Households land use strategies in a protracted crisis context: land tenure, conflict and food security in eastern DRC

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I. INTRODUCTION

I.1. Background

1. The links between land tenure and conflict have recently generated a considerable body of research. While environmentalists have pointed to the importance of land scarcity and demographic pressure as causes of land disputes, recent research into protracted crises has illustrated that these disputes are triggered by shifts in the rights and institutions that govern access to and use of land. As one analyst states, “The way land use is governed is not simply an economic question, but also a critical aspect of the management of political affairs. It may be argued that the governance of land use is the most important political issue in most (African) countries.” (Juma and Ojwang, 1996) When these shifts in the institutional context and governance of land tenure result in insecure and limited access to land for large sections of society, as they often do, they become structural causes of poverty, food insecurity and conflict. Furthermore, some protracted crises transform the role of unequal land access from a structural source of poverty and conflict into a “resource of conflict”. One example is when politico-military elites seek to consolidate their power base and reward their supporters by extending control over land.

2. Unequal land access and shifts in land tenure systems also have a direct impact on food production. In cases where land access becomes insecure, crop diversification is often no longer in accordance with agro-climatic zones but with security of tenure: households with insecure land access tend to opt for low-risk, and seasonal instead of perennial, crops. In addition, when land access becomes insecure, investments to increase productivity tend to decrease. These elements lead to a shift in the qualitative use of land and put food security mechanisms under stress.

3. There is growing awareness among international agencies that the tackling of land scarcity and land tenure insecurity should be an integral part of food security interventions as well as post-conflict rehabilitation processes. In a 2003 publication on land issues, the World Bank recognized that the “deprivation of land rights as a feature of more generalized inequality in access to economic opportunities and low economic growth have caused seemingly minor social or political conflicts to escalate into large-scale conflicts” (Deininger, 2003). The same report stressed that interventions should focus on the development of incentives for the settlement of conflicts over land issues, by among other things the validation of land agreements already reached by informal means, and by offering legal protection to households. International
organizations such as the United States Agency for International Development (USAID), the Organisation for Economic Co-operation and Development (OECD), the United Nations Human Settlements Programme (UN-HABITAT) and the United Nations Development Programme (UNDP) have developed frameworks for understanding – and intervening in – land-related conflicts. However, “While a formidable toolkit of diverse approaches to securing land rights has been developed (incorporating technological innovations, participatory approaches, and hybrid models) these are sometimes ignored due to political, time-related or financial pressures, as well as the particular biases of those in charge of policy reform.” (Higgins and Clover, 2005) Another constraint is that many of these interventions start from “standardized” solutions modelled on Western theories of property rights. A final shortcoming is the lack of integration of land programmes into peace processes.

4. During the international workshop Food security in complex emergencies: Building policy frameworks to address longer-term programming in complex emergencies, organized by the Agricultural and Development Economics Division of the Food and Agriculture Organization of the United Nations (FAO/ESA)¹ participants examined the likely effectiveness of a wide range of policy options under conflict situations and pointed to the importance of strong knowledge–actions links, involving research and information systems, to gain a better understanding of the complexity of the issues at stake and to facilitate knowledge-based responses. The workshop also pointed to land tenure as a key issue of both food security and conflict. The workshop concluded that care is needed to avoid legitimizing contentious land claims; yet it was also noted how little interest donors seem to show in land tenure issues, even though the issues have been recognized as a vital aspect of post-war recovery.

5. Following this workshop, FAO/ESA launched a number of case studies as part of research into three protracted crises: Somalia, Sudan and the Democratic Republic of the Congo. For each country, a series of papers were planned to: (i) present a preliminary analysis of the food security situation, analyse the links with the protracted crisis context and evaluate the major food security interventions; and (ii) offer specific country field-based studies that provide empirical evidence on the implications of these findings for medium to long-term food security and agricultural rehabilitation initiatives. The preliminary analysis of food security and interventions in the Democratic Republic of the Congo² pointed to a number of issues that have scarcely been addressed by these interventions. One of these issues is the shift in local land tenure systems and reduced access to land. In the DRC, the devastating effects of pre-war land policies on the position of rural populations have only further intensified since the war. While land has become a main dynamic of conflict in regions such as Ituri and Masisi, it has also become an important resource to warring factions: through their control over land, they have reinforced their political position to the disadvantage of small farmers. Little or no attention has been paid by international agencies to these shifts in local production systems and land distribution.

² See: Food security responses to the protracted crisis context of the Democratic Republic of the Congo, hereafter “overview paper” (also available on the FAO/ESAF website).
mechanisms, and interventions are seldom designed using a conflict-sensitive process. Nevertheless, food insecurity can be tackled through interventions that focus on land access. Possible interventions include the strengthening of the legal position of rural populations and the strengthening of the role of community representatives in land issues.

6. Based on the conclusions of that overview paper, two field-based studies were carried out. One concentrated on a geographical area: it evaluated food security and interventionism in Beni-Lubero, focusing on the structural impact of the protracted crisis on local food systems and the effects and limits of food security interventions. The present study concentrates on the theme of land use. Research involved a survey of household land use strategies in Walungu, Masisi and Lubero, focusing on the impact of conflict on local land access mechanisms and on household strategies to secure access to land; the study also analyses the effects of food security interventions on land access and land use.

I.2. Aims and design

7. One aim of this study is to provide an understanding of land use strategies in the territories of Walungu, Masisi and Lubero (eastern DRC). It does so by offering a systematic description (through empirical research) of existing patterns of land access and land use and the impact of conflict on these land access mechanisms. A second aim is to analyse the strategies developed by landless households to secure their access to food, and to evaluate the different strategies of intervention in the field of land access and land use. The main hypothesis of this study is that alternative strategies developed by households to guarantee their food security eventually induce important transformations of local food systems and that these transformations tend to be ignored by food security interventions.

8. The territories of Walungu, Masisi and Lubero were selected because of their particular characteristics as food economy zones and because of the differences in local mechanisms of land access. In each of these territories, local patterns of land use and land access can be identified as key dynamics of local tension and dispute, even though these dynamics have different outcomes in each case.

The territory of Walungu (South Kivu) used to be one of the key providers of food to the provincial capital of Bukavu and had a number of large quinqua plantations, while livestock used to be the main determinant of wealth and social relations. Demographic pressure and the Congolese war have radically modified the local food system and have seriously disrupted existing mechanisms of land access, leading to intensified competition for land and a growing number of landless households.

The territory of Masisi (North Kivu) had been an important centre of livestock and agricultural activities, but since the 1960s has been faced with local struggles for land, resulting in the loss to large parts of the rural population of their parcels, to the advantage of a new class of “rural capitalists”. Since 1993, Masisi has suffered from ethnically-motivated violence and militia
activities that have caused massive displacement and brought agricultural activities to a standstill. The improved security situation since 2002 has led to a modest return of livestock and agricultural activities, but the struggle for land between local ethnic communities continues to be an important source of tension.

The central highlands of **Lubero (North Kivu)** used to be one of the main food production centres of North Kivu, providing urban centres (including Kinshasa) with agricultural products and meat. Increasing population density and the reduction of market opportunities (partly the result of the war) have provoked an intensified competition for land, which in turn has forced local households to develop alternative strategies to secure access to food. These elements have caused major shifts in the local food system.

9. The methodology used for this study is based on the framework presented in the overview paper referred to above. The framework concentrates on the larger political economy (or institutional context) that conditions people’s access to land, as well as on people’s claims and strategies to obtain access to, and use land. It allows for comprehension of the key mechanisms that regulate households’ entitlements to food and evaluation of the impact of households’ coping mechanisms on local food systems. The evaluation of food security interventions is based on the twin-track approach developed by FAO, which begins with the core dimensions of food security and defines the most appropriate responses and strategies based on the particular characteristics of local food systems. The first part of the study offers an analysis of the shifts in the institutional context regulating local access to land and of their impact on local dynamics of conflict; it is based on a survey of existing literature and interviews with observers in Goma and Bukavu. The second part presents the case studies. For the studies, data collection exercises were developed involving interviews with key informants and group discussions with village members. The group discussions involved two different exercises. The first aimed at acquiring a better understanding of the shifts in local patterns of land use and land distribution. The second focused on household strategies and the impact of food security interventions. Participants were asked to identify the main constraints to their food production and access to markets, to discuss the different short-term and long-term strategies that were developed to deal with the negative effects of land scarcity and insecurity, and to evaluate the impact of external interventions.

**II. THE CONTEXT: LAND TENURE, CONFLICT AND HOUSEHOLD STRATEGIES IN EASTERN DRC**

**II.1. The institutional context: land tenure in historical perspective**

10. Before the colonial conquest, large parts of eastern Congo were characterized by stratified social structures that organized the use of the available space by distributing the access rights to customary-held land in return for rent. These contracts could be described as “institutions”: they not only regulated access to land but also legitimized an entire social organization by integrating all persons living within a given region into a local network of dependent relations (Van Acker,

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3 See *Conflict and food security in Beni-Lubero* by Timothy Raeymaekers (also available on the FAO/ESAF)
2005). Small tributary states and chiefdoms headed by a mwami (customary chief) and circumscribed by the boundaries of clans or ethnic communities formed the institutional framework for this highly stratified and patriarchal social structure. One example of this traditional organization was the very hierarchical structure of the Bashi community. At the top of the pyramid, the mwami was bestowed with supreme power. In his position of representing the ancestors, he was the owner of both the land and the cattle. The country was subdivided into provinces, each of them ruled by a nabano or murbanbo. Next came the chiefdoms, which were headed by a mushammuka. At the village level, the power was exercised by a mugula (or “pater familias”), who could claim patronage over subjects that did not have political authority (called the bashizi, or “those without property”). In this structure, property rights were limited to use rights in return for the payment of a tribute to the representative of the mwami. [In the Nande community, there was a similar practice called O’mukondi, O’mubako or Nigemo; the Bahunde in Masisi called it mutulo.] According to this principle, access to land depended on an initial payment of tribute to the chief. Once this tribute was paid, the peasant obtained user rights over a part of the customary land, though in practice the peasant regularly had to renew his tribute. Also, these user rights were non-alienable; no subject could legitimately gain full control over land through the existing land tenure system. Even if these user rights were hereditary, rights of alienation could never be obtained. Land remained customary, which put farmers in a relatively insecure position.

11. The main objective of these tributary systems was to recycle the rents (paid as tribute by those given access to land) and enable the nobility to extract the surplus generated by the labour of farm households. The rents paid by the producers and redistributed to higher levels of the hierarchy guaranteed the sustainability of the network of dependent relations and thus of the existing social order. Even while this system offered every peasant social integration and protection in exchange for acceptance of the position of the customary authorities, it simultaneously sustained his inferior position. In addition, customary law excluded women altogether from land rights. The result was a complex structure of rights where nobody had complete property rights, but few farmers – if any – had no rights at all: at the top was the custodian of the tribal land (mwami) and at the bottom the peasants that paid tribute. For a peasant family, the system traded social integration and hence security for loyalty and tribute to the mwami, who received power in exchange for granting non-alienable use rights over the customary domain (Van Acker, 2000). This taxation principle was a kind of “structuring structure”: not merely a mechanism for financial administration but a fundamental form of social control (Mugangu Matabaro, 1997). The relationship between subject and patron was determined by one’s social identity within the hierarchy.

