



Groupe de recherche et
d'échanges technologiques

Conflict over Access to Land & Water Resources within Sub-Saharan Dry Lands

**Underlying factors, conflict dynamics and settlement
processes**

GRET-FAO LEAD Final Report

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Part I. Problematizing land conflict and land governance

I. THE CONTEXT AND OVERALL OBJECTIVE

1. Presentation

The study is part of the project “Novel forms of livestock and wildlife integration adjacent to protected areas in Africa: Tanzania” focusing on the reduction of conflicts over natural resources through the integration of agriculture, pastoralism and nature conservation. FAO executes this project funded by the GEF (Global Environment Facility) and the International Livestock Research Institute provides scientific support.

The objective of the following study is to elaborate an analytical framework and to provide concrete indicators to policy makers and field agents working in the field of pastoralism, natural resources management and agriculture in the dry lands of sub-Saharan Africa. The objective is to help national decision-makers and international development agencies to formulate policies and prioritising their action for an improved sustainable use of the land and water resources, while resolving conflicts among the different users.

The ultimate goal is thus to provide national policy makers and international development agencies with recommendations helping them to target their actions and thereby to contribute more effectively to prevent conflicts or at least mitigate their impact on rural livelihoods and on the environment.

The study is organised in two phases with two regional workshops at the end of each one. This report presents the results of the first phase of “Identification of the factors underlying conflicts over access to land and water resources” through a regional analysis and local case studies. It is basically a desk study completed by the contribution of two African experts. The objective is not limited to a review of the existing literature on land tenure, natural resources management and conflicts in African dry lands. We had to identify areas or situations – the difference is important – with high conflict risks and to elaborate policy recommendations to be presented and debated during the first workshop in Dakar (March 6-8.). The detailed terms of reference of the second phase will be defined at the end of the first workshop within an iterative process of coming and going between case studies, attempts at generalising and policy proposals.

The overall aim of the study is thus policy-oriented, but, given the width and the complexity of the subject, it needs to be built on a sound understanding of field issues.

2. Identifying the issues

The study is transversal, made of two levels of relevance: the project level and the national/international level (national policy-makers and international agencies). At both levels, the final objective is to produce recommendations for policy-makers in the field of conflict prevention and resolution as regards access to land, renewable natural resources and water. The targets of the study are thus the national policy/decision-makers and international devel-

opment agencies, rather than decentralised elected bodies and states services, or the lay persons involved in competing claims and conflicts over natural resources at the local level.

Actually, the reading of the terms of reference led us to distinguish two issues that are of course non-independent from one another but require nevertheless differentiated conceptual and methodological treatments.

- ▷ On the one hand, we have a problematic centred on the competition between social groups and actors for access and control over scarce natural resources, in contexts of legal and institutional pluralism. What are the economic, social, political factors leading to conflicts? How do conflicts evolve and how are they solved (if they actually are)? What types of institutions, arbitration procedures and legal framework are available to solve disputes? How do people deal with situations of legal pluralism and normative uncertainty? On what forms of moral principles do they found their claims? What are the social groups excluded or marginalised through conflicts or conflicts solving mechanisms? There is a great deal of excellent research in social sciences (anthropology, geography, history, sociology, economics, human ecology, and political science) on conflicts over access to land and water resources in Africa. What is needed is a work of syntheses in order to highlight the main regularities characterising conflict generation and types. The main issue is here one of generalising procedure that can take a spatial form (identifying geographical areas according to the occurrence of similar criteria) or a social/inductive form (identifying mechanisms of conflict generation linked to the combination of specific criteria).
- ▷ On the other hand, we have a problematic centred on crises, be they political or ecological, and about how policy-makers deal with them. The focus shifts here from “local societies” (writ large: including intermediary levels and actors, state administrations and the development apparatus) toward administrative settings in charge of crisis management: how does the “chain of command” function? Do state apparatus reactions contribute to calm down or to activate conflicts? Is existing decentralisation a positive factor in devising solutions closer to populations? To what extent state administrations and aid agencies coordinate their actions?

In terms of recommendations, these questions need differentiated responses too. With the first orientation, the solution rests upon a long run process of institutionalising procedures based on shared normative principle and resulting in legitimised politico-legal instances. The objective is to create favourable conditions for dispute arbitration rather than to eradicate all conflict (the hypothesis here is that conflicts are a “normal” social fact, not a pathological one).

The second orientation requires something closer to a toolbox for quick reaction in case of crises (hence the idea of building qualitative models and mapping conflictive areas). However, any quick reaction against violence outbreak must be anchored in a sound knowledge of local conceptions of right and justice, which leads us back to the first theme.

All this to say that although both subjects are interdependent, we will focus more on the second one (eventually to question the relevance and the scope of mapping approaches), though we will enrich it by taking account of the knowledge produced by studies of the everyday governance of disputes over natural resources.

II. METHODOLOGY

This study is mainly a desk study based on a review of the literature in social sciences describing and interpreting modes of access to – and control over resources in land and water in African dry lands. It analyses too public policy texts and takes account of macro-studies focusing on demographic, economic, agrarian and political contexts and evolutions. In order to complete the picture, two experts carried out reviews respectively in West Africa (Touré) and in Tanzania (Shem).

1. Approach

The approach is four-step approach:

Identification of the underlying factors at a regional level

They include agronomic and ecological, social and economic, legal and political factors (including the review of legal framework, public policies, natural resource management programmes). One could say this first step tackles the macro level in order to give a broad frame of analysis made of a series of indicators used for selecting case studies. This macro-analysis includes a historical dimension as well. This first component is at the same time an overview of the major trends in the literature in terms of focus, approaches and interpretation of conflictive situations and crisis. Missing areas and topics have to be identified and situated in relation to existing macro-studies on demography, economics and agrarian change.

At this stage, it must be stressed that these so-called “underlying factors” are only factors of *change* and not factors of *conflict*. It depends on local contexts whether they have – or will – evolve in conflictive situations. We have organised them as follows:

- ▷ Demographic and environmental factors generating pressure and competition over natural resources
- ▷ Law, development and policy factors generating legal and institutional pluralism and new opportunities and constraints in the appropriation, access and use of natural resource
- ▷ Socio-political and economic factors generating inequalities, that is an even access to natural resources or uneven capacities to use resources

Conflict dynamics analysis

On the basis of the results of the first components, we have selected case studies in the literature providing in-depth analysis of conflict trajectories over access to land and water resources. This analysis has followed a **comparative canvas** in order to prepare and make easier the later work of generalisation. (1) The first point sets the scene and gives a historical perspective of the situation. (2) The second one describes the conflict itself and tries to build a schematic typology of disputes. (3) Third one analyses the whole conflict trajectory and especially the settlement mechanisms (or the lack of them), in order to identify and outline general hypothesis about conflict emergence and resolution (or “appeasement”).

Case studies have been selected according to criteria of relevance and significance as regards both the area studied and the approach used. To be consistent with the qualitative approach underlying this work, however, we have chosen to select a few good studies helping

highlight and understand processes and mechanisms, rather than trying to cover a too wide range of texts and situations.

The case studies analysis comprises two steps:

1. Fourteen cases were selected according to their significance and the representativeness in terms of situation diversity. For each of them, we present briefly **the historical trends and actors involved, the underlying factors of tensions, the conflict outbreak**. Four of them were kept for the second step, firstly because they were among the few case studies in the literature describing and analysing the dispute settlement mechanisms
2. Four cases present in-depth analysis of the **whole unfolding of the conflict from tension to conflict outbreak and escalation and back to peace**.

Regarding conflict dynamics, case studies have been read according to an **analytical grid comprising the following descriptive indicators**:

- ▷ Social groups and actors involved in competing claims and co-operation over landed resources
- ▷ Politico-legal institutions playing a role in conflict arbitration: “modern” authorities (elected bodies, courts of justice, administrative authorities, hometown associations, producers’ groups, development and natural resources management projects, etc.) and “traditional” authorities (customary chiefship, earth priest, age-groups organisations).
- ▷ Institutions specifically dealing with environment (international and national NGO, projects, traditional associations such as hunter associations, etc.).
- ▷ What are conflicts about (explicit subject matters and “hidden agendas”): economic goals, ecological concerns & resources degradation, political interests, ethnic and cultural cleavages, etc.
- ▷ History elements about settlements, village mobility, agrarian colonisation, pastoral movements, conflicts
- ▷ Documentation of conflicts: background, starting event, evolution, arbitration procedures, institutions involved (with attention paid to the degree of “localisation” of the conflict: to what extent external actors and institutions intervene).

