ model is the most relevant to the Policy Working Group’s developmental orientation. One of the current economists advocating the economic empowerment of the poor is Hernando de Soto, as seen in his publication *The Mystery of Capital*. While his approach to facilitating wealth creation for the world’s poor is viewed as radical by some, his fundamental premise

³⁰ Prasad, Keder Nath (1984). *Studies in Economic Analysis and Policy in Retrospect: From Classical to Modern Period*, Sterling Publications.

of how the poor acquire wealth is based on classical theories about the relationship between land, labor, and capital.

Using the classical model, we can see that to attend to any one factor of production in isolation – attributing to one factor autonomous value in abstraction from the other two - corrupts the reality. All three factors are goods; all are necessary to enhance production; and each (like the Devil) must be given its due.

Presumably, we shall all accept, to a greater or lesser degree, that our world is a distinctly globalized entity. The factors of production, given the present degree of global integration - originally imposed through a process of colonial conquest and expansion - are not present in equal degree in any given territory.

In an African country like Ghana, land will be available: 100%. So too labor, though less imposingly: approximately 60%. (After all, the mass of labor available is unskilled, and many skills need to be imported.) Capital is the least readily available. Very little of what is required for Ghana's capital development is actually present in-state: nominally estimated at 10%.

The figures advanced above mean little, but they may help to make the point that, in an integrated or globalized world, no state is self-sufficient, and in most developing African states (a) no land will be imported, (b) significant skilled labor must be imported, and (c) the absence of local capital is critical. No state, however rich, is self-sufficient; developing states

merely represent one type of balance between internal and external factors. As such, developing states are locked into the global economy in a broadly common fashion; yet, no such state is thus engaged in exactly the same way. (The standard economic theory of ‘comparative advantage’ expresses this idea in a more technical form.)

No state is developing in the global context of modernity merely by depending on itself. A state’s development, present and future, must depend upon some level of interaction with other entities. The nature of that interaction defines the unique character of the state in question. The U.S. largely depended on (a) the early importation of African labor (forced/unforced is a secondary issue), (b) the appropriation (expropriation) of Native American land, and (c) the utilization of European capital, as well as access to European markets. The development of contemporary African states, by contrast, has broadly depended on the importation of (a) Western capital (most significant) and (b) skilled labor (largely), and (c) (less on) developing and mobilizing intra-continental capital markets. So, the mix of factors required, as well as the domestic to foreign ratios of this mix, will vary from case to case, but require an interaction nonetheless.

It would seem to follow that the focus in Berlin should be on the ways in which the importation of Western capital, skills, and technologies can and will impact African land ownership and land use. That involves looking at the facts ‘on the ground’ and on how policy might change those facts. The importance of particular factors of production shifts *pari passu* with evolving and interactive global conditions:

<a> In an agricultural age, **land** is the most important, and the most highly valued, of the factors of production, while the most important social class is the nobility. But attachment to the land does not hold always and everywhere. If an agricultural regime is morphing into an industrial alternative, land will become relatively less valuable, the reign of the nobility based on land control draws to a close, and the star of emergent capital-holders as a class rises.

 In an industrial age, where labor is not organized, or only poorly organized, then **capital** is the factor most highly valued, and it becomes dominant. In such circumstances, the stranglehold of land is broken. The factory attracts erstwhile landed labor. And the tendency is for the farm itself to move towards an industrialized apotheosis. The power of capital may grow prodigious, especially at the expense of labor, and if so the key reformist thrust will be to shake up that power (as argued by Ricardo, in support of better wages, and as argued by JS Mill, in support of legalized unions).

<c> In an industrial age that ends or begins to ease constraints on the entitlement of workers to organize, **labor** becomes far more highly valued and may attain an equivalent or dominant status among the factors of production. Such is arguably the case today in states like Sweden and Denmark. In such circumstances, if labor is a significant brake on production, reform of this sector may assume higher importance than any reform of land (even where land reform remains abstractly desirable, i.e. 'in principle').

V. LAND REFORM: ONE MEANS TO DEVELOPMENT

Land reform may be seen as the top priority no matter the circumstances. Or, it may be seen as a means to some other, still larger and more important, end. We shall accept that land reform as a redistributive pursuit cannot generically trump all competing reform strategies, and that it may be trumped (whether occasionally or often) by competing reform issues.

We shall take it that land reform is a good but that (a) all its varieties are not internally consistent or coherent and that (b) there are other goods competitive with land reform that may, rarely or often, demote it.

To avoid floundering in a whirlpool of incoherence, we shall ask what ought to be the object of land reform and all other such political objectives. Let us say that the object of land reform – as of reforms in other sectors, like industry, taxation, manufacture, and health - is the common and overriding goal of DEVELOPMENT. If we set the land reform tactic within the overarching developmental strategy, then the priority goal is not land reform, but land reform as a function of development. Consistent with that, the PWG concern would be on ways in which land reform can further the larger and more comprehensive goal.