12. The socially integrative aspect of these customary land systems came under pressure for the first time during colonialism. Having established territorial limits to the traditional rural order, the Belgian colonial powers initiated a dual system of property rights. The colonial administration declared all vacant land property of the colonial state and introduced a system of land registration

[website]; hereafter, “Beni-Lubero study”.
and private ownership, in order to regulate the access of the colonialist commercial class to these vacant lands so they could be turned into plantations. The legitimacy of the existing customary land tenure system was recognized only for land already under the practical control of the traditional authorities; it limited any further expansion of customary lands and in fact confiscated land for the institution of a system of wildlife parks and anti-erosion forests. Already in 1935 more than 200 000 hectares of land had been extracted from the control of the customary system and made state domain, mainly to be turned into cash crop plantations (Fairhead, 1991). Agricultural production at the plantations was based on forced labour. At these plantations, average wages were extremely low. As a consequence, the colonial plantation policy provoked the start of a process of peasantization and proletarianization, and strongly reduced access to land for peasant families living in densely-populated regions such as Masisi and Bushi. Hecq and Lefèvre estimated that a four-member family needed the produce of a plot of 1.2 hectares and a supplement of palm oil and salt to acquire sufficient nutrients. By 1959, households in Kabare (South Kivu) on average occupied less than one hectare (Hecq and Lefèvre, 1959).

13. Access to land was further limited by the influx of Rwandan and Burundian immigrants. Long before the creation of the Independent State of Congo in 1885, significant numbers of Kinyarwanda-speaking people were living in the highlands of Kivu. In what is now called North Kivu, there were important settlements of Banyarwanda, while in the southern parts of the Kivu highlands there was the presence of a group of Banyarwanda (mainly of Tutsi origin) that later would be known as Banyamulenge. People of Burundian descent migrated to the Ruzizi Plains (South Kivu). Colonialism and regional political events had a major impact on the numbers of immigrants living in the Kivus. After the First World War, the Belgian colonial administration strongly promoted the migration of Rwandan farmers in an attempt to counteract strong demographic pressure in Rwanda and provide the labour necessary for the newly-created agricultural plantations and mining centres. These efforts were intensified after the institution of the Mission d’Immigration des Banyarwanda (MIB) in 1937. It is estimated that between 1937 and 1945 more than 25 000 people settled in Gishari (Masisi), with this number reaching more than 60 000 people between 1949 and 1955. Taking into account the traditional and uncontrolled migration, the total number of immigrants of Rwandan descent that settled in Kivu during the colonial period is estimated at 300 000 (de Saint-Moulin, 1995). This immigration flux had a considerable effect on local mechanisms of land distribution. As both local and immigrant populations claimed their rights on the territory they occupied, intensified competition for land from then on was more and more pronounced in ethnic terms.

14. After independence, the mechanisms of land access were further complicated and confused by new legislation: the 1973 General Property Law, based on the so-called Bakajika Law of 1966. The legislation declared all land (including land under customary control) property of the state and integrated the traditional rural order into the urban-controlled modern political system. This had two major effects. First, it undermined the traditional system of reciprocal patron–client relations embedded in a customary framework and paved the way for a new type of relations based on state patronage. Second, the inherent traditional social order was replaced by social stratification in which proximity to the political centre was a premium condition for the
accumulation of wealth. This new social structure included a transformation of the property structure. The new land law was part of a policy of opportunistic nationalization through which political loyalty was rewarded with distribution of land, and it became part of the new patronimial system. New, informal alliances between a class of rural capitalists, agro industries, traditional authorities and state administrators made it possible for a large amount of land to be expropriated from poorer claimants, and for new claimants to extort heavy taxes or labour dues from those who lived on “their” land. Perhaps even more important for the rural population’s position was the introduction of arbitrariness and land insecurity. The alliances seeking peasant-occupied lands also expropriated land held in “inalienable” customary tenure (such as the kalimbi or vuokwi system), resulting in dispossession of entire communities for the creation of new plantations and ranches. At both local and national levels, members of these opportunistic alliances benefited from the redistribution of nationalized plantations and customary land, and from the re-classification of anti-erosion forests. As a result, in the Kivus the majority of land became the property of a small number of landowners, while most small farmers were forced into a position of insecure land titles or land alienation. In regions such as Bushi, Rutshuru and Masisi, which were faced with unrelenting population growth, the effects were disastrous. By the end of the 1980s, 49 percent of the population in Kivus lived in areas with a density higher than 100 inhabitants per km², whereas in Zaire as a whole only 13.4 percent lived in such densely-populated conditions (de Saint-Moulin, 1995).

15. Clientelistic relationships between traditional authorities, politicians and rural capitalists were prominent in North Kivu. There, the privatization of land rights turned out to the advantage primarily of migrants of Rwandan descent (Banyarwanda), who had obtained Zairian citizenship under the nationality law of 1972 mainly because they were Mobutu’s main ally in the Kivus at the time. Their precarious position due to the nationality issue benefited Mobutu’s “divide and rule” tactics. The Banyarwanda acted as his instruments of influence in parts of North Kivu, and relied heavily on him because of their vulnerability to political manipulation of their “allochthonous” status. In this case as well, land titles were part of the political resources to be rewarded to the most loyal parts of society. Banyarwanda often bought their land rights in Kinshasa, to come back to Kivu and claim large tracts of the most fertile land. It is estimated that after 1973 about 90 percent of the land of the Comité National du Kivu (CNK) came under the control of the Banyarwanda, who were perceived as gaining wealth not just through their political connections, but also through their success as farmers and livestock keepers.

16. The extraction of land from the system of customary ownership had the effect of wearing down the social structure on which it was based. Capitalizing the rents embedded in the land eroded the web of mutual dependency that was built on the careful extraction and (re-) distribution of these rents over time, and also led to a different qualitative use of the available space. One effect of these dynamics was increased alienation of land. Many of the plantations distributed to members of the political entourage of Mobutu remained under-utilized while large parts of the land formerly held under customary law were granted to indigenous rural capitalists or international agro-industrial companies. Even though these plantations offered new labour opportunities to the local population, many were either left vacant (with a loss of labour
opportunities as a consequence) or guarded by a gérant (manager) who leased parts of the land to landless farmers. Land and food insecurity, and a labour surplus among the rural population, were among the most severe consequences. In the most highly-populated regions such as Masisi (North Kivu) and Bushi (South Kivu), access to vacant land through the former customary contracts became no longer possible. Affected farmers could “buy” a tract from someone who had already paid a customary tribute (this practice was called second-degree customary tribute) or could rent land, both of which were less secure forms of land tenure. The buruka contract (the practice of buying land, transferring control over land from the traditional authorities to the state, which gives definitive land access to the new owner) was beyond their reach due to a lack of financial resources. This forced most farmers to rent a tract of land under a short-term contract such as buwasa. In extreme cases, farmers were forced to work as agricultural labourers on a daily basis, often in return for extremely low wages.

17. A first strategy to deal with the effects of land insecurity was to shift existing cropping patterns. Crop diversification was no longer done in accordance with agro-climatic zones but came to be dependent on security of tenure. Perennial crops (such as bananas and coffee, grown mostly for cash) are traditionally grown only on land to which the farmer has a long-term entitlement, while seasonal or food crops are cultivated on marginal land with less secure tenure, such as wetlands or steep hillsides. These latter fields, which were most susceptible to erosion, were formerly governed by rules of open access but came to be rented to poorer farmers under buwasa contracts. Seasonal crops were planted on these insecure lands, while the crops themselves changed from food crops to crops that could be more easily marketed, such as cassava. As was demonstrated in Bwisa (North Kivu) at the end of the 1980s, this put food security increasingly at risk and even caused famine in 1989.

18. Another strategy was to migrate to the cities, to mining centres or to regions in demand of agricultural labour. In these cases, increased mobility resulted in the development of a trading economy. Many of the temporary migrant agricultural workers traded goods on their way home. Others earned their living by participating in migrant commerce between local mines and border towns such as Uvira, Bukavu and Bujumbura (Burundi). The prohibition of artisan mining discouraged production by this method, but expanded rapidly after the liberalization of gold mining in 1982. Since then, mineral-rich areas such as Walikale (North Kivu) and Mwenga and Kamituga (South Kivu) became very attractive destinations for landless young men in search of economic opportunities. Gold, cassiterite and other minerals, as well as coffee, tea, cattle and agricultural products, were smuggled out of the country to international markets in Bujumbura (Burundi), western Uganda, Kigoma (Tanzania) or even further to Dar es Salaam (Tanzania) in exchange for scarce consumer goods to be sold in the hinterland of eastern Congo.

II.2. Land access, conflict and food security

19. The consequences of demographic pressure and shifts in land tenure patterns were further reinforced by the effects of the worsening decline of the Zairian state. Since the 1980s, the practices of patrimonial rule had led to a deepening economic crisis. In the period 1958–1993, the population of Zaire soared from 15 to 42 million inhabitants, while the production per capita
shrank approximately 65 percent from US$377 in 1957 to US$117 in 1993. Estimates are that between 1988 and 1993, the GDP per capita contracted by 11.7 percent per year (Devey, 1997). In 1993 the total income of the Zairian state dropped to only US$302 million. Agricultural production no longer generated state resources; in 1990, more than 80 percent of it was for self-consumption and only 2.5 percent for cash crops. Only 6 percent of total exports were generated by the sector. While this generalized economic crisis forced local elites to develop new strategies to assert authority amidst declining resources, households were obliged to develop alternative strategies to guarantee their food security and secure their survival. In the eastern parts of the country, these conditions increased the local competition for land and reinforced the hardening of social boundaries, itself the result of increasing land scarcity. After the start of the democratization process in 1990, this intensified competition between households was manipulated by local elites in search of a popular base of support. Given the context of institutional collapse and intensified political competition, this process of political manipulation and mobilization finally turned struggles for land into intensified ethnic tension.

20. The contentious nature of land access became more and more pronounced, especially in those regions where increased population density further exacerbated the erosion of customary control, which included Bushi (South Kivu) and Masisi (North Kivu). A survey in 1985 demonstrated that even with intensive cultivation the land holdings of nearly 90 percent of the population in Mulungu (Kabare, South Kivu) were insufficient to provide a family’s minimal income. More than two-thirds of all households worked plots of less than one hectare and one-third of all families had even less than 0.3 hectare (Schoepf and Schoepf, 1987). However, it was only in regions where different ethnic communities claimed land ownership that the competition for land provoked social tensions, which were easily manipulated by local elites. This was especially the case for the territory of Masisi (North Kivu), where 512 families (of which 503 were of Rwandan descent) occupied more than half of the land (Laurent and Tsongo, 1996). In other regions populated by different ethnic communities, ownership rights were also at the centre of local animosities. In most cases, old claims of land ownership were exploited by local elites and the authority of customary authorities was rejected by members belonging to other communities. These claims were based on the argument that control over land was the right of the community that settled first and that other communities had to pay tribute to these first settlers in order to acquire access to land. For the traditional chiefs, these new claims were the perfect strategy for reinforcing or regaining their power positions. As a result of these dynamics, previous land allocations came to be judged on the criterion of ethnic citizenship (Van Acker, 2005) and existing structures of security came to be more rigidly defined on ethnic criteria. The end result was that an increasing number of households were excluded from customary structures and could no longer mobilize the traditional networks of solidarity that used to secure their access to economic resources and social services.