The **geographical area** covered by the study – sub-Saharan African dry-lands – comprises the Sahelian strip running from Senegal and Mauritania to Ethiopia and Somalia through Mali, Burkina Faso, Niger, northern Nigeria, Chad and Sudan. We include to the south vast parts of Kenya and Tanzania and in Southern Africa, Botswana, Zimbabwe, Namibia and parts of South Africa. We had a special interest for the Tanzanian case; in order to strengthen the linkage between this general study and the “Novel forms of livestock and wildlife integration adjacent to protected areas in Africa: Tanzania” project.

Generalisation and comparative hypothesis

Third step, the comparative perspective allows to go beyond the local or regional scope of most of the case studies to highlight the main regularities and recurrent features in terms of actors involved, types of conflicts, phases of escalation/de-escalation. This helps **build general hypotheses regarding (1) how tensions over natural resources result (or do not result) in conflicts and (2) mechanisms of conflict solving between the search for social peace and rule enforcement**.

The **general hypothesis** underlying our perspective is that **there is no mechanical reaction between tensions over natural resources and conflict outbreak**. The link is always **mediated by social and political processes** and this helps explain the variability of the outcomes of tension and competition over resources.

Case studies exemplifying actual crisis are discussed in relation to risk mapping drawing on macro-studies and taking economic, demographic and political criteria into account. Our approach is thus not a linear one. The initial idea was to adopt an iterative approach between macro-analysis and micro-studies so that hypothesis and comparisons could be progressively adjusted and improved. We have integrated these elements of contextualisation in the 14 case studies we have selected and analysed.

Putting in perspective micro and macro-studies allows identifying elements of crisis prevention. It is not only a matter of connecting macro and micro levels, but also of trying to interpret in a more prospective way the link between risks factors and actual conflictive events (and conflict-solving processes).

Outlining policy recommendation & preparing the second phase

The work of synthesis will constitute the basis to prepare the second phase of the study and elaborate policy recommendations. This departs slightly from the work frame outlined in the terms of reference since we have chosen to shift one dimension of the second part back to the first part, namely the reflection on the feasibility and relevance of the tools produced in the first part of the work.

The first question to raise is about what is relevant and feasible in terms of risk mapping and model building. Mapping implies at least a systematic data collection to represent areas of conflicts and risks in an analogous systematic manner. This involves a minimal homogeneity in the literature used as the basis of the generalisation, which is not likely to be found. We can nevertheless situate areas studied and conflictive zones on already existing maps (on land use, demographic, migration trends, etc.) in order to produce and test hypothesis about the relations between risk factors and actual crisis (or absence of it).

Second point, model building is usually conceived of in a quantitative or statistical way. Here, the objective is rather about highlighting “structural features” allowing building qualitative models of conflict genesis and risk. It is thus a qualitative “model” of conflicts linked to natural resources that has to be developed, to formulate concrete and sound policy recommendations.

The final product of the first part of the study is, so to say, its second part. As already said, we have somewhat shifted the balance between phase 1 and phase 2. The intermediary workshop function was to discuss and validate the reflection on policy tools (mapping, policy recommendations, crisis understanding and prevention) beyond the sole case studies analysis. The discussion around the mapping of risk and its link to crisis prevention is here central and conclusions about this issue will be part of the final product, as well as the provisory qualitative maps themselves.

We have introduced in the final section the concept of “participatory mapping” implying that cartographic representations, beyond a descriptive and maybe analytical function, can be used as a tool for negotiation between stakeholders around natural resources management.

2. Organisation

The study was co-ordinated from GRET by Pierre-Yves Le Meur, an anthropologist working on politics, access to land and natural resources, development policy and mobility in West Africa. Peter Hochet, currently preparing his PhD in anthropology at EHESS (School for advanced studies in social sciences), was in charge of exploring, reviewing and analysing the relevant literature on the theme. He wrote up an intermediary report giving a rich overview of the literature organised according to the canvas outlined above.

Two African experts (specialists of social sciences with a focus on land issues and natural resource management) – one for West Africa, one for East and Southern Africa – worked together with Pierre-Yves Le Meur and Peter Hochet as a pool of analysts. They have mobilised their own knowledge of literature and field cases to produce complementary analysis on West Africa and the Tanzanian case. Dr. Ossouby Touré is a free-lance sociologist and specialist of pastoralism and natural resources management, Dakar, Senegal. Dr. Martin Shem is Professor at the Department of Animal Science and Production, Sokoine University of Agriculture, Morogoro, Tanzania for East and Southern Africa.

This work resulted in the production of the current report enriched by the presentations and discussions during the intermediary workshop in Dakar, March, 6.-8. The case studies interpretations, the way to generalise these results, conflict solving mechanisms and policy recommendations were debated during this meeting attended by the research team, FAO supervisors and experts from various African countries (see in annex the list of participants and presentations).

III. PROBLEMATISING THE LAND & NATURAL RESOURCES GOVERNANCE

1. The natural resources governance as a complex matter of wealth, ecology, power and meaning

At the local level, access to land and water resources is crucial for rural peoples' livelihood and at the national level, agriculture and livestock constitute an important part of the gross national product in African countries. At the same time, we observe a context of increasing land and demographic pressure generating negative impacts on natural resources. The link between agricultural intensification, labour productivity and land tenure – and thus poverty and social and economic inequalities – lies at the heart of the debate. However, the direction of causal links has not been convincingly clarified so far (Netting 1993, Deininger 2003).

Furthermore, ecological concerns for nature conservation and sustainable development have come to the foreground in the last decades, taking account of competing claims of agriculturalists and pastoralists over natural resources. The focus on common-pool resource property and management has generated an abundant literature (Ostrom 1990, Agrawal 2003). At the same time, environmentalist policies have gained currency at the international level. One important issue is about the potential contradiction – at least the uneasy integration – between environment and development (Rodary, Castellanet & Rossi 2003).

Third point, access to landed resources is not merely a matter of productive use of the ecological environment, it involves power and symbolic relations. Debates on political and administrative decentralisation and community-based natural resource management revolve around issues in decision-making location and modalities of power and resource devolution and thus accountability mechanisms.

Finally, violent conflicts in Africa are hastily labelled as “ethnic” and ethnic diversity is assumed to be a factor of tension. However, the acuteness of local and regional conflicts, often labelled as “ethnic” without further empirical exploration, are deemed to be linked to competing access to increasingly scarce natural resources, land, water or mining products (Richards 1996, Ballard & Bank 2003). Furthermore, ethnicity has been reified as the expression of primordial ties whereas ethnic boundaries have been partly created – at least hardened – by colonial powers as part of the colonial governmentality. This went through the attempts at superimposing ethnicity, territory and political power and the codification of the so-called customary law or the elaboration of the *grands coutumiers* in French colonial Africa (Schapera 1938, Colson 1971, Cheater 1990, Chanock 1991, Mamdani 1996). Ethnicity can be conceived however as an identity and moral referential helping organise collective action and the social relations between individuals and groups (see Lonsdale's notion of moral ethnicity as opposed to political tribalism, 1992). However, the ethnicisation of land and social relationships is an observed phenomenon. One could assert that its visibility is related to two orders of facts:

- ▷ The logic of customary tenure systems distinguishes first and latecomers in the terms of the autochthonous/strangers dichotomy. Tensions about land access and control revolving around these statuses can constitute the social and symbolic ground for ethnic rhetoric (at

the local, regional or national level; see Chauveau 2000 for Côte d'Ivoire, Médard 1996, 1998, Klopp 2001, 2002 for Kenya).

- ▷ Related to this, the ethnic referential and the simple and strong discourse of territorial and historical anchoring it conveys can be the organising element of conflicts between groups.

In this respect, we will conceive the ethnicisation of land conflicts not as a causal factor but as an expression of tensions over landed resources circulating along power and social networks representing conflictive interests.

These different layers of interests and stakes around landed resource show the complexity of natural resources governance as a matter of “wealth, power and meaning” (Shipton & Goheen 1992).

2. The natural resources governance as an arena of actors and institutions

Natural resources management cannot be reduced to the triangle agriculturalists/ pastoralists/ wildlife, this for two reasons.

First, agriculturalists and pastoralists are not only agriculturalists or pastoralists. Both groups are very often involved in both activities implying interactions and forms of co-operation. More broadly, they often follow plural strategies and develop different activities in different locales. Localised approaches of natural resources management or “gestion des terroirs” all too often tend to neglect the “de-localised” or “multi-localised” dimension of actors’ “action space” (Painter et al. 1994; Rainaut 1997).