If land reform is conceived as good because, or in so far as, it contributes to the larger object of development, then we shall take it as one element only in the developmental process. In this light, it is to be accorded top priority, or not, depending on when, how, and how far it contributes to the overarching project – given that it does not itself constitute that project. So, land reform may come tops; equally, it may place second, third, or fourth. It all depends, at any given juncture, on whether land reform, or some alternative, performs best by way of

promoting the overarching goal. In sum, land reform is to be seen as a tributary to the sea that is development. One is more nearly a means, the other an end.

VI. LAND REFORM: MANY VARIETIES

One may reform the land in a variety of ways in terms of ownership and control, on the one side, and management and usage, on the other: (a) Concentrating ownership (as by subsidies); (b) Diffusing ownership (redistributing large holdings among smallholders); (c) Regulating details of usage and tenure (promoting ‘best practice’, as with use or non-use of insecticides, fertilizer, policing downstream effects of pollution, contamination, slurry runoff, etc); and (d) Withdrawing state regulation.

Land reform in former African settler territories where land was originally redistributed from Africans to Europeans presents the option to approach land reform (a) in purely racial terms, i.e. as redistribution from whites to blacks. This has an aura of restitution from appropriators to original owners, and it appeals *prima facie* on that basis. However, this type of redistribution may miss the point: development. If the land is being properly managed (it may not be), then it may not figure either to transfer it or break it up, since regulatory and taxation policies may suffice to accomplish what matters, e.g. securing fair employment, school funding, medical service, water access, etc. (b) Land reform may be approached nonracially and only with regard to size – i.e. as parceling large holdings into small holdings. If “small is beautiful,”³¹ or if small holdings are actually more productive than large holdings (as argued by Amartya Sen), then land reform will appeal on that basis. Land reform will

³¹ Schumacher, E.F. (1989)

equate with consolidation if scale is accounted for in the way forward, as in a Fordist universe. The problem is to avoid ideological obsession and to determine whether - given location, soil type, crop, country, etc. – concentration or division is the most apt direction to take in managing the land. Avoiding ideological obsession means taking account of the demands and opportunities represented by other factors of production and sectors of the economy.

Land reform, as tied into the issue of development, ought to be viewed in a very broad sense, as connected to the disposition of all resources that can be characterized as ‘natural.’ For example, against the backdrop of global warming and its adverse impact on water supplies in most of Africa, one of the more vital concerns Africa confronts is access to water. The management of lakes (Chad and Tanganyika) and waterways (Nile and Niger) is vital and will grow more vexed as these resources increasingly come under challenge. As farmers are impacted by the desertification of land, so are fishers affected by the asphyxiation of inland lakes and waterways and by the depletion of fish stocks by massive Northern factory ships offshore.

Water is but a dimension of the land. So, land reform should encompass ‘water reform.’ The surface of Lake Tanganyika is increasingly overgrown by plants that block the light, deplete oxygen below, and, as a result, diminish fish stocks. The effect is that fishermen stray further from their shores, crossing international boundaries, and creating inter-state tensions.

VII. 'LAND REFORM': REDISTRIBUTION?

We now focus on land reform taken as a process *in se*, and not *in re*, as competing processes that promote development. The emphasis on land reform usually addresses and stresses redistribution. Redistributive approaches tend to assume that (a) the most important component in the production process is the land (rather than the value or capital inherent in it) and that (b) constraints on fairness or efficiency dissolve if land misdistribution ends. With regard to (a), we have seen that such a view is astigmatic. With regard to (b), we can see it is no more reliable than (a).

Africa is, obviously, largely agrarian. Yet, South Africa is more nearly industrial and extractive. Gabon and Nigeria are today all oil. The Ogoni of Southern Nigeria are not so much concerned with the redistribution of land, but with receiving a fair proportion of the profits accruing from the oil that lies beneath the land (their farms). South Africans are not so much concerned with going back to the land as they are with ensuring they can organize unions and press the case for more generous wages and working conditions.

The Nigerian and Sudan (Darfur) cases have some similarities worth exploring. Here the concern, in different ways, is not with redistribution, but with alternative uses of the land. In the Nigerian case, civil conflict has been fueled by the concern to develop oil, at the expense of farming. Yet conflict in the Delta is more *overcompensation* for that shift to the farmers whose land is appropriated and often despoiled.

In the Darfur case, we can see two things. First, water is a diminishing resource both for agriculturalists and nomads, which puts them at loggerheads. Second, the expectation is that oil lies beneath the land occupied by farmers, and in a world of diminishing resources, nomads are making a major (even genocidal) push to be rid of farmers.