21. Perhaps the most illustrative example of the manipulation of land scarcity by local elites is the competition for land between Hunde chiefs and their Banyarwanda subjects in Masisi (North Kivu). In that region in the early 1990s poor Hutu Banyarwanda farmers lost their land because the local customary chiefs had sold it to rich absentee landlords of Banyarwanda origin. In search
of land, the farmers settled in Walikale (west of Masisi). Fearing the growing influence of the newly-arrived Hutu Banyarwanda, both the local population and their Nyanga chiefs rejected these land claims. A coalition of local autochthonous political elites, afraid of losing their political power if the Banyarwanda were registered as Zairian nationals and participated in the coming elections, started an exclusion campaign to exclude the Banyarwanda from political participation. In Walikale, the campaign translated into increased animosity against the newly-arrived Banyarwanda farmers. As a response to the position of the local autochthonous elites, a local Hutu Banyarwanda association started encouraging its members to refuse paying tribute to the autochthonous chiefs and to no longer recognize their authority. When indigenous customary authorities in Masisi also started to feel threatened by the Banyarwanda communities, the chiefs supported the formation of local militias. In March 1993, these militias started attacking Banyarwanda in the Masisi region. The result was a bloody confrontation that lasted for more than six months and killed between 6 000 and 10 000 people, while displacing more than 250 000 others.

22. The direct relationship between problematic access to land and conflict was further consolidated during the Congolese war and the near collapse of the state. On the one hand, local disputes for land came to be linked to the larger, multi-level conflict for political power and control over local resources. A good example is the case of Ituri, where from 1999 contested purchase and expansion of agricultural and ranching concessions stirred up the cauldron of ethnic conflict. Before the war, several members of the Hema elite had short-circuited the land administrative system through corruption. In areas where the concessions were bordered by villages and farmland, officials were sometimes bribed to ignore various stages of the titling process, including surveying and consultation with local people. In most cases, once the new landowner received a title document (often bypassing the local administration), this owner did nothing to expand the concession for a certain period so that the inhabitants would lose the right to appeal against the claim of the landowner. After the start of the second Congolese war, these practices were exacerbated by the use of force and administrative changes implemented by Ugandan army commanders that controlled this region. A small number of Hema attempted to bribe local authorities so as to acquire land registry papers to their benefit; the new land ownership papers were then used to evict the inhabitants, which were mainly of Lendu origin. The subsequent reaction of food-insecure Lendu farmers caused a number of armed confrontations that gave impetus to the proliferation of rural militias. By January 2000, already as many as 7 000 people had been killed and more than 150 000 civilians displaced.

23. On the other hand, land also became an integral part of strategies by new coalitions – comprising local and regional actors – to acquire control over local economic assets and social mobility. The result of the new dynamic was that land gradually shifted from a source to a resource of conflict. The most visible illustration of this trend is confiscation by local army commanders. Access to land provides new leaders with the necessary economic basis, yet at the same time offers them a perfect resource to be distributed among their supporters. The case study of Masisi points to the importance of land for the consolidation of alternative power structures. While the AFDL (Alliance des forces démocratiques pour la libération du Congo-Zaïre) and RCD (Rassemblement
Congolais pour la Démocratie) campaigns led by rebel groups since 1996 provided advantages to the Banyarwanda elites in their claims to land, the same land became one of the crucial assets around which a new local power structure under control of the Banyarwanda elite was constructed. The structure offers a good example of how local elites instrumentalized a context of state decline and conflict and combined foreign and national support networks for their local interests. Access to land, in the case of Masisi, has several functions. It provides the new power structure with a necessary economic base, while at the same time helping to consolidate the support of the grassroots population, which in return is granted access to land. The informal governance structure that emerged from this unequal resource attribution – and which includes both military and political elements – laid the for a further reinforcement of ethnic boundaries.

24. These practices have further pushed farmers into a very insecure economic position, as land is turned into an asset under control of a new class of politico-military leaders. Reduced access to land and considerable levels of insecurity have strongly limited agricultural activities and have seriously affected existing food systems. Insecure land access has forced poorer households to rent land instead of buying or owning it under customary contracts, and to develop alternative strategies that have negatively affected their own food security. This is particularly the case where an environment of smouldering conflict continues to diminish economic alternatives. For example, in Walungu, demographic pressure and land scarcity did not provoke local conflict, but had a strong impact on local land tenure mechanisms and households’ access to assets. Insecurity caused by the Congolese conflict further reduced access and provoked a number of shifts in local food production and consumption patterns.

The following sections aim at analysing the impact of shifts in land tenure systems and the Congolese war on the position of rural households in the areas of Walungu, Masisi and Lubero. They focus on household strategies to deal with the effects of land scarcity and insecurity, and analyse the impact of food security interventions.

III. The case studies

III.1. Land access and food security in Walungu: Malthus revisited?

III.1.1. Introduction

25. The territory of Walungu (South Kivu) offers a good illustration of the impact of institutional shifts in land tenure systems on local livelihoods. Located about 40 km southeast of Bukavu and populated by the Bashi community (in 2001, the local population was estimated at 445,000 people), the region is characterized by a well-defined traditional patrimonial structure and social order. The institutions that structure the social organization offer farmers access to land, the necessary means of social integration and customary protection but at the same time tie them to their villages, keep them firmly subjected to their chiefs and thus, consolidate their very dependent position (Sosne, 1979). The effects of the introduction of a plantation culture during colonialism, along with a modern land law and the nationalization of plantations in 1973, had particularly strong effects on Walungu (and other parts of the Bashi). Local competition for land
in the region was further intensified by rising demographic pressure. Between 1953 and 1983 the local population tripled and reached 193 inhabitants per km², which reduced the average size of family plots to less than one hectare.

26. High levels of insecurity following the Congolese war further reduced local land access. During the war, the presence of Mudundu 40 (a militia composed of local youngsters) and the FDLR (Rwandan Hutu rebels) units led to regular military confrontations between these armed groups and the RCD-G (Congolese Union for Democracy-Goma) rebel group. The same armed actors were also responsible for direct attacks against the local population, the pillaging of homes and fields and the killing of local farmers. Even if the Congolese army took over control of large parts of the territory in 2005 and MONUC forces controlled the area, other parts of Walungu continued to suffer from acts of violence by the FDLR and the Rassats, a group of undisciplined armed elements composed mainly of local youngsters that cooperates directly with the FDLR. This context of insecurity has a direct impact on access to land and the local food security situation. It has caused an impoverishment of the population, disrupted local markets and led to a sharp decrease of the rural production and near-disappearance of livestock. The lack of land access and the reduction of market opportunities have provoked a search for alternative modes of survival, producing a number of shifts in local production and nutrition patterns.

Map 1: Walungu (South Kivu)

27. This section is based on fieldwork in the following locations: Mumusho, Bideka, Walungu-centre, Mugogo and Burhale. The locations were selected because they are accessible, and
representative of issues of land access in the territory of Walungu. While Mumaso, 20 km from Bukavu, is officially part of the Kabare territory, its sharp demographic increase since the start of the war, the multi-ethnic composition of its population and its loss of a large share of arable land (in this case to the local power company) make it similar to bordering regions in Walungu territory. Bideka has been less affected by the war but faces very strong demographic pressure and high levels of land insecurity. Mugogo was the main pre-war commercial centre of Walungu and connected the city of Bukavu to Kivu's hinterlands, but since 1998 has witnessed a sharp decrease in trading activities. Walungu-centre before the war was characterized by strong demographic pressure and land scarcity, and between 1998 and 2004 had to deal with the presence of local armed groups and high levels of insecurity. Burhale until recently was controlled by Rwandan Hutu militias. There, land access patterns were disrupted mainly as a consequence of displacement and insecurity caused by the FDLR.

In each location, information was collected on: the shifts in local patterns of land distribution; access to markets; the impact of insecurity and land scarcity on food security; household strategies to secure access to food and increase the local production of food; and the nature and effects of food security interventions. Data collection involved group discussions with village members, interviews with individual households and interviews with representatives of local associations that have developed food security-related interventions in Walungu.

III.1.2. Customary land tenure and the dynamics of land alienation

28. In Walungu, colonialism and the introduction of a plantation culture caused a number of shifts in the institutional context regulating access to land. As mentioned above, land use rights were traditionally allocated by customary authorities after the payment of an initial rent (kalimzi). These tributes were the economic backbone of the customary order and were “redistributed upwards in an elaborate system of dependency that configures the collective management of economic uncertainty” (Van Acker, 2005). The payment of additional, annual rents was aimed at confirming the use rights of land. As long as large tracts of land were available, access to it was granted readily by the customary chiefs. Part of the arable land, such as the wetlands, was considered to be property of the entire community and was maintained under the direct control of the customary chiefs, accessible to farmers only in cases of economic crisis (when obuhaste contracts were used).

29. Colonial rule undermined this local social order for the first time, and also limited the amount of land under customary control. Vacant land was declared property of the colonial state and was turned into plantations, or was used for the institution of wildlife parks and anti-erosion forests. As a result, by 1956, 9.7 percent of the land in Walungu had already come under concession of European planters (DeBacker, 1958). After independence, the land law and the general property law further limited customary control over land yet at the same time offered a number of opportunities to local customary chiefs. Since then, land has shifted from a local source of social and economic power into a source of accumulated wealth. As the customary chiefs came to be integrated into the administrative structures of the state, their position was no longer based on their customary powers of land distribution but depended on their integration into state-based
networks of patronage. In order to consolidate their new position, the chiefs weakened the customary land use rights of farmers and facilitated the purchase of titles to customary land. Fieldwork revealed that a number of strategies limit local households’ access to land. One strategy is to dispute the legal status of farmers’ land use rights and invoke a “right to return”. Given the hereditary character of the customary contract, the best moment to question its validity is after the first user has died or when the traditional witnesses of the establishment of the contract (the Baganda) are no longer living. The regular payment of tributes can be also questioned in order to dispute user rights. “Failure” of payment can be interpreted as customary treason, which allows customary chiefs to seize the land (Van Acker, 2000). Another strategy is to deliver statements of vacancy and registration without informing the local population. When local farmers do not undertake any administrative steps against a vacancy declaration within two years, the land becomes property of the new owners (many of whom are multinational corporations) and farmers are evicted from their fields. Yet another strategy is to privatize customary land that traditionally falls under direct control of customary chiefs (such as marshlands) and sell it to rural entrepreneurs or churches. These practices have increased since the start of the Congolese war. Businessmen that made large profits from their involvement in the war economy then reinvest the profits in large plantations in their regions of origin. Some of these businessmen originate from Walungu, where they have bought large tracts of land and turned them into plantations. In Bideka, in order to facilitate creation of plantations, local customary chiefs evict farmers that rented parts of the lands under bwasa contracts. Another strategy cited is to confiscate land belonging to farmers displaced by the war.