Second, economic and productive activities are embedded in social relations that contribute to give them a specific shape. Agriculturalists and pastoralists are also migrants or ‘strangers’ and autochthonous people, firstcomers and latecomers, friends or neighbours, elders or youths, men or women, they have ethnic and national identities, belong to various religions or cults. One must take account of the interplay between lines of opposition. For instance, seemingly ethnic conflicts between autochthonous and allochthonous people can be narrowly related to intergenerational tensions within autochthonous communities, as shown in the case of Côte d'Ivoire (Chauveau 2000).

The understanding of the functioning of these various relationships is of dramatic importance to understand the outbreak and escalation of conflicts as well as the possibility of de-escalation.

One important aspect in the understanding of this complex web of relation is the history of mobility and settlement of the different interacting groups. Justifying principles and hierarchical relations embody past relations and trajectories, through a continuing work of interpretation of them and of reshaping of the politics of belonging (Kopytoff 1987, Chauveau, Jacob & Le Meur 2004, Kuba & Lentz 2006).

Access to resources is made of competing claims, rights and duties, strategies and actors’ logics. It is also controlled and regulated by various institutions, “traditional” (earth priest, chief, religious cults, age-groups organisations, etc.) and “modern” (elected bodies, community-

based committees, natural resources management projects, administrative authorities, hometown associations, etc.).

Second dichotomy, these institutions can be local (or “indigenous” or “autochthonous”) or external. They all too often are not attributed specific and formal competencies in land affairs. People involved in disputes over natural resources resort to them according to how they understand their own situations and to the benefit they can expect from each institution, along a logic of forum-shopping (Benda-Beckmann 1985). The position of any institution as regards landed resources issues rests upon its capacity to produce or control rules, and arbitrate and eventually solve land conflicts, along a dialectic according to which “the process of recognition of property rights by a politico-legal institution simultaneously constitutes a process of recognition of the legitimacy of this institution” (Lund 2002: 14). A politico-legal institution constitutes an authority in land affairs only as long as individuals resort to him in case of dispute (see Le Meur 2006).

Analysing conflicts over access to land and water resources implies taking account of the dialectics between rights and powers, claimants and politico-legal institutions, access to and control over resources.

3. The natural resources governance between peace, conflict and justice

Studies of land conflicts have shown that the groups and persons involved in dispute seek very often to reach a local solution and are reluctant to “invite” external actors in the conflict-solving process. This widely observed phenomenon results at least partly from a rather negative opinion of external, namely state institutions suspected of partiality and corruption.

Second, conflict solving might be a misleading expression as it implies the idea to reach a solution whereas what is looking for is much more to calm down the situation. Specific sets of social relations are mobilised to reach this objective of peace. The strategy to calm down conflicts instead of solving them explain why conflicts can re-emerge due to a new context or opportunity allowing one of the parties to renegotiate the former compromise.

This does not mean that the local handling of conflict is merely a strategic matter of political compromise. It implies ideas of justice and equity too as well as shared moral principles (Widlok 2003). At the same time, “to claim the rights is to disrupt the social relation and instead to refer to higher moral or legal principles” (Hagberg 1998: 22). The reconciliation of legitimacy and legitimacy (Lavigne Delville 1998) is no easy thing. In this respect, the widespread situation of moral, legal and normative pluralism plays a key role, acting as a set of discursive resources used by social actors to achieve their ends. This observation does not give us, however, any general indications as regards the overall effect of pluralism, allowing continuing reopening of disputes or playing a moderating role.

In the frontier area of central Benin, different levels of integration or communities defining specific belongings compete about the control over migrants and natural resources: a principle of autochthony (that can be trans-ethnic) and a principle of locality or “terroir”, linked to uncertain administrative boundaries (Le Meur 2006).

Normative pluralism is often conceived as inherent in African peasant societies. However, it must be contextualised in terms of the social organisation and dynamics of access to natural resources. In Minyankala (Mali), access to land and natural resources contributes to the organising of “levels of social and geographic belonging, from restricted access within the lineage up to inter-village resource sharing. Specific repertoires of norms justifying access conditions and users’ groups definition correspond to each level of belonging and access organisation. Changes in this organisation due to objective factors such as resources scarcity entail contradiction between repertoires of norms and justifications. For instance, the growing scarcity of crop residues (due to overuse by both agriculturalists and pastoralists) makes the farmers reluctant to share them with local Fulbe. Hence the following contradiction: On the one hand, Fulbe keep claiming a supra-village repartition in the name of an agropastoralist economy of sharing based on a week control over resources and a firstcomer principle. On the other hand, farmers interpret crop residues as the result of the labour, thus justifying their control and appropriation by the farmers exploiting the fields. The latter’s position is legalised by the validation of a communal charter on crop residues. Many conflicts originate in this contradiction. However, in certain parts of Miniankala, farmers and herders consider an intermediary level of belonging and access based on the use of neighbouring productive areas (fields and pastures) and ruled by the principle of “sigi bè du dya” (good neighbourhood). Despite of this, the very existence of a communal charter allows some farmers to contest the agreements based on the ‘good neighbourhood’ and to sue Fulbe for crop damage (Hochet 2005d).

These cases show that the understanding of emerging contradictions between normative repertoires requires the analysis of the organisation and dynamics of access and belonging. Legal pluralism and the interplay between actors are embedded in broader ‘structural’ dynamics.

The processes of resolution of conflicts over landed resources revolve around matters of peace and justice, referring to the embedding of natural resources governance in social relations and moral principles.

IV. THREE KEY ISSUES

1. Conflict and non-conflict

Conflict and regulation

Conflicts happen. They are normal events and there is no reason to “pathologise” conflicts – or conflicts in Africa – as it is too often the case. Development institutions tend to see conflicts as negative phenomena to be solved or anticipated in the sake of social integration and economic development. This view relies on functionalist premises stressing social reproduction and normative conformity at the expenses of social dynamics and heterogeneity inherent in social life.

Homewood et al. (2004: 567) identify five main approaches of land issues in African social studies:

- “Malthusian competition across ethnic and economic fault lines due to resource availability declines (Ndagal 1992, Otieno 2002);
- Resource competition between minority (resident) and majority (colonising) ethnic groups (Ole Kuney 1994, *African Law Review* 1998);
- Part of a direct response of marginalised people to systematic dispossession (Shivji & Kapinga 1998, Munei & Galaty 1999);
- Orchestrated events state-managed by an elite seeking to retain monopoly on power and resources (Médard 1996,1998 ; Klopp 2001);
- Or some combination of these political and environmental pressures and responses (Dietz 1996)”.

Anthropological studies have shown that investigating conflicts constitutes a very productive entry-gate in terms of understanding the functioning of social arenas and identifying diverging interest about resources. One can identify here two great tendencies reflecting differences between new institutional economics and social anthropology.

- ▷ Neo-institutional theories interpret land conflict in along a transactionalist line (supply/demand) (see Feeny 1988). There is a gap between demand for innovation from individuals or groups facing a growing resources scarcity and the increase of their market value on the one hand and, on the other hand, the inadequate supply of the classical systems of land rights administration and identification. Conflicts are conceived as mediation devices between the supply and demand of institutional innovation.
- ▷ Interactionist approaches see conflicts as a normal mode of communication between various individual and collective actors. They distinguish different degrees from conflict as “game”, “debate” to conflict as “fight”. This approach highlights the meaning each society and actor give to conflicting relations. Hence the impossibility to hold a scientific discourse about conflict without “sound empirical information allowing to identify what belongs to violent conflict, ‘consensual conflict’ or ‘peace through private war’” (Chauveau & Mathieu 1998: 243).

As conflicts are part and parcel of social life, we must not isolate them from the flows of events and social processes into which they are inserted and that regulate access to, and control over landed resources (Le Meur 2002b: 13, Lavigne Delville & Hochet 2005: 98). As Lavigne Delville & Hochet put it (ibid.: 103), negotiating processes generating new regulations about land are “more or less conflictive according to contexts and negotiating actors: the practical limit between regulation and conflict is actually extremely thin”.

Conflicts are thus signs of social cleavages and diverging interests as well as modes of communication. At the same time, the frontier between tension and conflict is not easy to decipher and social actors can manipulate this line through threatening and symbolic actions.

“There is open or declared conflict only if symbolic or physical violence goes beyond what is deemed tolerable within everyday social relations. However, conflictive social relations often play on the edge between threatening, frequent in ordinary social interactions or negotiations, and taking action. Conflict identification is thus related to each society and to its modes of conflict resolution, according to the types of confrontation likely to happen” (Chauveau & Mathieu 1998: 243).