In the Rwandan case, we see an ethnic struggle, assuming genocidal proportions, based on (here, one simplifies) (a) mutual demonization, (b) expanding populations, and (c) a mostly agrarian economy. In circumstances where vital resources contrast, those competing for them are more likely to come to blows as part of the struggle for survival. If the state is powerful, then this conflict is likely to be deflected onto foreigners through external conquest. If the state is poor, conflict is likely to remain domestic, as between various groups identified by class, tribe, region, religion, or nationality of origin. In the domestic context, psychology and sociology may play a bigger role than economics. So, as resources shrink, the identity of 'the neighbor' and how that is conceived or distorted may prove of extraordinary significance.

VIII. LAND REFORM: COMPARATIVE REDISTRIBUTION IN KENYA AND ZIMBABWE

Zimbabwe is the most publicized case of demand for land reform (through land redistribution) in contemporary Africa. This can be parsed in at least two ways. First, it can be said that Robert Mugabe has the right issue but is not honestly pursuing it. Second, it can be said that land reform, at this juncture, is not and ought not to be a top priority for Zimbabwe, even if honestly pursued.

Robert Mugabe has publicized the issue of land reform for his regime's own benefit. The hoopla raised by Mugabe regarding racial redistribution of land – from white owners to black owners – can be construed, in this case, as a way of redirecting distraction from the corrupt use of the military to appropriate the mineral assets of neighboring territory, a process that has severely impacted Zimbabwe's own economy. The question remains: Is Robert Mugabe camouflaging bad foreign policy by arguing that the failure of the Zimbabwean economy is a function of white ownership of large farms?

Kenya redistributed much land, (a) partly, from large white owners to many small African holders and (b) partly, and more commonly, from large white owners to large black owners. Kenyan production did not fall and seems in no way to have been adversely impacted by either type of change.

There is a major difference between the Jomo Kenyatta policy in Kenya and that of Robert Mugabe in Zimbabwe. President Kenyatta sought land redistribution to satisfy African land hunger; he met with no loss of production, and he consistently tried to avoid inflammatory grandstanding. President Mugabe, by contrast, has loudly painted the issue as one of economic necessity, in a propagandist vein; Robert Mugabe's domestic mismanagement, added to foreign, 'blood-diamond' adventurism, color his land reform antics as significantly propagandist. Land reform, as Mugabe has managed it, has proven to be an utter failure in maintaining or increasing productive capacity.

In the cases of Kenya and Zimbabwe, it is clear that (a) Kenya was a clear success while Zimbabwe has been a dramatic failure, (b) Kenya and Zimbabwe have witnessed redistribution both to small and large (indigenous) holders, and (c) most such redistribution, in as far as prime land is concerned, has gone to large indigenous holders. Because Kenya and Rhodesia (Zimbabwe) are former settler territories, it would help to review Kenya's management of the land redistribution process and apply those lessons to the current situation in Zimbabwe.

Those with an ideological commitment to large-scale production may be prompted to make such claims that (a) Kenyan (Zimbabwean) redistribution to large indigenous holders was politically imperative but was not economically necessary, and (b) Kenyan (Zimbabwean) redistribution to small indigenous holders must be resisted, even if politically imperative, because it is economically deleterious. Those with an ideological commitment to small-scale production may be prompted to make such claims as that (a) Kenyan (Zimbabwean) redistribution to small indigenous holders was politically necessary and economically imperative, and (b) Kenyan (Zimbabwean) redistribution from large indigenous holders to their smaller indigenous counterparts, even if politically risky, is economically imperative. This raises a general question regarding how far the demand for land reform in Africa, whether by way of concentration or division, may be ideologically driven, and whether, in view of that, we can direct discussion to a more concrete and fruitful level. In continuing to tackle the issue through the review of specific country cases, it would be helpful to look at Botswana.

IX. LAND REFORM: IS SMALL BEAUTIFUL?

We are perfectly aware that the tendency in all developed economies has been to move dramatically from small holdings to large, mechanized holdings. There has been general agreement that (a) this is the fact of the matter and that (b) this fact should be promoted as sound policy. There are partial exceptions, as in states like Japan and France, where agriculture has remained, through state subsidy, an unusually large sector of the economy (about 10% in France). But, the tendency is clear. Farm production in states like the United Kingdom (less than 1% of the economy) and the United States (less than 2% of the economy) is left in the hands of fewer and fewer growers. Low farm productivity is usually explained by reference to fragmented holdings. That is the line taken by the United Nation's Food and Agriculture Organization, the Organization for Economic Cooperation and Development, and others. So, we confront a serious case of long standing ideology. The principle derives from Henry Ford's integrated assembly line, enabling efficient production of cars in high volumes, to be contrasted with the hoary example of the single worker, isolated from the rest, seeking to craft a complex machine in its entirety on her own.