30. In Walungu, these strategies have led to increased land alienation of local households. Given heightened demographic pressure, the average size of plots cultivated by local households has decreased sharply. By 2004, 65 percent of households cultivated plots of less than 1.5 hectares (Bahirire, 2004). Even more important is the introduction of a different economic use of space and the consequent insecurity of tenure. Given the sharp reduction of land under customary control, access to vacant land through customary contracts is possible only through inheritance. The tenure and use rights of non-customary land is regulated by alternative forms of contracts, such as individual ownership based on registered land titles. Given most households’ lack of financial resources, however, purchasing land (bugule) is impossible: by 2006, the price for plots of one hectare had risen to about US$35, and in most cases the land was of very poor quality. The only option remaining is to rent land under a bwasa contract. Under this form of contract, the use rights of the rented land are limited to (usually) one season and the rent is paid in money or part of the production. However, only seasonal crops can be cultivated on plots under bwasa contracts. When land is rented from churches or local landowners (village-level customary chiefs), the contracts usually include the obligation of providing one day of labour per week. Land owned by churches in most cases is accessible only to members of the church. If contract conditions are not met, farmers are readily evicted from rented plots. A final option is the payment of tribute in the form of labour. Before the war, farmers that did not have the means to rent land could work as labourers on plantations. Since 1998, however, production at most plantations has come to a standstill. These conditions have obliged customary chiefs to give households access to remaining wetlands under short-term oluhaishe contracts.
III.1.3. Land access, livelihoods and food security

31. The following maps, which were drawn by local farmers during a group discussion in Walungu-centre, are a good illustration of the impact of demographic pressure and shifts in the local institutional context regulating the distribution of arable land. The maps demonstrate the use of space in Walungu-centre in 1980 (map left) and in 2005 (map right). They show that in 2005, household plots had been reduced in size, the number of plots had increased considerably and wetlands had been transformed into a mosaic of small plots (the space below represents the wetlands):

Maps drawn by local farmers: Use of space in Walungu-centre

32. The effects of land scarcity on the position of the local population were exacerbated during the Congolese war. Even if, as a local farmer stated, “Walungu was already at war against poverty before the start of the Congolese conflict”, growing insecurity further reduced the livelihood options of local households. One impact was additional demographic pressure on the more secure areas (such as Walungu-centre), where the presence of large numbers of internally displaced persons (IDPs) intensified local competition for land. Another consequence was the disappearance of cattle, a crucial source of income for local households. In the traditional Bashi community, they were not only an important economic asset but also regulated social relations. Cattle, usually kept at communal grounds on the top of nearby hills, used to be the basis for kalinzi contracts; they helped households pay for medical services and school fees, were an important component of the local diet (milk and meat) and were used for fertilizing land. In addition, cattle served as an important safety net for households in cases of crisis and were the material basis of marriage contracts. During the war, however, armed groups pillaged or killed most of the cattle, which not only affected the economic position of households but also disrupted local social relations. Communal farms became inaccessible due to high levels of insecurity, and the treatment of diseases was disrupted due to lack of technical support and financial resources. Given the general impoverishment of the population, even with the re-
establishment of security conditions it is doubtful whether cattle will return soon to Walungu. The effects of the quasi-disappearance of cattle should not be underestimated. These conditions risk preventing long-term economic recovery and the restoration of local social cohesion.

33. In addition to limited access to land and loss of livestock, a number of other elements have caused a decrease in local food production. A number of these are related to environmental factors, such as erosion, increasing infertility of land and crop diseases such as mosaic (manioc wilt disease), which has caused a sharp decrease in local manioc production. Other factors, such as a generalized context of insecurity, the disappearance of technical support systems and limited access to seeds and tools are a direct consequence of the war. According to one survey, since 1996 the agricultural production in Walungu has decreased by 75 percent (OCHA, 2005). Most of local production is now reserved for self-consumption. Traditional cash crops, such as quinquina and coffee, are no longer cultivated because most plantations are no longer operational. Tenure insecurity also led to a shift in crops and the reduction of banana production. This further limited the income of households and has had an impact on local social relations: before the war, bananas were either sold at the market or used for producing beer, which was usually freely distributed to – and commonly consumed with – other village members.

34. Reduction of commercial activities has also led to decreased access to food. Before the war a local network of markets connected the mining centres of Mwenga and Shabunda to Bukavu through a number of markets in Walungu; this has not functioned since 1996. In Walungu, minerals from these mining centres and local agricultural products were traded to businesspeople from Bukavu, who in return sold manufactured products (salt, soap, etc.) to local households. One market was in Mugogo, one of the main commercial centres of South Kivu, where before the war about 50 cattle were slaughtered and sold every market day; in 2006 that number had dropped to only two or three. At the origins of the disruption of commercial activities are insecurity, lack of local production and deficiencies in purchasing power. Trading activities are also disturbed because of the disappearance of credit systems. Before the war, businessmen from Bukavu granted credit to local traders to facilitate the purchase of local agricultural products. As these credits are no longer offered, small traders lack the financial means to buy their products. Another constraint to trading activities is the introduction of additional taxes by rebel groups and the confiscation of part of the purchased goods by armed elements. In order to escape from this inflation of taxes, a number of small markets have been introduced at village level, where goods are bartered for other goods.

35. Lack of production and limited access to food have resulted in generalized food insecurity. One survey concluded that in Walungu, 72 percent of households have a monthly income of less than US$30 and 22 percent have an income between US$30 and US$50 (Bahirire, 2004). Another study based on a survey of 840 households (carried out in a number of locations of South Kivu including Walungu) shows the shifts in the number of meals per day, offering a clear indication of the food security situation (Diobass, 2005) (see Table 1).
Table 1: Number of meals consumed per day in South Kivu

<table>
<thead>
<tr>
<th></th>
<th>Households</th>
<th>Children between 0 and 5 years</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Before war</td>
<td>During war</td>
</tr>
<tr>
<td>&lt;1 meal/day</td>
<td>0 %</td>
<td>3.4 %</td>
</tr>
<tr>
<td>1 meal/day</td>
<td>0 %</td>
<td>83.3 %</td>
</tr>
<tr>
<td>2 meals/day</td>
<td>40 %</td>
<td>10 %</td>
</tr>
<tr>
<td>3 meals/day</td>
<td>60 %</td>
<td>3.3 %</td>
</tr>
</tbody>
</table>

Source: Diobass, 2005

III.1.4. Household responses

36. In order to deal with the effects of limited access to land and decreasing food production, households in Walungu have developed a number of strategies to facilitate their access to food. These strategies have produced a number of shifts in local food security mechanisms and have drastically changed food production patterns. The most visible change is the shift from perennial crops to low-risk and seasonal crops. An indication of this shift is the disappearance in the most densely populated areas of the production of cash crops such as bananas, coffee, tea and quinqua. The reduction of the size of cultivated plots has also led to a shift from monoculture to polyculture of crops. On small plots, crops that can be cultivated on a short term (sweet potatoes and beans) today are produced in combination with manioc. This polyculture, which has a devastating impact on the quality of the land, is necessary to guarantee the production needed for self-consumption and reduce the risk of loss to looting. In many cases, the crops are harvested prematurely in order to further reduce the risk of pillaging. In the areas visited some landless households try to survive by stealing food from other households’ fields.

Another shift in local food production mechanisms is the exploitation of wetlands that are being transformed into small plots. In Bikela, an estimated 75 percent of households rely on such plots for their survival. They produce vegetables such as onions, cauliflower and tomatoes, which in most cases are sold at local markets in order to pay for manioc. Another strategy is to extend the size of plots by confiscating part of the neighbouring plots. The consequent disputes between farmers on the borders of their parcels are the major source of conflict and have seriously affected local cohesion.

37. Local food patterns have also changed as a result of limited land access and a context of generalized insecurity. A traditional meal in Walungu consisted of manioc, milk, meat and vegetables. Today, the basic meal is just manioc. Due to the disappearance of cattle, meat and milk are no longer available and have been replaced by products that traditionally were prohibited or reserved for only some parts of the population. One example is the increased consumption of chicken, which according to local tradition could not be eaten by women. Another example are the cotbay (guinea pigs), which traditionally were reserved for children but are now consumed by all members of society, even at ceremonies such as weddings. Rice and maize have now entered the local food consumption patterns as a result of food security interventions by international agencies and local associations.

38. Other strategies to deal with the effects of limited food production are the development of commercial activities, and migration to urban and mining centres. As one observer in Mugogo
stated, in Walungu today everyone has become a trader. Rather than producing food and selling it at local markets, however, much of the food sold is purchased in Bukavu, mainly by women. Because traditional centres of manioc production such as Kalonge, Tubimbi and Mulamba are still under control of FDLR groups and elsewhere production is limited by mosaic disease, locally-consumed manioc is now imported from Bukavu, which has caused its price at local markets to increase considerably. Traditional systems of solidarity that used to regulate trading activities and protected small traders, such as not buying from the same producer twice, no longer exist. While migration to the mining centres of Mwenga and Shabunda, is not a direct consequence of the war, since 1996 an increasing number of men have opted for this strategy in search of economic opportunities, leaving their families behind. Others have moved to Bukavu or local centres in order to escape from daily acts of violence or have joined local militia groups and themselves become a source of insecurity.

III.1.5. Interventions

39. In Walungu, there is a sharp contrast between food security interventions developed by international agencies and those implemented by local associations. Interventions by international agencies tend to focus on the short- and medium-term availability of food. Most of these interventions consist of support to nutrition centres and distribution of food and seeds (track one of the twin-track approach), which in some cases is distributed through local partners. Compared to other parts of South Kivu, the territory of Walungu receives large amounts of food aid, which can be explained by its proximity to the city of Bukavu and its easy accessibility, but also by the strong presence of descendants of Walungu on the local staffs of international agencies. Several sources confirm that these interventions are usually not based on food security assessments and tend to disrupt local structures and long-term programmes developed by local associations. The free and unconditional distribution of food has reportedly disturbed local attempts to provide support through credit systems. In addition, the role of local partners is usually reduced to the execution of donors’ programmes. In a number of cases, part of this food aid has been sold at local markets by the same local associations.

40. By early 2006, however, a number of interventions had been developed that aimed at increasing the local production of food and at improving the nutritious status of the local population through the introduction of alternative crops such as soya and maize. Even if most households were originally hesitant to consume the crops (a large amount of the distributed maize was resold at local markets), the interventions eventually resulted in shifts in local food consumption patterns and a slight improvement in the nutrition status of the population.