Defining what a conflict is or is not reveals thus less than easy. One can elaborate on the basis of this empirical and methodological hypothesis about conflicts and more precisely about the link between conflict and rule. Conflicts basically express moments of reconfiguration or reproduction of rules and positions. They unfold within the frame of shared normative rules (conflict of interpretation), contest them or use normative repertoires as discursive resources in a context of legal pluralism (Bailey 1969, Comaroff & Roberts, 1981, Chauveau & Mathieu 1998: 245, Lavigne Delville & Hochet. 2005: 103).

Let’s come back to the definition of conflict. We have seen that the line between conflict and regulation is thin, sometimes controversial, and that conflicts must be seen as normal social facts (normal both in the normative and statistical sense). B. A. Gado gives the following definition of conflicts over natural resources:

“... latent disputes tend[ing] to turn[ing] into open conflict between two individuals, two social groups or two communities, stemming from a more or less justified claim of access rights to one of the basic family or community resources : land, livestock, grazing, forest, water, etc.” (Gado 2002: 161).

This broad definition leaves open the question of the mechanisms explaining how a latent dispute becomes open. And what is exactly a latent dispute: an open consensus? Conflict theory needs obviously a theory of consensus. It is often implicitly seen as a “structural or functional property of society: shared moral values creating social integration” (Murphy 1990: 24). The idea of “social consensus as a purposive or strategic accomplishment” (id.) is restricted denied, without questioning its reflexive and political dimensions for local actors. This positivistic, non-political view of consensus is unable to see that a consensus reached in a project arena has much to do with conflicts and negotiations taking place in other (non project, ‘backstage’) arenas (political bodies, home-town associations, churches, etc.). Conflict is not a climatic accident, its dynamics results from actors’ actions and understanding of the situation, of their representations of what is at stake (natural resources, honour, wealth, identity, life).

Although a conflict develops along a specific dynamic, its emergence can be related to some “structural” features or configurations. In this respect, Jean-Pierre Jacob proposes a stimulat-

ing hypothesis based on the observation that land conflicts do not emerge haphazardly but often at a specific level of social integration (see Jacob forthcoming, Le Meur 2006b).

Drawing on his work on the Winye in Burkina Faso and comparing it to Colin's results about Lower Côte d'Ivoire, Jean-Pierre Jacob argues that the level of conflict occurrence corresponds to a specific level of integration – a membership community (communauté d'appartenance) – where positive arbitration between land tenure security as public good and as private good does not operate anymore. This hypothesis helps identify and analyse the recurrence of conflict types corresponding to specific situations. As regards the Winye case (Jacob 2004, forthcoming), conflicts mainly occur at the inter-village level, because it is the weakest link of the local politics of integration through land, or due to the precolonial history (villages belonging to different earth shrines networks) or to the colonial and post-colonial history (e.g. the villagisation policy; cf. Chauveau, Jacob & Le Meur 2004). Jean-Philippe Colin highlights for Lower Côte d'Ivoire the predominance of intra-family conflicts in a context where the domestic group is the structuring entity as membership community and land regulation institution (Colin et al. 2004).

Conflicts *over* natural resources are not only *about* natural resources. They are about social and cognitive boundaries, “identities” placing enmity here rather than elsewhere (Schlee 2004). This idea supports the hypothesis according to which the definition of a “community” – a sense of belonging anchored in institutions as naturalised conventions (Douglas 1987) – is a necessary condition to the definition of agreements about the appropriation, use and sharing of natural and land resources (Ostrom 1990, Le Roy 1996, Jacob 2004). This raises question about inclusion/exclusion mechanisms and dynamics. To assert that conflicts are normal social facts does not imply any underestimation of their consequences in terms of the deepening (or reduction) of social and economic inequalities.

2. Linking knowledge, policy and prevention

The complexity of conflicts revolving around access to and control over natural resources makes analysis difficult (Ribot & Peluso 2003). There is no one-sided explanation, in terms of environment degradation or demographic pressure. Political and cultural dimensions are always at stake.

Identifying or mapping (even in a qualitative manner) areas where the risks of violent conflicts are higher and lower is a delicate enterprise as it must take account of the idiosyncratic nature of land relations. However, whereas conflict explanation requires empirical sensitivity to localised historical, cultural, socio-political, economic and ecological factors, this complexity can give clues to build adapted solutions anchored in these very factors. In this respect, one essential dimension could be the identification of shared moral principles and norms of justice going across social and cultural (or ethnic) lines. This is for instance Paul Richards' proposal in the case of Sierra Leone civil war (thus outside our dry land area of investigation):

“It is suggested that the ‘creolized’ cultural understandings drawn upon by belligerents in making war are also the resources through which civil communities in this part of the African rain forest might make peace. To explore the pacific potential of this highly complex heritage local groups need both encouragement and opportunity. To the extent that there is

a role at all for outside intervention it should concentrate on what is termed, in a concluding essay, 'smart relief'. This is a shorthand for any low-key assistance that supports culturally informed analysis of the war, and effective local mobilization to meet its challenges" (Richards 1996: xviii).

Another crucial dimension is thus the historical one. Violent conflicts that external (and quick) observers see as brutal outbreaks of primordial violence have their roots in history, as works about Sierra Leone, Côte d'Ivoire or Sudan have shown. To a certain extent, mapping future risks implies first mapping history (of village settlement, pastoral mobility, past conflicts, etc.). On the other hand, normative approaches stressing social integration and normative conformity are unable to see that local dynamics generating conflicts are also potentially able to produce solution anchored in shared principles and worldviews (this said without any naivety; see Richards 1996). This denial bears the risk to favour external interventions unfamiliar to local social logics and thus unconsciously creating new imbalances and conflicts and weakening local regulatory capacities (Chauveau & Mathieu 1998: 244-245).

All this means that taking account of the complexity of the factors underlying conflicts is not only a criterion of sound empirically grounded interpretations. It can help build post-conflicts solutions anchored in the local conceptions of justice, shared moral principle, pre-existing social relations and historical precedents.

The issue, behind this point, regards the link between knowledge (about situations, actors, issues and history) and decision-making, let alone prediction, which is in no way easy to establish. One could – a bit provocatively – assert that the best policies are not necessarily based on the best information. Actually, the exploration of the link is crucial and it must first be recognised that the linkage is neither direct nor mechanical. The first step in our case is to build interpretative hypothesis on the basis of particular case studies. The second step is about generalisation. What can or must be generalised? Our viewpoint is that the core of the generalisation is constituted by social configurations as a set of actors, resources and issues, and mechanisms and processes underlying the translation of tension into conflict. In other word, we are pleading here for a qualitative and inductive form of generalisation (as opposed to quantitative and statistical generalisation) (see Mitchell 1983). We will come back to the third point (the tricky one) in the last chapter of this report: what is to be done on the basis of rich case studies and sound and cautious generalisations in terms of risk mapping, conflict prevention and policy recommendations? The first elements of the answer can be found in the following discussion about cartography. What can be put on a map on the basis of the analysis and hypothesis we propose here?

3. Mapping space or history? Identifying configurations and mechanisms?

As said in the last section, prospective and conflict prevention must take root in a sound historical knowledge. On the other hand, the cartographic representation of land conflicts and of risk situations raises several difficult questions.

The first one is about the scale of analyse and representation:

- ▷ Social relations related to land go across different scales. For instance: patron-client ties between local authorities and civil servants or politicians; the influence of international aid

policies on the local implementation of land programmes; the importance of the regional settlement history in structuring land conflicts between villages or wards; the embeddedness of individual –disputes in the history of migration and inter-villages relations... The mapping on a specific scale will have a meaning only if put in relation with the mapping of other levels and contextualised within a specific case study;

- ▷ According to local factors, the level of structuring and unfolding of conflicts might differ. Conflicts between farmers and herders cannot be understood at the village level as herders move from one *terroir* to the next one and are part of harmonious or disharmonious relations between villages. According to societal models, village authorities develop a political vision anchored within the village or encompassing inter-village ties (as the Minyanka in Mali or the Winye in Burkina Faso). In other cases, local conflicts can result from state-level strategies and decisions, as we show it below with Senegal and Kenya case studies.