Up to a point, farms can be mechanized much as handicrafts can. The basic rationale is similar. Larger scale enables enhanced rationalization and its consequence: improved access to information, capital, new technologies, and goods. Even in Brazil, sugar-cane cutting is to be mechanized... after five hundred years. The sugar-cane association Unica advised in 2008 that 400,000 out of 500,000 workers will be displaced by tractors within three years! The displacement of so many workers is problematic but the argument in favor is that economic efficiency, land conservation, and environmental protection will be significantly bolstered.

The flip side of a more integrated production process tends to be more concentrated management and ownership.

But, there is an alternative argument, just as comprehensive as that for integration, sometimes sourced to Amartya Sen (1962), but actually of much wider provenance. Sen's argument is to the effect that small farms are simply more productive than their large counterparts. Nor is he barking up a gum tree. Unfortunately, just as there is evidence for the greater productivity of large-scale farming, there is evidence for the greater productivity of small-scale farming.

In this debate, however, much will turn round the choice of historical era, the specific agricultural product, the geographical region, and the particular country introduced in and as evidence. While the Devil may lie in the detail, Beelzebub may lie equally in the preemptive ideological commitment of rival claimants.

The real problem may be less to do with whether a land holding is large or small, but whether productive use is demonstrably made of the land. Clearly, scale can largely enhance production. Equally clear, scale alone does not suffice. It can go awry, as we see with General Motors and other large carmakers in the U.S. Arguably, any land holdings, left unused (fallow or overgrown) for lengthy periods, whether large or small, should perhaps qualify for redistribution by means of the tax regime or otherwise. To make an appropriate judgment requires proper review and tight analysis.

Certainly, one of the most pertinent questions is how the foreign policies of global powers affect African development with regard to land reform in the context of the overarching

development process. The U.S., for our purposes, is the most relevant actor. Is U.S. subsidized agriculture forcing African farmers off the land simply because the latter cannot compete (as in the matter of maize and maize meal)? This then raises the question of the actual impact of U.S. policy on land and land tenure on the African continent. Is the U.S. doing any significant research on the retrenchment of water lilies overgrowing the Rift Valley lakes? Should they be? Should they be financing local populations to do this research? What is the U.S. doing about desertification and its political consequences and to what extent? How much should the U.S. do?

The African Growth and Opportunity Act (AGOA) should be reviewed from the perspective of its actual or potential impact on African development but with specific reference to land reform. The bottom-line for a continent racked by starvation and perpetually in need of food aid is, “How do African governments balance the necessity for land reform with the necessity for greater food security?”

CONCLUSION

In 1884, Europe “scrambled” Africa with its partitioning of the continent and disparate allocation of land. The challenge for Africans going forward is to “unscramble” the continent, meaning that land rights and the inherent value in the land must be made available to indigenous Africans in a way that gives substance to the freedom for which they fought. This issue is one that has begged the attention of African leaders and complicated the continent’s relationship with former colonizers since the liberation of the continent commenced with Ghana’s independence in 1957.

There are a couple of obvious, but often overlooked, questions that are at the heart of this matter. On the one hand, there is the question of, “How do Africans enact land reform so that the average African feels as if they are stakeholders in their country?” On the other hand, “How can land reform be enacted in a way that Africa has a stake and role in the global growth and development taking place?”

Addressing (much less answering) these two questions requires the following:

- *Defining the endgame relative to land reform.* What will land reform mean for Africans in terms of ownership, control, and use? What will it mean in terms of wealth creation? What does it mean in terms of food security? What does it mean relative to the development of African economies, which the continent so desperately needs?
- *Defining the challenges for Africans relative to getting to the endgame.* What regulatory and constitutional changes need to take place for effective land reform? How do countries get beyond the tribal divide in determining who gets what? What is the proper balance between individual versus national interests? What are the political challenges inherent in multiethnic body politics? How does leadership build a national consensus for land reform?

- *What is the role of the West in assisting African governments to effectively address the challenges of land reform? What is the role and responsibility of former colonizers? What is the role of nations like the G8 and other developed nations, such as the United States, Russia, China, Japan, et al, that have been beneficiaries of Africa's resources? Relative to the West, is a bilateral or multilateral approach best, or is it a combination of both? If both, what combination or emphasis will be most effective? What ought to be the role of multilateral organizations in helping African leaders and governments resolve the problem of land reform?*

These are the issues that the *African Presidential Roundtable 2009: The Leadership Challenges of Land Reform in Africa* is meant to address. But, more importantly, these are the issues that must be addressed if there is to be an African solution, driven by African leadership, to the conundrum of land reform on the continent.

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