41. Walungu has a strong culture of associations and a number of them have developed interventions aimed at improving the local food security situation. Several mechanisms have been developed to increase households’ production and access to food. One is the distribution of seeds through seed rotation systems. Under this system, farmers who receive crop seeds must donate part of their production to the seed distributing association, to be redistributed to other members of the association. Other associations have introduced *greniers de semence* (seed barns),
where farmers must give back, after harvest, the same amount of seeds they received; the barns guarantee the seeds necessary for the next season. In most cases, support to farmers is not limited to seed distribution but also includes technical assistance. Other interventions aim to reintroduce livestock through rotation systems or reintroduce traditional livestock management systems (systèmes d’élevage de stabilisation). The main objective of these interventions is to improve the quality of land and food production. A number of local associations have introduced the notion of collective lands managed through local cooperatives in order to facilitate landless farmers’ access to land and food. Some have developed credit systems to allow local farmers to purchase arable land.

42. One interesting intervention is the introduction of chambres de pacification or chambres de paix (pacification councils or peace councils). A number of associations have introduced mechanisms to strengthen the capacities of local farmers to claim their land rights and to help resolve disputes over land. Local councils (chambres) composed of elders investigate the nature of the dispute and try to reach a solution based on a compromise between the farmers involved in the case. While these mechanisms serve to further informalize justice, they are the best mechanisms available for offering some protection to local farmers. Farmers mistrust customary justice systems and local courts because of corruption (in the courts, the one who pays most usually wins the case) and lack of legal protection. The main disadvantage of the informal chambres is that access is usually limited to the members of the association that manages them. This condition tends to exclude non-members from legal protection. This is especially true for church-based organizations. Most of the associations that have introduced conflict resolution procedures also inform farmers about their property rights by distributing information on the legal framework regulating access to land; many have developed advocacy efforts at the national level to modify the existing land law.

III.2. Land access, conflict and livelihoods in Masisi

III.2.1. Introduction

43. Since the end of colonial rule, the territory of Masisi (North Kivu) has been the scene of regular outbursts of violence caused by intensified competition for land. Located at the fertile highlands of North Kivu, the territory is potentially one of the richest and most productive parts of Central Africa. Farmers can harvest three times per year, the conditions are perfect for cattle ranching and there are vast water, food and energy supplies. Demographic pressure and local structures and patterns of land distribution, however, have produced a structural scarcity of land and provoked regular disputes between local populations. In 2005, the population was estimated at 630 000 people, with an average density of 235 inhabitants per km². More than 95 percent of the population was dependent on agricultural activities, but could claim only about 65 percent of the arable land. The other one-third was under the control of a small class of landowners and was mainly used for commercial ranching and plantations of coffee, tea or pyrethrum. The immigration of large numbers of Banyarwanda from neighbouring Rwanda further complicated the local patterns of land distribution. Not only did the presence of different ethnic communities cause a struggle for customary control over land, but it also alienated large tracts of land from the local customary system to the advantage of a newly-settled “allochthonous” elite. Because of their
easy access to the inner circles of Mobutu's patronage network, a small group of Banyarwanda (mainly Rwandan Tutsi refugees that arrived between 1959 and 1963) as well as a number of political allies of Mobutu could gain control over the land concessions and plantations that before the Zairianization in 1973 belonged to white settlers. This control was often accomplished through controversial transactions and with the direct involvement of customary chiefs and the *Services Fonciers Provinciales*. The new patterns of land distribution drastically transformed property structure and consolidated the differences between new farming systems oriented towards “the market” and traditional subsistence agricultural systems; they also made the rival nature of land more pronounced. Many households were faced with increasing land exclusion and could no longer rely on the customary social structures’ mechanisms of distribution and solidarity.

**Map 2: Masisi (North Kivu)**

44. Earlier this report explained how the competition for land eventually caused tension between ethnic communities and how in the early 1990s the tensions were skilfully exploited by local elites. The consequent eruption of massive violence in 1993 was soon followed by the arrival of Rwandan refugees (1994) and the outbreak of the Congolese war (1996). In Masisi, the new context of war further reduced livelihood options and had additional effects on local mechanisms of land distribution. From the start of the conflict, several armed groups disputed control over the territory, leading to the establishment of several military enclaves. For the armed groups, land became an important political and economic resource: it was distributed to members of their own ethnic communities while other ethnic communities were forced to leave their parcels. In most of these enclaves, the population became the combatants’ main target. Many villages were destroyed, crops and cattle were looted, properties were confiscated and households were forced to seek refuge in neighbouring Rwanda, the city of Goma or IDP camps. Some of these displaced families sold their parcels of land before leaving (often at extremely low prices), while others
entrusted their land to local *gérants* (managers) during their absence. In 2003, about 80 percent of the displaced population had returned to their home regions, causing new tensions between new and former landowners, who reclaimed their rights. The return of displaced people also led to new land scarcity and forced an increasing number of households to rely on employment as farm labourers in order to guarantee their access to food.

45. This section is based on a survey in four locations: Kitshanga, Kiningi, Kibabi and Masisi-centre. These areas were selected because they represent different local dynamics of conflict over land. **Kitschanga** is part of the Bashali collectivity and is populated by Hunde, Hutu and Tutsi. Since the war, its population has grown enormously because many IDPs were settled in the area. Land availability is limited by the presence of large cattle ranches. **Kiningi** is part of the Muvunye–Kibabi group (Hunde collectivity) and is currently populated mainly by Hutu farmers. **Kibabi** (Hunde collectivity) is home to Hunde, Hutu and Tutsi households and has witnessed several conflicts over land. **Masisi-centre** is an *extra-continuer* zone populated mainly by Hunde and a minority of Hutu farmers.

Information was collected on land access mechanisms and households’ strategies and their relationship to institutions and interventions. Shifts in the institutional context regulating local access to land were analysed, as were the strategies developed by households to reduce the effects of land alienation. Similar to the research performed in Walungu, this survey focussed mainly on strategies used to secure access to food and to increase local production of food. Data collection consisted of interviews with key informants and group discussions with village members.

**III.2.2. Shifts in the institutional context**

46. At the root of land scarcity and intensifying competition for land in Masisi are the shifts in the local structures of governance regulating land distribution. Traditionally, land allocation was regulated by the principle of *mutul*. According to *mutul*, access to land is granted by customary Hunde chiefs, who attribute the use rights of land to their subjects in return for the payment of tributes (*mutul* and *ngemi*). Once this tribute is paid, the peasant obtains use rights over a part of the customary land and becomes a *Mbanamusinga* (lord), possessing the right to distribute part of his use rights to other subjects, for which he in turn receives tribute (*kishoke*). His place in the hierarchy and the allegiance commanded is determined by the rents over which he exerts control (tributes received versus tributes paid).

The claims of the Banyarwanda (who in the early 1990s represented about 75 percent of the population) to their own customary rights undermined this existing order and on several occasions caused frustration among the local Hunde population. However, with the exception of the short-lived existence of a Banyarwanda collectivity in Gishara in the 1930s, the Banyarwanda could never institute their own structures of land access and control. It was their privileged position within President Mobutu’s patronage network during the 1970s that gave a number of the Banyarwanda access to large land holdings and former plantations, in return for their loyalty to Mobutu: about 90 percent of the land formerly owned by the Comité National du Kivu came under control of a small group of Banyarwanda landowners.
47. Following the Congolese war, local land governance structures were once again reshuffled, further reducing the powers of the customary chiefs to the advantage of the Banyarwanda population. Beginning in 1998, land became a crucial element of a larger strategy by Banyarwanda elites to consolidate economic and political power. The institution of local self-defence groups, originally meant to reduce the levels of insecurity caused by Interahamwe groups and Mayi-Mayi militias, also served the political and economic interests of Banyarwanda elites. Another instrument was the *Tout pour la Paix et le Développement* (TPD), a non-governmental organization (NGO) formed to facilitate the return of Banayrwanda refugees from Rwanda to North Kivu, but backed by important landowning Banyarwanda elites as an instrument to protect their economic interests. Through their influential positions within the RCD rebel movement, Banyarwanda leaders also claimed control over the local administration. This power structure further stripped autochthonous customary chiefs of control over land. Local administrators and customary chiefs that did not support TPD were systematically replaced. Since the start of transition in June 2003, however, most of the excluded Hunde chiefs were re-installed. In order to facilitate their access to land, Banyarwanda elites have campaigned to extract parts of Masisi from customary control and turn them into *zones extra-contumières*, claiming that one ethnic group (the Hunde) has control over the local land tenure systems. For Hunde farmers, the customary chiefs are the protectors of their land rights and the only institution with the power to deal with land disputes. While the Banyarwanda reject the exclusionary character of this power system, the Hunde defend the existing rural order on the premise of historical land rights. The patrimonial character and institutional decline of the Zairian state have only intensified the local struggle for control over allocation of land. The Congolese war put the land issue at the heart of the local military struggle to the advantage of the Banyarwanda elite. It can be expected that generalized insecurity will continue to destabilize the territory of Masisi until a clear legal framework organizing access to land is adopted.

**III.2.3. Conflict, land access and livelihoods**

48. Even while these campaigns permitted Banyarwanda farmers to increase their access to land in return for political support, it mainly served the interests of the ruling elite. Large-scale ranching operations could be re-activated and considerable areas of land could be purchased by leading members of the Banyarwanda community and the RCD rebel movement, often evicting subsistence farmers living on these lands. In addition, displacement as a consequence of the Congolese conflict provoked new claims to land and caused new disputes between farmers over land ownership.

49. In the research areas, the main reasons for land scarcity are demographic pressure and the existence of large-scale cattle ranches. In Masisi between 40 and 50 percent of the rural households have plots of less than one-third of a hectare, 30 to 35 percent of the population has plots between one-third and 2.5 hectares, and 20 to 25 percent has more than 2.5 hectares of land (Save the Children, 2003). In most locations, plot size is still decreasing due to the high population growth rate, which has forced farmers to seek land at a distance of 10 to 15 km from their villages.
50. The legal position of farmers has also been compromised by a lack of mechanisms for protecting land property. The local land tenure insecurity of most farmers was further complicated by the interference of rebel administrations in customary systems of land distribution. Customary land tenure arrangements for subsistence farming are secured in most cases through verbal contracts; in the absence of written property titles, the ownership of land can easily be disputed. Written land titles can be granted only by administrative services at a provincial or national level, which are extremely difficult for local farmers to reach. This lack of legal protection has facilitated the acquisition of land by local elites and rebel leaderships. The absence of a clear legal framework of local land distribution is a legal vacuum allowing for rebel leaderships to create institutional mechanisms to distribute land titles to its own supporters. An example is the Commission de Lotissement in Masisi-centre, created in 2003 and composed of several provincial services.

Military commanders and local administrators also interfere in the distribution of land, often to their own advantage. A widespread practice is the confiscation of harvests by local army commanders. Rebel commanders have also been involved in granting land rights. In regions under control of local defence forces and Mayi-Mayi militias, local farmers were given access to land in return of payment for war efforts. Farmers refusing to pay war taxes were evicted by force. Local administrators, such as agronomists and representatives of the provincial administration, sold plots illegally to local farmers. According to local sources in Mahele, an entire locality was illegally sold by administrators of the provincial Services de Cadastre et Titres Fonciers. In many cases, these transactions have been based on ethnic criteria. Corruption and poor functioning of local courts increased local farmers’ land tenure insecurity as it has become extremely difficult to claim legal property rights.