In Kenya highlands, one can identify three local factors of conflict: The uneven distribution of soil quality between groups, the presence of White settlers' farms concentrating the bulk of local wealth, the strong divide between Kikuyu and Kalenji ethnic groups, the immigration of strangers in the region. A hasty cartography of these issues would 'spontaneously' concentrate on their local configuration. However, the historical analysis of these conflicts reveals that the conflict epicentre is Nairobi. The construction of Kalenji ethnicity against the Kikuyu ethnic group and the migrations of newcomers to the Highlands are actually driven by Moi's government in relation to the elections. Moi's strategy aims at creating a conflictive situation as regard land giving him room for suppressing Kikuyu opponents and evict them from this territory in order to create a Kalenji 'client constituency' (Médard 1996, 1998). What is to be mapped in this case: Moi's electoral strategies? Cartography would make sense only as an apt illustration and clarification of a narrative. It would not have any descriptive and comprehensive value.

Moreover, there is a risk of artificially spatialising history through cartographic representation. The societies under study partake in common global dynamics. Nevertheless, their responses to these dynamics bear the hallmark of their peculiar history and features.

- ▷ For instance, Wolof colonisation of the groundnut basin in Senegal and Mossi colonisation of the cotton belt in south-west Burkina Faso were achieved by similar societies (traders and warriors empires) on the basis of the same motivation (shifting the demographic pressure from old cultivated areas to new commercial cropping zones). Nevertheless, they do not result in the same social dynamics. Autochthonous societies are different and so are the states vis-à-vis the settlers and development policies.
- ▷ In the East African context, Homewood et al (2004) clearly show that Maasai migrations on both sides of the Tanzanian/Kenyan border do not produce the same social effects. Although ethnic politics in Kenya is explicitly directed against the Maasai, the latter manipulate successfully the situation and make their access to resources secure enough. In Tanzania, a national discourse replaces ethnic politics. However, the poorest farmers are the Maasai. One can understand the consequences of the variable migration/colonisation only through a detailed work of political contextualisation.
- ▷ In the same way, Fulbe and Tuareg pastoralists' move to the south results in diverging consequences. From the Senegal valley to the Niger Delta, from the lake Chad to the Rift valley and Maasailand, the reception of pastoralists by farmers ranges from co-operation to

bloodshed. The understanding of the link between both groups requires the historical contextualisation of their relations on the long run.

One can indeed identify a list of objective factors of change but the huge variability of their local expressions (conflict, negotiation, tension, dispute, alliance, co-operation) makes difficult any serious attempt to map them. However, it can reveal relevant to conceive cartography not as a mere descriptive tool but as a support for problematising and putting situations in a comparative perspective. This implies to rely on fine-grained case studies.

- ▷ Following Raynaut's approach (1997), we can cross case studies and highlight regional variables underlying spatial configurations and dynamics resulting in tensions and conflicts.
- ▷ The result of this cross-checking of local or regional situations allows identifying areas of risks but does not explain the mechanisms. We must thus go back to in-depth case studies in order to grasp the logic of conflict outbreaks and development.

In the next sections, we will present situations of change and tensions, sometimes of conflicts combining factors that can be found at different levels and scales and in different places in Africa. We will try to highlight "ideal types" or generic situations. These are configurations or qualitative models that can help understand the development of tensions into conflicts in situations made of similar combinations of factors, elsewhere on the continent.

However, in the final chapter, we will come back to the cartographic issue from a participatory mapping point of view. The idea is to go beyond the descriptive and analytic function to see map as a tool for action within negotiating procedures as regards access and control over natural resources.

Part II. Factors underlying conflicts over land and water resources within African dry-lands

I. FACTORS UNDERLYING CONFLICTS OVER ACCESS TO LANDED RESOURCES

Before presenting our sets of factors underlying dynamics of landed resources access, we want focus on how the literature has presented these factors through three historical steps.

1. Land tenure change and conflicts through history: three viewpoints

In the introduction of the book that fuelled the renewal of land tenure issues, Downs & Reyna (1988) analysed colonial and post-colonial attempts to commercialise African societies as roots of the current dynamics. They then suggested that consequences of commercialisation are the main objective factors of change in social relations to land which increase land conflicts (see studies of Berry, Goheen, and Raynaut in Downs & Reyna 1988):

- Unbalanced agricultural commercialisation as a direct consequence of the colonial and postcolonial attempts;
- Competing land tenure systems linked to states' land tenure reforms;
- Rapid growth of population in some areas of migration dedicated to commercial agriculture.

A decade later, in one of the rare attempts to get a regional outlook of natural resources management in the West African Sahelian strip, Raynaut (1997) go thoroughly into the Downs & Reyna idea. He highlights that within Sahelian societies the emergence of landed resources issues result from the combination of:

- The introduction of the monetary economy (“employment relations”, commercial agriculture, market relationships);
- the construction of Nation-states through development policies and land tenure acts (promotion of agricultural area; politics of migration);
- the scarcity of space under the demographic pressure due to migration and the concentration of population into some area of production provide by State and NGO, and also due to agro-ecological constraints (drought periods, degradation of old soils);
- the historical emancipation of the working force (the end of the slavery, the erosion of lineage structures);
- internal social dynamics of Sahelian societies (lineages fragmentation, the decay of agrarians cults).

Recently, in a polemical and stimulating article, Peters replaces struggles over landed resources within two deep socio-economic and socio-political dynamics unfolding throughout Africa since 1980s (Peters 2004: 280):

- The commodity production, and the economic diversification among rural peasant families due to structural adjustments and market liberalization, which have favoured the fall of produce prices and the increase of inputs and food prices (ibid: 285);
- The political economy of states' weakness and her instrumentation by national elites tied-up with international actors such as oil and mineral companies, logging companies, agribusiness and tourism operations (ibid: 288-290).

Within these two deep dynamics, she highlights conclusions of several case studies about causes of social conflicts over landed resources:

- Intensified commercialisation and commodification of agriculture;
- Increasing population by (in)migrations into densely populated areas;
- Alienation of large areas for plantation and conservation;
- Overvalued resources as wetlands and river valley due to dryness and irregular climate or due to development projects;
- Policies of entitlements and registration, and broadly land tenure reforms.

Through this quick review, the same factors of change appear approximately. Indeed, demographic pressure, environmental volatility, legal confusion, socio-political and socio-economic inequalities shape the land tenure issues as factors of change which have increased intensity and frequency of conflicts over landed resources in the two last decades (Downs & Reyna 1988; Hesselting & Ba 1994; IIED 1999; Cotula, Toulmin & Hesse 2004).

2. Three sets of factors of change and their consequences

We have suggested that these dynamics are not inherently factors of conflict. They are factors of change that, according to specific contexts and combinations, favour tensions and conflicts. In the same time, we cannot explain conflict over landed resources with only one factor. Then, we suggest considering the observed situations by taking into account *sets of factors* and their *regular consequences* over natural resources access.

Demography and environment

Demographic factors	Increase of demographic pressure by migrations Increase of stock into areas of commercial production
Environmental factors	Dryness, volatility in climate, soil erosion making resources scarce and constituting some resources as strategic and overvalued (irrigated areas, pastures, dry season water points, wetlands in drylands)
Consequences	Competition and concurrency over resources

The combination of demographic and environmental factors makes competition for resources between individuals and groups higher (Ngadala 1992; Freudenberg 1992; Hesselting 1994; Odgaard 2003). However, these factors seem to fuel disputes as a background and not as key factors (Gendreau 1992 citing Ford 1995; Pourtuez 1992; Schwartz 1992; Luxereau 1996). Thus, for instance, commercialisation and commodification increase the effects of environmental and demographic factors.

Law and development

Legal factors	<p>Contradiction between national and customary borderlines (Schmitz 1993; Bouju 1999; Walker & Peters 2001)</p> <p>Imposed registration and entitlement against customary rights (Shipton 1988; Platteau 1996, 2000)</p> <p>Unachieved decentralisation/deconcentration toward local institutions not yet downwardly accountable (Ribot 2004)</p> <p>The possibility to resort grabbed administration and ward courts in land affairs (Sheridan 2000; Klopp 2000)</p>
Development factors	<p>External interventions (state and NGO) reset local NRM systems and contribute to the emergence of new claims and disputes (Mathieu, Benali & Aubriot 2000)</p>
Consequences	Competing rules and situational adjustment

Blended effects of these factors contribute to create “open moments” within which competing interests rise up. Within these moments, some “well-connected” actors can claim new rules to reset institutions and take over. These moments enact opportunistic behaviours and situational adjustment (Berry 1993; Van Donge 1993; Chauveau & Mathieu 1998; Lund 1998, Le Meur 2002).