51. Another cause of local tension are the land claims by returned refugees and Banyarwanda IDPs, or by IDPs who want to settle permanently in the areas where they have been living for several years. On their return from exile, many farmers who sold their lands before leaving their villages (often at a very low price) have tried to renegotiate their former land properties, which in many cases results in disputes between former and present owners. In some cases, inter-ethnic committees of elders have helped reach agreements locally. For example, the elders in the village of Burungu helped former landowners forced to sell their land because of mounting insecurity to renegotiate the deeds of sale; they had their land returned and refunded the money paid (Vlassenroot and Huggins, 2005).

In other areas, however, land sold is regained by the use of force. In Kibafi, returning Banyarwanda refugees were accompanied by armed elements who drove the new owners from their land by force. Several reports were that the provincial administration and local rebel leadership – through TPD structures – helped smuggle Rwandan civilians in search of land into the region. Speculations exist about the extent and aims of this process (in many cases it is believed to be forced rather than voluntary), but some sources suggest that it is done to increase the number of Banyarwanda living in Masisi. This would not only strengthen Banyarwanda economic control over the region but would also build a local political constituency for the ruling
Banyarwanda elite. Land, in other words, is no longer merely a source of conflict but a resource of political support.

52. Yet another source of tension is the presence of squatters on plantations and cattle ranches. Since 1999, many returned refugees and IDPs have been given access to cattle ranches and large farmlands to cultivate as squatters. In other cases, land is rented from large landowners, often at very high prices and leaving only limited profit margins to the farmers. Another practice is the granting of land to households on the basis of sharecropping, which includes a claim of part of the crop in return. These patterns of land access are very insecure. In cases where households are not able to pay the rent, they are often forcibly evicted by the landowners. Squatters granted access through a local gérant to land owned by people who went into exile during the 1990s as a result of high levels of insecurity, are evicted from the land when their original owners return. In some cases, former rebel soldiers serve as private security forces for wealthy and politically-connected landowners (Vlassenroot and Huggins, 2005).

III.2.4. Household responses

53. Increased land scarcity, high levels of insecurity and the absence of customary protection mechanisms have forced many households to develop alternative strategies in order to guarantee their livelihoods and food security. There were a number of constraints linked to land tenure cited in the areas visited. These include the occupation of large tracts of land by cattle ranches and plantations; a sharp reduction in the size of family plots due to population growth and displacement, and the lack of customary land to supplement plots; lack of seeds; soil infertility; crop diseases; and the lack of means to eradicate certain diseases.

54. Other constraints mentioned were direct consequences of the context of war. Even if in many regions of Masisi the security conditions have improved since 2003, local farmers still complain about increased demographic pressure as a result of the presence of IDPs, the inaccessibility of other, land-rich regions because of ongoing conflict, and forced labour. Harvests are often looted by armed elements but also by other farmers. In addition, access to fields is limited because of the high risk of being raped or attacked by armed elements, and cattle are looted and killed by armed groups. Households often lack the financial resources to buy smaller animals such as chickens, goats or rabbits. In several cases, local authorities have expropriated land belonging to local farmers for the instalment of IDPs and former refugees. A final element is the return of cattle, often protected by armed men, that occupy land that does not belong to the owners of the cattle.

55. Disputes between provincial authorities and customary chiefs mean that protection mechanisms work less effectively. The improvement in general security conditions has facilitated a return to cattle raising, which has caused a loss of plots at cattle farms. Access to markets has been reduced since the start of the Congolese conflict. In most areas of research, local farmers complained about loss of income and increased food prices due to the introduction of several new taxes that must be paid to the customary authorities, market administrations, the territorial
administration, police, local defence forces, army commanders, etc. Food prices are often imposed by businessmen from the main cities, while petty traders lack the capacity to protect their interests because of the absence of cooperatives and associations. Food access at markets is also limited by a lack of purchasing power. A good indication of this loss of purchasing power is the reduction of the size of measures used at markets for the sale of agricultural products. Other constraints are poor road network conditions and roadblocks controlled by armed elements. As in Walungu, in Masisi markets have been reduced in size or have disappeared since the start of the war. The existing trading network (before the war, Masisi was a provider of meat and agricultural products to Goma and Kinshasa) has been totally disrupted as a result of insecurity, lack of production and lack of purchasing power.

56. As in the other regions researched, in Masisi households have developed both short-term and long-term strategies and adaptations to secure their production and access to food. Given the scarcity of land, most farmers no longer own their plots but are forced to rent, often for very short periods and at very high prices (in Masisi-centre, rents are as high as US$40–80 per hectare or 20 to 30 percent of the annual production). Those without the necessary financial means to rent land rely on employment as farm labourers on plantations and cattle ranches, where wages are extremely low (about half a US dollar per day). Land tenure insecurity has also had an impact on local patterns of agricultural production. Most of the agricultural production is reserved for self-consumption, with a significant shift from extensive toward “intensive” cultures. Traditionally the main crops in Masisi were beans, bananas, sweet potatoes, green peas and maize. Today they are beans, soya, sweet potatoes and maize; and manioc and peanuts in the lower parts of Masisi. The shifts in crop types indicate that agricultural production is now guided more by the push to minimize risk than to maximize profits; crop diversification and perennial crops require tenure security. Most households have adopted strategies to make their food security less dependent on land access. Migration to the urban centres and mining sites has become a very popular exit strategy. The enrolment in local militias or the army is often seen as an alternative by the younger generation. Women tend to invest in small commercial activities and trade such products as manioc flower, salt, palm oil and fish, although the income generated from these trading activities remains extremely low due to lack of purchasing power and market opportunities.
III.2.5. Interventions

57. During the war, most food security interventions aimed at increasing short-term availability and access to food through food aid and the support of nutrition centres (track one in the two-track approach). Since 2002, however, a number of international agencies focus on enhancing food supply to the most vulnerable, improving rural infrastructure and road networks, revitalizing small livestock (through rotation systems), introducing mechanisms to ensure access to microcredit and reintegrating IDPs and refugees (track two). More local NGOs and associations have also begun work in Masisi. Local actors include GEAD (Groupe d’Etude et d’Actions pour un Développement bien Défini), which has distributed food aid but also tried to improve local food production through seed and tool distribution and the introduction of new production techniques; it has also worked to revitalize the livestock sector through local credit systems that include the rotation of livestock among small-scale farmers. BOAD (Bureau Oceánien d’Appui au Développement) has distributed tools and seeds in order to diversify local production and nutrition patterns, and has developed a programme to increase the production of small livestock (such as pigs and rabbits) in addition to distributing food aid.

58. A number of interventions aim at reviving local infrastructure. Agro Action Allemande (AAA) initially started with the rehabilitation of the local road system through its food-for-work programme, which also aimed at assisting chronically undernourished people. While there are significant drawbacks to this food-for-work approach (see the overview paper), in the case of Masisi the rehabilitation of roads has improved the local security conditions and has had a positive effect on the food security situation. Better and safer roads have facilitated local access to food by increasing economic exchanges and the return of IDPs and refugees. The overall effect of road rehabilitation has led to an estimated 50 percent growth in agricultural production. Few interventions, however, have addressed the collapse of the local network of markets. AAA, Save the Children, Caritas and World Relief have distributed food aid, seeds and tools and have rehabilitated a number of basic social services and health centres, aimed at facilitating the return and reintegration of IDPs.

59. Although it can be concluded that in Masisi land access is the main cause of local tension and conflict, international and local development agencies have scarcely addressed this issue. There is just one programme that aims at strengthening the legal position of local farmers, run by AAP (Aide et Action pour la Paix), a local organization that in 2004 distributed background information about the existing land law to other local associations in order to assist in the resolution of land disputes in Masisi. Local conflict resolution mechanisms like those in Walungu are absent. Most interventions are limited to short-term food aid and medium-term interventions to reinforce local food production but do not deal with the structural causes of food insecurity. This can be explained in part by the fact that as a result of the war, land issues have become completely politicized and disputes over land access between households are dealt with in most cases by local army commanders. Many interventions also suffer from a lack of reliable information on the food security situation in the more remote areas. The only studies focus on eastern Masisi, where Save the Children-UK and Asramas have conducted a number of surveys on the food security
situation and household economy, while Save the Children-UK, *Médecins sans frontières* (MSF) and World Vision International (WVI), among others, have conducted nutrition surveys. On land issues, the only study conducted was a livelihood analysis by Save the Children-UK in 1999.

III.3. Land, conflict and livelihoods in central Lubero (written with Timothy Raeymaekers)

**III.3.1. Introduction**

60. The central highlands of Lubero are traditionally known as the vegetable garden of Beni-Lubero. During the 1960s through to the 1980s, its sloping hilltops provided a constant production of agricultural products such as wheat, sweet potatoes and cabbages, which were transported in great quantities aboard trucks towards Kisangani (900 km), Bunia (250 km), Goma (350 km) and Bukavu (500 km). From Kisangani, the vegetables were further transported by boat to Kinshasa. Vegetables were the origin of what was described as the “capitalist” rise of Lubero’s commercial centres, including Butembo and Lubero-town (MacGaffey, 1989).

61. Notwithstanding this agricultural potential, central Lubero appears in some ways very reminiscent of the Sicilian village of Corleone, which, as one author observed, “existed to feed Palermo” yet “did not always seem able to feed its own people” (Dickie, 2004). The generalized poverty that has characterized central Lubero since the 1990s is visible from many perspectives. The simultaneous drop of agricultural production and food prices indicates an economic stagnation that is caused mainly by institutional factors such as lack of local economic organization and limited access to arable land. Yet central Lubero differs from Corleone in one important respect: while in western Sicily, control of access to both land and the market became gradually monopolized by an autonomous and ruthless class of private “protectors” (the so-called mafia), there is no such monopoly in central Lubero. Instead, an amalgam of actors and alignments has intervened in the regulation of local entitlements. The main consequence of these competing actors and alignments is the erosion of individual land rights, which has had a negative impact on agricultural production and revenues. These effects have been further intensified by increased demographic pressure and the context of insecurity, described elsewhere as a “neither-war-nor-peace” situation (see the Beni-Lubero study).
Map 3: Central Lubero

62. The following section is based on a survey in Masereka and Luhotu, at the centre of Lubero’s highlands. Masereka, which is the agricultural epicentre of central Lubero, is also the most problematic area of this region. With a population density of 253 inhabitants per km² and mostly exogenous pressure on existing land titles, in terms of land access it is one of the most troublesome areas of eastern Congo. Luhotu serves as a commercial centre for both Lubero’s interior and the nearby urban centres, Butembo in particular. The land problem is somewhat different because the origins of land disputes are more often “endogenous” (due to inter-family conflicts). A survey in Luhotu at the beginning of the 1990s estimated that 31 percent of the large concessions covered 71.2 percent of the cultivable area (Tsongo, 1994).

Information was collected on local land access mechanisms and households’ adaptation and accommodation strategies, while a number of food security interventions adopted by international agencies and local association were analysed. Data collection involved group discussions with local farmers and interviews with local stakeholders such as customary chiefs, administrators and members of civil society.