Politics, policy and economy

Socio-political	<p>The unequal land distribution tied to capture of “peri-urban” resources by urban elites (state agents, merchants, investors, politicians, etc.) and, broadly, to the dispossession of smallholders by land tenure policies (Shipton & Goheen 1992; Besteman 1994; Shivji & Kapinga 1998; Munei & Galaty 1999; Pons-Vignon & Solignac Lecomte 2004)</p> <p>Law about nationality based on ethnic claims of control over landed resources, and linked to the reduction of rights of migrants and pastoralists (Schmitz 1993; Médard 1998)</p> <p>Reduction of land tenure rights of women and young in some rural societies (Peters 1997; Kurimoto & Simone 1998; Hesseling & Ba 1994; De Bruijn et alii, 1998)</p> <p>The competition between or in social groups is an important point. In many case, the competition over resources reshapes social tensions around landed resources and water access (Raynaud 1997; Schmitz 1998; Southgate & Hulme 2000; Peters 2004)</p>
Economic factors	<p>Commercialisation and commodification are reshaping African agrarian systems change toward enclosure, individualisation, and production and land markets (Down & Reyna 1988; Youé 1991; Raynaud 1997; Bernstein & Woodhouse 2001)</p>

	The capture of land by national and international investors for commercial agriculture, tourism, conservation, and mining speculations (farm enterprise, game reserves, protected areas, etc.) (Ribot 1999; Alexander & McGregor 2001; Hammar 2001; Homewood, Coast & Thompson 2004; Cotula, Toulmin & Hesse 2004)
Consequences	Increase of social inequalities

Socio-political and economic factors make social status-based inequalities (male/female, elder/young, free/slaves, firstcomers/latecomers...) higher. These inequalities over landed resources access contribute to tensions through the fact that people think these inequalities are not legitimate. In addition, people who get high social-capital, people who are “well-connected” are more able than the others to use conflicts to get land, implement land concentration, enclosure, then to impulse processes of exclusion (Hoben 1988; Kerner 1988; Woodhouse, Bernstein & Hulme 2000; Ribot 2004; Peters 2004).

3. Potentially conflictive areas and actors

Counting the precedent factors in, with IIED (1999) and Raynaut (1997), we assume that the following areas are particularly exposed to conflictive situations:

- Migration areas (soudano-sahelian strip, administration centre, water points, commercial agriculture areas);
- Pastoral areas (pastures; dry season water points; stock corridor);
- Peri-urban areas;
- Areas exploited by public or private investors (game reserves, parks, farm enterprises);
- Development project areas.

Within such a situation, potentially conflicting groups are:

- Social group (households, lineages, clans) in the same or in different villages;
- Socio-spatial groups (villagers, neighbours);
- Pastoralists and agriculturists in wetlands (southern Sahel; around great ponds and lakes)
- The different pastoral communities competing over pastures and dry season water points;
- Autochthonous and migrants (firstcomers/latecomers);
- Urban elites and peri-urban population in towns with a sustain growth;
- Elders and youths;
- Men and women within societies where women land tenure rights have been clearly weakened;
- Local smallholders, public and private investors (game reserves, farm enterprises, parks)..

II. IDENTIFIED AREAS: FROM TENSIONS TO CONFLICT OUTBREAK

1. The Senegal Valley

The case study: J. Schmitz, 1993.

In this case study, Schmitz has shown how the violent conflict between Senegalese and Mauritians, and between Mauritanian social groups, had its roots in local tensions over landed resources access generated by the introduction of irrigation systems. He has shown how the contradiction between the two national land tenure acts was the spark that turned social tensions into open conflicts.

- The emergence of the conflictive scope of land tenure through the reshaping of social cleavages around the land access by development intervention and policies is well documented and analyzed. Although processes of ethnicisation and nationalisation, due to Medias and NGO, are not analyzed nor the processes of settlement, this is a major case study to understand the making of social tensions over landed resources access.
- This study is related to Boutillier & Schmitz (1983) about the social organization of landed resources access in the valley and a press review in *Le Monde* 1988/1992 about the unfolding of the Senegal/Mauritania conflict.

Historical trends

- ▷ The socio-political organisation in ancient Toucouleur, Fulla, Wolof, and Mauro kingdoms.
- ▷ The promotion during 1980's of village and small irrigation systems to intensify agriculture and forecast the building of the Manantali barrage that impeach to pursuing agriculture based on the rise and the drop in the Senegal River level.
- ▷ The development of international migrations networks, which invest in irrigation system promoted by State and NGO.

Major factors of conflicts

■ **Contradiction between State and customary borderlines.** The first objective factor that could contribute to conflicts is the contradiction between State and customary boundaries. In fact, while the ancient Kingdoms of the valley have organised their boundaries accross the Senegal River, the administrative border between Senegal and Mauritania has been drawn along the river. Therefore, people from Senegalese villages get land in Mauritania, and conversely. In 1989, when the two States implemented two contradictory land tenure acts, conflicts between Mauritanian and Senegalese cropped up.

■ **External development interventions.** The external intervention of state and NGO, which has reset environmental conditions, constitutes a factor, which shapes the conflictive dimension of this area. During the 1980s, the construction of a barrage at Manantali minimized the rise and the drop in the Senegal River level, and impeded peasants from pursuing their agrarian system based on the motion in the river level. NGO and State, so much in Senegal than in Mauritania, promoted village and small irrigation systems. Through this,

they overvalued land and forced local societies to reevaluate their NRM systems. In addition, the conditionality as regards the creation of irrigation groups contributed to favour the larger groups at the expense of the minorities. Broadly, they contributed to the emergence of new kinds of claims, and reveal and reshape tensions between local social groups.

■ **Commodification and socio-economic inequalities.** These two factors are linked. The promotion of irrigation systems and cash cropping entailed that land was overvalued by local “big men” in Senegal (involved in international migrations networks) and urban investors in Mauritania who invested in such irrigation systems. They accumulated many plots and generated land scarcity for the local farmers who do not have means to invest and get plots. This has created an unequal land distribution tied up to the capture of resources by urban and local elites. The Mauritanian land tenure acts of 1989 has clearly organized and enforced this dispossession of smallholders. This spark has launched violent conflicts between Mauritanian and Senegalese.

■ **The social competition between or within groups.** The Ancient Kingdoms of the Senegal Valley are structural along characteristic social cleavages. Schmitz (1993) identified and analyzed cleavages within lineages; within villages between districts or lineages; between “villages-territories”; and between the different hierarchical status (freemen and slaves). At each level, a certain type of tension tends to develop. The implementation of a new irrigation system reshapes them as conflicts over the valued resources injected by the intervention.

2. The Niger Delta

The case study: Barrière & Barrière (2002), Mali

The study proposed by Barrière and Barrière analyses a repertoire of 251 conflicts in the Inner Niger Delta in Mali. The quantitative study makes visible different types of conflicts observed in a situation of overlapping of spaces and professional groups. The Delta of Niger is a multi-functional space shared by Bozo fishers, Fulla pastoralists, and Bambara croppers. Political systems also overlap on this territory: Bambara and Bozo peasant societies, hangovers of the Diina state, relation of captivity between Fulla and Rimaybe. The authors do not analyse conflict dynamics from an anthropological viewpoint. However, their data allow understanding how social organisation and the allocation of space between groups has historically framed the nature of conflicts over landed resources and water.

Historical trends

- ▷ The allocation of space in the Niger delta has varied in history along the different waves of settlement, combining union and/or hierarchy between social groups. The current political organisation of access to resources has been imposed by the Fulla conquerors since the 15th century. To dominate the Delta they fought Bozo, Somono and Marka autochthonous, and reduced in captivity some Bambara, Nono, Dogon and Bobo villages. These captives, called *Rimaybe*, worked for Fulla chieftaincies of the Maacina Empire. Pastoral space, and especially *burguti* (pastures fertilized by Niger's drop in level), were controlled by major fulla lineages.
- ▷ Islamic revolution engaged by Seku Amadu during 18th century has conducted to creation of the theocratic Diina State. The resources access organisation was suddenly formalised and institutionalised through the *jowro* status. This political function was not inherited. However, it was reserved to male who one of ascendants was *jowro*. He was chosen

amongst members of owner lineages of pastures and *burguti* to manage access. He regulates going-in/-out along logic of precedence between cattle, and the management of the time. He managed also the *conngi* that strangers had to pay to reach pastures.

- ▷ The Diina formalised some spaces matching levels of belonging and authority:
- The leyde is a lineage pasture managed by the *jowro*. All members of the lineage share it. Each one is tied up, not with a name nor with a function, but with cattle as the material basis of the lineage;
- The *hariima* is a common village pasture managed by the chieftaincy. It bounds to dairy cows;
- Public pastures are out of the delta and they are locus of going-in, going-out and convergence of cattle in migration, from which the *jowro* manage entry and exit in the delta;
- The *beitel* is a payable pasture whose fees are used as “operating budget” by *fulla* chieftaincies.

The *jowro* managed various types of stock corridor:

- *burtol* which allow access to *leydi*;
- *gumpol* into *leydi*;
- *jinode* which allow to cross rivers;
- he managed also the *waldamare*, a kind of long stay rest house

Access of these infrastructures is regulated by precedence between kinship groups. Strangers are allowed to reach pastures, corridors and rest houses, but they need to be integrated into kinship groups under the authority of a *jowro* and they get pastures the last.

Major factors of conflicts

■ **Environmental volatility and increase of demographic pressure.** Drought series and the decrease of the level of the Niger have conduced croppers to diversify risk. They seek to cultivate spaces that they did not have envisage to cultivate (common public pastures and *hariima*); and they try to intensify production of their fields with cattle. Volatility in climate implies an increase of pressure on water points and pastures. This trend is doubled by the fact that the Delta attracts many pastoralists and croppers, which seek better conditions of life, and which increase the demographic pressure of humans and cattle over resources. Increase of competition over resources generates a real stress into social and political relationships. However, the Barrière and Barrière’s study reveal that, surprisingly, conflicts involve mostly into socio-ethnic groups: 30% involve between croppers, 24% between fishers, 34% between croppers and pastoralists. Amongst latter, 24% are bills of pastoralists against croppers and 9% of croppers against pastoralists. In the delta, more than the mid of conflicts are “in-conflicts”. One-third puts croppers and pastoralists, mainly because of opportunistic behaviours of croppers. Furthermore, 66% of stakes that structure conflicts are due to competing claims of limits: borderlines between villages, limits of leyde, limits of fields, borderlines of lineages authority.

■ **External interventions.** Modalities of State and Ngo interventions explain the fact that the majority of conflicts is about limits. The political organisation of access to resources in the delta lie in the interweaving of spaced-resources (fields, various kinds of pastures, water points, zone of fishing) coordinated by supra-villages authorities (lineages, *jowro*, water priest) and the relations captivity between groups. The village was a pertinent locus of management for two kinds of spaces only: *hariima* and *beitel*. The Diina collapse and the far-off power of the modern state have reinforced lineages' control over spaces and resources.

Pressure over resources controlled by fulla lineages fuels disputations of their power by croppers through three strategies:

- Closing-up harvested fields to cattle ;
- clearing and cultivation of hariima, beitel and leydi;
- agriculturalists' villages try to break away control of Fulla lineages.

The latter point is particularly strengthened by the Malian decentralization process implemented by Prefect and sub-Prefect and promoting "villagisation" and the delimitation of villages' lands in the process of local governments building. Thus, this situation polarises tensions linked to competition over resources toward stakes of limits of territories and jurisdiction, and constitutes an open moment in which authorities are open to play with the norms confusing.

3. The contact area between agriculture and pastoralism

The case study: Brigitte Thèbaud (2002), Niger

In this study, Thébaud analyses consequences of dryness on pastoral economies. However, her out-look allows to picture stakes of pastoralism in the contact area between pastoralism and farm-ing in Niger. Her study reveals several dynamics of the region. The contact between the two economies is realised at two different levels: the domestic level when pastoralists get fields to farming and croppers get cattle and the "inter-group" level when croppers and pastoralists coexist only. In this region, the two levels are intertwined with a quantitative supremacy of pastoralism. However, this region has a history marked by various migration and in-migration flux. Thébaud describes dynamics of co-operation and conflicts between groups through a local history of successive settlements and of stakes of coordination. She studies the drought of the 1970s and the introduction of boring since the 1960 as events that challenge social and political equilibrium between communities.

Conflict dynamics are not analysed, but this study shows the impact of climatic factors and of external interventions on social equilibrium between pastoral communities, and between them and croppers.

Historical trends

- ▷ The region has been marked by attempts of control by the Kanem-Borgo Empire (10th-19th) during nine centuries. Nevertheless, arabian, toubou and manga populations never submit to the Empire. The major hangover of this history is the overlapping of several levels of identities. On one hand, there are Arabians and Sao. Amongst Sao, there are those from Kanem, the Kanembu (Dietko, Sigurti, Kubri), and "those who are not from Kanem". Into the latter group, there are Kanuri (Mobeur, Manga) and Toubou (Teda, Daza, Azza, and former toubou's captives).
- ▷ Then, in 19th, the region has been marked by the foundation of the fulla Empire of Sokoto by Ousman Dan Fodio. The Jihad, which follows it, has conduced to the creation of several fulla emirates (Fulbe and Wodaabe) and to the resetting of the Kanem Empire, which catch up with Arabians.
- ▷ At the beginning of the 20th, the colonial french state was favourable to Fulbe and pastoralism. It backed them to settle-down in the pastoral corridor, which goes from the Dillia Valley to the Komadugu River (borderline with Chad). This corridor firstly occupied by Arabians and Toubou will be object of various conflicts. These conflicts will be stopped

by State intervention through creation of administrative committees, struggle against rezou, and settlement of military posts. From the jihad to the colonial State, the settlement of Fulla is done by the war. This history allows us to understand why the merest weakness of fulla communities is the occasion for Toubou and Arabians to take over fulla's wells.

- ▷ Nowadays, the region is less populated, but it hosts various groups with complex socio-political relations. At the beginning of 85', there were 295 tribes of pastoralists and 560 villages of croppers. Kanembu agro-pastoralists are mainly spread along shores of the Chad Lakes. Mobeur croppers are settled along the lake and Komadugu riverbanks. Manga croppers are more Sahelian than Mobeur: they are mainly settled close by fulla territories, and near the Nigerian border. Wodaabe pastoralists unfold along a pastoral corridor from the Chadian border to the Dillia valley. There, Fulbe agro-pastoralists are also settled with a stronger land hold. Toubou and Arabian nomads' camps are spread between Chad Lake's shores and the north of the Dillia Valley.

In short, Thébaud shows that distribution of social groups on axes and poles of resources was challenged by the construction of boreholes with free access during 60' and by the dryness of 70'.

Major factors of conflicts

■ **Dryness, volatility in climate.** In this region, the successive drought series since 1914, are events that, through the disruption of domestic economy (reduction of cattle, migration toward water points, farming), conduce to disrupt the distribution of groups in space and on resources and to reset relations between humans over resources became strategic. Thus, during the 1984 dryness numerous Fulla have chosen to go in transhumance toward the Chad Lake and the South. This strategy has weakened their land hold in the Dillia Valley. Toubou took this opportunity to cross the Valley and seize wells with the help of Arabian razzia that reach to control drillings between the Dillia Valley and the Komadugu River. During the 90' (Habre's ouster and the spread of rebels), the fulla militias take possession of these wells in arms. In 1998, fulla and toubou territories were clearly defined on both sides of the Dillia Valley. The peace between Fullas and Toubou has been made through three dynamics: 1) national agreements of peace between the State and rebels; 2) the intervention of fulla and daza elders; 3) the communities' deputies as representing statement to reach a peace agreement and to strengthen the security on markets.

■ **External interventions.** The introduction of boreholes and drillings since 60' has disrupted the fragile communities balance. Without any rules of management, access to boreholes and drillings of the Dillia Valley was managed by contiguous camps. Nevertheless, when the dryness led Northern fulla, toubou and manga communities to reach boreholes, problems came with them. The concentration of users of the resource, former social tensions between groups and the lack of rules of access and precedence have made an explosive mix will be calm down by the return of rain or with arms. Each drought makes boreholes as economic stakes on which social tensions and cleavages between groups are grafted. According to Fullas interviewed by Thébaud: « Le bonheur est parti et n'est jamais revenu, parce que le forage avait ouvert toute grande sa bouche pour dévorer la brousse et sa faim ne s'est jamais arrêtée » (Thébaud 2002: 33).

■ **The competition between or in social groups.** The main competing cleavage in the region concerns the Toubou/Arabians group and Fullas. Colonists settled them down on spaces initially populated by toubou and arabian pastoralists. Nevertheless, bit by bit, through fields, wells, and sometimes by acquirement of Manga's bowls, Fullas have practiced farming

and have ensured their land holding on the valley. In addition, most boreholes were built on fulla territories without any rules of management. The competition introduced between communities graft on political cleavages and constitute new factors of conflicts.