III.3.2. Local patterns of land access

63. As was observed in Walungu and Masisi, local patterns of land access are at the origins of economic decline and expanding poverty in Lubero. When local farmers in Masereka were asked about the main constraints to their access to local assets and factors most harmful to their
agricultural production, in order of importance, they pointed to: (i) insecurity (more than 50 percent considered this problem very significant); (ii) demographic pressure (83 percent called this problem very significant); (iii) problematic access to land (30 percent considered this problem very significant and another 58 percent significant); and (iv) lack of technical assistance (30 percent called this problem very significant). Problems that were related to environmental factors, such as erosion, infertility and crop diseases were seen as less significant.

64. The evaluation made by central Lubero’s peasants revealed that most of the problems mentioned are related to institutional factors. Within this framework, the problem of land access appears to be the most pressing problem. This preponderance was illustrated foremost during group interviews. When asked what exactly was meant by “insecurity”, peasants invariably referred to the insecurity of their rights regarding access to arable plots. Landlords and militias (who do not have a significant presence in the area) were cited as the principal obstacles to people’s security conditions. [This observation was also made in South Lubero, where households regarded the insecurity of land access caused by landlords and militias as the same problem; see the Beni-Lubero study.] Another factor that gains preponderance only in relation to these institutional factors is demographic pressure. Although central Lubero is generally very densely populated (approximately 200 inhabitants per km², with an average of ten members per household), this population density becomes relevant only in relation to the land problem.

65. Lubero’s patterns of land distribution are no different than existing land access mechanisms elsewhere in eastern DRC. Two types of regulation organize local access to land. While individual land ownership is applied in most urban areas (the “extra-customary centres”) and on certain large concessions (plantations, mines), smallholder access is usually regulated by customary law. As in the rest of eastern DRC, this legislation adheres to the administrative hierarchy of the territorial administration. The main levels of customary structures are the collectivity, the groupement and the locality. Each level is headed by a customary chief, who regulates his vassals’ access to land. The central highlands of Lubero are part of the collectivity of Batangi. The local hierarchy in central Lubero is headed by the mukondi (who represents the mwami of Batangi, the top of the social pyramid), followed by the mukulu or mukama (plural bakulu, bakama) or the chief that has responsibility for a hill, then by the musoki (plural basoki), who represents the lowest levels of the customary hierarchy and could be described as the head of a lineage. The tributes (engemo) paid by small farmers (nzokime, mughunda, the landless) to their basoki are in turn redeemed to the higher levels of the hierarchy in the form of other tributes, all of which are calculated according to the land surface being cultivated. Table 2 gives an indication of the recycling of these tenure rents through this customary structure.
Table 2

<table>
<thead>
<tr>
<th>Hierarchy</th>
<th>In</th>
<th>Out</th>
<th>Difference</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mwami</td>
<td>12</td>
<td>0</td>
<td>12</td>
<td>9.16</td>
</tr>
<tr>
<td>Noblemen</td>
<td>63</td>
<td>12</td>
<td>51</td>
<td>38.93</td>
</tr>
<tr>
<td>Underlords</td>
<td>87</td>
<td>63</td>
<td>24</td>
<td>18.32</td>
</tr>
<tr>
<td>Intermediary</td>
<td>110</td>
<td>87</td>
<td>23</td>
<td>17.56</td>
</tr>
<tr>
<td>Larger farmers</td>
<td>131</td>
<td>110</td>
<td>21</td>
<td>16.03</td>
</tr>
<tr>
<td>Peasants</td>
<td>0</td>
<td>131</td>
<td>-131</td>
<td>-</td>
</tr>
</tbody>
</table>


66. Since the mid-1980s, two additional dynamics have contributed to severely limited land access for most peasants in central Lubero: on the one hand, conflict between local customary authorities has led to further erosion of smallholders’ access rights as tenure rights become very insecure. On the other hand, access to newly-created plots in a former forest reserve has been thwarted by the interference of Butembo’s businessmen, who have profited from a governmental decree to buy large concessions for their cattle farms. Both dynamics have reduced farmers’ land rights and the available arable space.

67. The first dynamic consists of a number of internal struggles within the customary system of land tenure. Since the mid-1990s, a conflict has been going on in central Lubero between the chief of the chfferie of Baswagha and the chief of Bukenie, the ggroupement which also includes Masereka. Although its origins are still unclear, the conflict has had important consequences for Lubero’s small farmers’ access to land. In an area already densely populated, the competition between the two chiefs has led to the existence of two, parallel systems of governance, each of which commits itself to regulating central Lubero’s land rights. There is an incomprehensible web of alliances and regulations that has totally blurred the distinction between state and non-state, customary and civil regulation of ordinary people’s access to arable land. There are numerous anecdotes of corruption in judiciary litigations, of people having to pay their tributes twice to different power holders, or of being simply chased from their land. In certain areas, this legal parallelism has even led to a resurgence of violent conflict: in the region of Masereka, entire villages are being burnt at regular intervals by angry farmers who have been chased from their land (often by their own family members) for unjustified reasons.

68. In addition to the tensions within the customary hierarchy, access to land has been complicated by new land claims based on private land titles. As in other regions, colonialism and patrimonial rule led to the extraction of large parts of land from customary rule, often with the complicity of local chiefs. Land under customary rule has become scarce and farmers are increasingly faced with a situation of land alienation. In order to deal with this increasing land pressure in Lubero, a governmental decree was issued on 31 January 1981 according to which local farmers were granted access to part of the Itondi forest reserve of central Lubero. Two-thirds of the reserve of 1,487 hectares was freed up for the local population to use for agriculture. However, in 1987 the liberated part of the Itondi forest was taken over entirely by a group of
local businessmen from Butembo. Claiming the support of the local administration, they forced their way into the reserve and set up a number of extensive cattle farms. It is implausible that they did so without corrupting local authorities.

### III.3.3. Consequences of increasing land alienation

69. The impact of central Lubero’s land problem on the position of local households should not be underestimated. From a grassroots point of view, the land problem takes priority over several other factors influencing agricultural production. As was also observed in parts of Walungu, the lack of arable land means that peasants no longer allow their fields to lie fallow, for several reasons. When no crops are present on a field, customary landlords automatically conclude that it is unexploited, and, eager to increase their interests or annual payments, subsequently lease it to another peasant. A non-cultivated field also runs the risk of being grabbed by competing farmers. On numerous occasions members of the same family initiate physical fights over access to plots: while certain family members believe themselves to hold the rightful title to a field, other members arrive at night to sow it in secret, with the obvious result of diminished productivity. As a consequence, some households have started to organize sentries to protect their fields from invaders. These sentries usually involve a group of three to five males, who camp in the field at night to ward off trespassers. Witchcraft is often used to prevent others from trespassing. Another problem is the almost complete absence of grazing land, which forces owners to graze small and large livestock in the vicinity of cultivated fields, which are often destroyed as a result.

70. Another consequence of the increasing pressure on land is that farmers are forced to cultivate in more remote areas. Traditionally the arable space in Lubero’s highlands was concentrated in the vicinity of villages: Kilalo, Mageria to the north; Kitsimba, Kipese to the south; Nyabili, Mulo to the west and Katevya, Kavimiro to the east. Because of mounting population and geographical pressures, however, peasants have been forced to cultivate in more distant areas. This often means several hours of walking between the village and the field. The widening of this distance has led in turn to a spatial division between vegetable gardening (cultivated in the vicinity of the home) and monocultures (on the more distant fields). Another strategy has been to move to less populated areas in the western forest belt, which involves some advantages in terms of immediate availability of land and agricultural income. But the total lack of infrastructure and services in the area means the efforts of these dislocated households are largely in vain (see the Beni-Lubero study).

71. The land problem in Lubero also influences the preponderance of other factors. One of these factors is the local climate. Insecure land access often obliges peasants to precipitate the sowing of their fields for fear of leaving them fallow and otherwise exposing them to seizure by landlords. Lack of respect for the agricultural calendar exposes crops to climatic risks and hence negatively influences agricultural output. Another environmental factor is the severe erosion of arable space. Peasants are reticent to plant anti-erosive hedges in part because it decreases cultivable spaces and invites rodents that devastate crops. Scarcity of land also makes peasants
less likely to adopt agricultural practices recommended by aid organizations. Fields are overexploited, which negatively affects the fertility of land.

**III.3.4. Interventions**

72. Within the context of the prolonged alimentary crisis, the current food security interventions in central Lubero tend to be based on a standardized set of responses that do not take into account the dynamic nature of its food system. Due in part to a lack of participatory planning methods, 73 percent of interventions in Masereka concentrate narrowly on food production (the classic distribution of seeds and tools), without having considered the other dimensions of food security that the peasants consider to be significant. In Luhoto, the percentage is lower but still significant (58 percent). While the interventions have led to a relative increase in food production due to the increased availability of seeds, they are insufficient for addressing in a sustainable way the underlying problems of the current food crisis. In addition, local farmers complain about the high interest rates they pay for their seeds (20 percent regardless of productivity).

73. Small-scale interventions by NGOs have concentrated on specific factors such as reforestation (COTEDER), anti-erosion measures (SYDIP, COTEDER, UJIPA, CAPSA), communal labour (UFF), the rehabilitation of secondary roads (AAA) and the movement of the population towards less populated areas. Only one organization, SYDIP (Syndicat des Intérêts des Paysans), a local association, has focused on the problem of land access. SYDIP uses a team of peasant lawyers to mediate between opposing parties of peasants involved in land conflicts. When no amicable solution is reached, it assists the farmers at the judiciary level. Although still in its early stages, this mediation between conflicting parties has already resulted in a modest diminution of corruption on the part of the judges, as well as in increased respect for the judiciary's final decisions.

74. Food security interventions implemented by agricultural cooperatives rarely improve the position of local farmers. Because donor organizations usually address peasant member associations and not the peasants directly, individuals tend to wear several hats of different organizations. Some of these organizations have been involved in fraud, and abuse of power on the part of organization representatives has eroded the trust of their members. As a result, there is widespread wariness of the cooperative experiment in marketing agricultural produce towards the regional centres: farmers do not trust that the prices they are offered for their produce are fair and they prefer to sell individually and travel to commercial centres themselves.

**V. CONCLUSIONS**

**V.1. Land tenure and conflict**

75. The case studies of Walungu, Masisi and Lubero reveal that problematic land access is a key dynamic of local tension and conflict. In all three cases, problematic access is mainly the result of the institutional context regulating the distribution of land. Colonial rule and patrimonial
practices under Mobutu eroded existing customary institutions and patterns of land distribution, and facilitated the land-grabbing by a new class of rural capitalists, to the disadvantage of rural households faced with insecure access to local assets and loss of their land. In all three areas, population growth has intensified these effects and provoked greater competition for land between individual farmers. In Masisi, competition pitched entire ethnic communities against one another and eventually led to ethnically-motivated violence on a massive scale.

An often-neglected dynamic in the analysis of linkages between insecure land tenure and conflict dynamics is the use of land as a “resource” of conflict. Former rebel leaders and politico-military elites make land a foundation of their power base and use it to reward political supporters. These practices in turn intensify local competition for land and engender new dynamics of conflict. The studies in Walungu and Lubero, however, demonstrate that loss of land and demographic pressure do not automatically induce violent conflict, although at a grassroots level land disputes do undermine local social cohesion. It was only after local political or military leaders began referring to the land access problem in their efforts to mobilize grassroots populations that land issues were translated into more intense conflict.

V.2. Livelihoods and household strategies

76. Since the start of the Congolese war in 1996, the harmful effects of increased land alienation have intensified. Generalized conditions of insecurity have forced farmers to migrate to safer regions, had a devastating impact on the local production of food, limited traditional livelihood resources, seriously damaged the remaining infrastructure and disrupted local markets. In relation to land issues, the protracted humanitarian crisis has further increased pressure on land and disrupted mechanisms of technical support and seed distribution. The disappearance of cash crops has led to considerable reductions in household income. In addition, households have lost capacities to deal with climatic conditions. On an institutional level, the customary chiefs’ loss of power and control over land (itself a direct outcome of colonialism and the capitalization of land under Mobutu) was further reinforced during the war, to the advantage of politico-military leaderships. A good illustration of this dynamic is the situation in Masisi, where customary protection mechanisms have been replaced by new mechanisms of private protection under control of political elites and military commanders. Customary land titles are less secure and large parts of the land have been (illegally) granted to local businessmen and rebel leaders, leading to increased land tenure insecurity at a local household level. Local tax systems have come under control of rebel leaders who increase existing taxes and introduce additional ones.

77. In each case study, household responses to the effects of land scarcity and the Congolese war have engendered a number of shifts in local food systems. The most visible impact is the modification of local food production patterns. Land tenure insecurity has provoked a shift from perennial crops to seasonal crops and from monoculture to polyculture of plots (often with a devastating impact on soil fertility). In addition, it has led to the (near-) disappearance of cash crops such as bananas, coffee and quinquina and has turned unexploited wetlands into small agricultural plots. Peasants cultivate in more distant areas, which has led to a spatial division between vegetable gardening (cultivated in the vicinity of the home) and monocultures (on the
more distant fields), or to moves to less populated areas. Farmers who migrate to other regions face significant constraints to integrating into local social structures that continue to be based on customary systems of land tenure.

78. Local food consumption patterns have changed. As a consequence of the pillaging of livestock and a fall in food production, the number of meals consumed per day has decreased and the daily diet has been reduced to manioc and a limited portion of vegetables. In Walungu, meat and milk have been replaced by products that traditionally were prohibited or reserved only to some parts of the population, such as chicken and cuyay (guinea pigs). Other products, such as rice and maize, are consumed mainly as a result of food security interventions by international agencies and local associations.

79. Other household strategies seek to reduce dependency on land access. Migration to the urban centres and mining sites has become a popular exit strategy, especially for young men, and enrolment in local militias or the army is often viewed as an alternative for the younger generation. Women tend to invest in small commercial activities and trade such products as manioc flower, salt, palm oil or fish. The income generated from the trading activities is extremely low due to lack of purchasing power and market opportunities. Table 3 summarizes constraints to food production and food accessibility and the strategies developed by households to deal with the effects of land scarcity and food insecurity.
Table 3: Food constraints and household strategies

<table>
<thead>
<tr>
<th>Constraints to food production</th>
<th>Constraints to food access</th>
<th>Household strategies</th>
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<tbody>
<tr>
<td><strong>Institutional factors:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Shifts in land tenure systems</td>
<td>- Reduction of purchasing power</td>
<td>- Rental of land under <em>bwasa</em> contracts</td>
</tr>
<tr>
<td>- Limited access to land</td>
<td>- Limited availability of food</td>
<td>- Cultivation of small plots in wetlands</td>
</tr>
<tr>
<td>- Lack of technical support by local agronomists</td>
<td>- Increase in the amount and number of taxes</td>
<td>- Shift from monoculture to polyculture</td>
</tr>
<tr>
<td>- Crop restrictions on rental land</td>
<td>- Limited access to markets due to insecurity</td>
<td>- Adaptation of crop diversification to (lack of) tenure security</td>
</tr>
<tr>
<td>- Reduction of plot sizes</td>
<td>- Absence of cooperatives that protect merchants</td>
<td>- Shift from agriculture to petty trade</td>
</tr>
<tr>
<td>- Non-respect of customary titles and lack of legal and customary protection</td>
<td>- Lack of organization</td>
<td>- Shifts in food consumption patterns</td>
</tr>
<tr>
<td>- Conflicts over land ownership between former and new owners</td>
<td>- Pillaging of stocks</td>
<td>- Harvest and consumption of immature crops</td>
</tr>
<tr>
<td>- Restricted access to plantations</td>
<td>- Degradation of road network</td>
<td>- Cash for work</td>
</tr>
<tr>
<td>- Disappearance of cash crops</td>
<td>- Destruction of market infrastructures</td>
<td>- Joining of farmers associations</td>
</tr>
<tr>
<td>- Limited availability of seeds and tools</td>
<td>- Disappearance of microcredit systems</td>
<td>- Cultivation on shared plots</td>
</tr>
<tr>
<td>- Loss of livestock</td>
<td></td>
<td>- Migration to urban centres or mining sites</td>
</tr>
<tr>
<td><strong>Climatic conditions:</strong></td>
<td></td>
<td>- Joining of local militias</td>
</tr>
<tr>
<td>- Erosion</td>
<td></td>
<td>- Theft of crops</td>
</tr>
<tr>
<td>- Crop diseases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Decrease of land fertility due to over-exploitation</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General conditions:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Demographic pressure</td>
<td></td>
<td></td>
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<tr>
<td>- Insecurity caused by armed elements</td>
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<tr>
<td>- Pillaging of harvests</td>
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<tr>
<td>- Increased pressure on land because of the presence of IDPs</td>
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</table>
V.3. Interventions and policy implications

80. Table 4 summarizes the main food security interventions developed by international agencies and local associations to deal with the effects of the protracted crisis in eastern DRC. A first observation is that most interventions have focused on direct access to food through the provision of food aid, seeds and tools distribution, and the establishment of nutrition centres. These interventions have addressed some of the immediate food needs in the areas of research, but have also had a number of negative effects. One is the marginalization of local associations: in most cases, associations merely execute donors’ programmes and are not involved in food security interventions once international agency support ceases. Another is that the interventions can disrupt local efforts to deal with food insecurity, such as seed distribution systems. The interventions have caused shifts in local food consumption patterns which indicate that international donors do not fully take into account the actual and potential roles of local associations and institutions; short-term interventions are not fully integrated into longer-term policies.

In addition, in very few cases are short-term interventions based on assessments of the food security situation and the local institutional context. Only recently has (selective) information on the food security situation and the impact of conflict dynamics on local humanitarian conditions been collected. This lack of analysis has meant that shifts in local food systems and institutional changes instigated by the protracted crisis and by household strategies of adaptation are integrated into food security interventions to only a very limited extent. The case of eastern DRC confirms that food security policies and strategic frameworks for protracted crisis situations need to be based on adequate analysis of the context of intervention. In order to be effective in protracted crisis situations, conventional policy frameworks need to be modified with respect to local conflict dynamics and adaptations.

81. Longer-term interventions hardly address issues linked to the structural causes of food insecurity. In Masisi, Walungu and Lubero, most interventions have neglected the issues of insecure land tenure and increasing land scarcity, even if these constitute the main structural factors of food insecurity in these areas. A limited number of local associations have tried to tackle the effects of land scarcity through the introduction of collective fields, the institution of microcredit systems, the provision of judicial support, and the institution of conflict resolution mechanisms. Others have focused on effects of land scarcity such as shifts in production patterns, increased impact of climatic conditions, loss of livestock and rehabilitation of local infrastructure. The impact of these interventions has been limited, however, by the associations’ lack of technical and financial capacities. The case of land reveals that food security interventions have not been able to fully ensure people’s access to vital assets and that long-term initiatives for achieving food security need to include responses to the structural causes of food insecurity.

Table 4 summarizes main areas of intervention, partners involved and key objectives, and includes observations with respect to the FAO twin-track approach.
<table>
<thead>
<tr>
<th>Responses</th>
<th>Partners</th>
<th>Key objectives</th>
<th>Observations with respect to twin track approach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food aid distribution</td>
<td>International agencies, often through local associations</td>
<td>Address immediate food needs</td>
<td>Focus on direct, immediate access to food through increased availability (food aid) and through increased food access (nutrition intervention programmes)</td>
</tr>
<tr>
<td>Distribution of seeds and tools, introduction of <em>greniers de semence</em></td>
<td>International agencies and local associations</td>
<td>Diversify crops; facilitate access to seeds and tools; increase food production</td>
<td>Focus on direct, immediate access to food through increased food availability (seed input relief) and on rural development through stability efforts (improvement of rural food production). International interventions tend to disrupt local mechanisms of seeds distribution based on credit systems</td>
</tr>
<tr>
<td>Provision of technical support</td>
<td>Local associations</td>
<td>Improve the production of food; strengthen the capacities to deal with diseases</td>
<td>Focus on rural development/productivity enhancement through increased food availability (improvement of rural food production, and investment in rural infrastructure) and food stability (diversification of agriculture and employment, monitoring of food security and vulnerability, and development of risk analysis and management)</td>
</tr>
<tr>
<td>Introduction of collective fields</td>
<td>Local associations</td>
<td>Facilitate access to land to landless farmers; increase food production</td>
<td>Focus on rural development/productivity enhancement through increased food availability (improvement of rural food production) and access (access to land)</td>
</tr>
<tr>
<td>Rehabilitation of rural infrastructure (roads, etc.)</td>
<td>International agencies</td>
<td>Rehabilitate roads; facilitate access to local markets; increase food and cash</td>
<td>Focus on direct, immediate access to food through increased access (food-and cash-based transfers and asset redistribution if cash-based) and focus on rural development through increased availability</td>
</tr>
<tr>
<td></td>
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<td>distribution (food for work/cash for work)</td>
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</tr>
<tr>
<td>Introduction of livestock rotation mechanisms</td>
<td>Local associations</td>
<td>Revitalize livestock production; (indirectly) improve land fertility</td>
<td>Focus on rural development/productivity enhancement through increased availability of food (revitalization of livestock production) and stability (diversification of agriculture and employment)</td>
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<tr>
<td>Institution of conflict resolution mechanisms</td>
<td>Local associations</td>
<td>Mediate in land disputes; strengthen the legal position of farmer</td>
<td>Focus on rural development/productivity enhancement through increased access (access to land) and food stability (dealing with structural causes of food insecurity)</td>
</tr>
<tr>
<td>Introduction of microcredit systems</td>
<td>International agencies and local associations</td>
<td>Facilitate households’ access to land</td>
<td>Focus on rural development/productivity enhancement through increased access (reviving financial systems) and stability (reviving of access to credit systems and saving mechanisms)</td>
</tr>
</tbody>
</table>
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