4. National politics and local land tenure conflicts

The case study: Armelle Faure (1993)

The Faure's case study highlights three major points:

- How the conflictive expression of social tensions is implemented about spaces and at moments which are both uncertain;
- to which extent land tenure conflicts are the expression of a social « dis-embeddedness » of economy;
- which role plays the State in the regulation and the arbitration of these processes?

Historical trends

Four trends feature this area:

- ▷ The symbolic competition between two villages since the colonization, to know which one will control the other;
- ▷ Beghedo is settle on the Niaogho territory, and does not get management rights over land, only use rights;
- ▷ the construction of a bridge between the two village and the implementation of the prefecture in Beghedo;
- ▷ the government subside and the proclamation of the Revolution by Thomas Sankara.

Major factors of conflicts

■ **Tensions between social groups.** This case study describes clearly the link between local tensions, land tenure situation and national competitions and decisions. The first factor, which contributes to create a situation of tension, is a kind of historical symbolic competition between villages. A competition to know which one is the “greatest”, in words of economic power or in words of political power. Each village and their supporters found their power on a specific repertoire of norms and different historical references and events. Such symbolic competition is not only rhetoric. First, they are anchored in land tenure situation between the two villages : Beghedo is the richest village but do not have any land, it is a vassal village of Niaogho; the latter is the most ancient village and get political power even if it does not get economic power. Second, these competitions have concrete and material consequences when they are resorted to get new resources flux and to fuel political competitions at the national level.

■ **External interventions of State.** The symbolic competition between Beghedo and Niaogho will be fuelled by two interventions of State: a bridge between the two banks of the river Karambé, which separate the two villages and the setting up of the Prefecture in one of the two villages. Each intervention will be implemented without count in the tensions between the two villages. Material, political, and social resources carried with the bridge and the Prefecture will fuel symbolic tensions and turning them in conflicts.

■ **Political tensions at the national level.** The investment of national politicians who are also “village's sons” of Beghedo and Niaogho in national political events of 1983

(revolution), will contribute to increase local tensions as far as the use of military weapon and death.

5. The densely populated cotton area

The case study: S. Hagberg, 1998

According to Hagberg's case study, the question is not as much how conflicts emerge in specific context as how from a same fact – for instance damage to crops – some disputes are quickly settled and other are not settled, take a very long time before, or derived into violent conflicts. To understand this he analyzes the process of the conflict of Comoe in 1986. First, he analyzes the emergence of disputes as a disagreement on the description of the fact – for instance the field was harvested/it was not – and, secondly he describes the conflict as a social field tense “Between Peace and Justice” in which various actors and institutions are involved.

Even though broad factors underlying conflicts are not in-depth analyzed, the conflict process is well documented and described. It is a major case study to understand conflict dynamics and processes of settlement.

Historical trends

- ▷ Socio-politically, the neighbourhood of various peasant lineage societies features this area across the Mali/Burkina Faso border.
- ▷ In-migration of Mossi from the Yatenga (Northern Burkina Faso).
- ▷ Promotion of the cotton production and the Volta Valley Surveys that increased in-migration.

Major factors of conflicts

■ **Commercialisation and commodification.** The promotion and organization of cotton production is the main economic feature of this area. Firstly, because it has reshaped the local production system and it has drawn conditions to attract great migrations flows from the north of the country. Nevertheless, the process was different in Mali and in Burkina Faso. 1) In Mali, on the natural, economic, and technical sides the environment has been very secure and has permitted a high appropriation of cotton cultivation by Minyanka and Senufo societies. In addition, these societies had important land reserves and have benefited of a long wet season, which have allowed them to intensify productivity. The evolution toward cotton commercial agriculture was rooted into the internal transformation of local production systems within a very favourable environment. 2) In Burkina Faso the process is less integrated. The process is deeply rooted into the massive migration stream of agriculturists from Mossi Highlands to the South to get new lands. The Volta Valley Surveys and the policies of cotton agriculture promotion increased this ancient stream. While in Mali, this promotion benefited of a favourable management toward local societies, in Burkina Faso it was oriented to pioneers with little economic security. Mossi roots this process into a kind of land tenure colonization to southern lands. It has shaped tensions between autochthonous and migrants over land access.

■ **Demographic pressure/competition between or in social groups.** On both sides of the border the demographic pressure over landed resources was highly increased by migrations of pioneers who cultivate according to extensive practices, of pastoralists during drought periods of 1970s and 1980s, and by the correlative increase of stocks through the

combination of agriculture and stock as much by agriculturist as pastoralists. This process favours tensions at two overlapped levels: autochthonous/migrants, pastoralist/agriculturists.

■ **Local State institutions not yet downwardly accountable.** In Burkina Faso, the co-existence of various politico-legal institutions that are not coordinated favours actors to exploit conflicts to get social, economic, or political advantages. As Hagberg and Lund (1998) shows it, conflict resolution evolves along the resort to various institutions and actors that try, more or less, to exploit the conflict to get social and political legitimization.

6. The commercial area of Niger

The case study: Christian Lund (1998)

Lund's case study is a major analyse of social and political consequences of land tenure reform at the local level. He shows how the Rural Code and the introduction of land tenure commissions creates a legal pluralism context and increase situations in which actors can challenge local institutions, authorities and rules. From the analyze of a corpus of 98 conflicts which unfolded in the department of Zinder, Lund draws various conclusions about types of conflict, the involvement of politico-legal institutions in the conflict processes, and the role played by the Rural Code in the increase of conflicts.

This case study is one of the major analyses of the construction of institutional open moments. Lund shows well how such situations allow some powerful actors (in words of social connections, economic capital, cognitive capacities...) to challenge former rules with new rules fitted to their interests. He shows also, that a structural dialectic between individuals and politico-legal institutions, insofar as the resort of an authority by an actors to support his claim is a process of recognition of the power and the legitimacy of this authority in land tenure affairs also. They are two important processes to understand conflict's emergence and dynamics of unfolding and settlement.

Historical trends

The arrondissement of Mirriah, Zinder district is one of most densely populated of southern Niger (22 inhabitants/mi²). Migrations and informal trade at the nigerian border dominate local economy. Insomuch the naira replace the franc cfa in the most commercial transactions. The local market economy is embedded in the old Hausa Empire's organisation of economy and of resource access. As a result, about land tenure, market, concentration, and speculation exist since a long time.

"... land is increasingly scarce and expensive to acquire for the rural producers, while low productivity often makes other investment options more attractive for the rich, urban-based merchant class" (Lund, 19998, p. 58). While, latter invest in transport, trade, housing estate and urban land tenure, get plots in rural area without invest in. Therefore, peasants are face to face with a land market with high costs and a farming sector few dynamic.

Ethnic groups present in this area are locally distinguished between Hausa and Hausa-speakers. While Fulla and Buzu are bringing together in the latter group, Beriberi are assimilated with Hausa.

Amongst moral principles of the hausa social organisation, Lund highlights that we have to count in the arziki to understand the dynamics of the conflict. Associated with the notion of force, the arziki gives the socially recognised capacity to override social rules: « ...excellence,

success or the transgression of normative boundaries are the only valid signs of *arziki* – i.e. the transgression is in itself its justification... » (Lund, 1998, p. 61).

In the Zinder district, Lund has identified a “tenurial triangle” of claims of property according to the origin of the right:

- First occupant’s claim;
- tiller’s claim;
- buyer’s claim.

With ambiguity, the colonial period recognised the first occupant’s rights and the tiller’s rights. Then, the reforms of 1960-61 recognised only the tillers’ rights. Currently, in case of contradictory claims, the Rural Code gives the power to local authorities to recognise first occupant’s rights to establish the individual private property on land.

Nowadays, in addition of the overlapping of the different rights’ origins, authorities, or politico-legal institutions, which can pronounce rights, are overlapped also:

- The *chefs de canton*, were established by the colonial administration to organize the territory and to locally represent the Administration. The post-colonial State attempted to constraint their power placing them under the Prefects and sub-Prefects’ authority;
- sub-Prefect;
- judges pronounce the right in line with a translation of the custom right through the Law;
- political parties which attempt to influence the settlement of conflicts through their supporters;
- the police, which establish statements and contribute to establish facts;
- the Sultan of Zinder;
- the land tenure commission set up by State to manage local land tenure issues.

The Rural Code of Niger coincides with the National Conference during which the democratic constitution of Niger was established. The National Conference was conducted around three major topics: political assassinations since the Independence; grabbing of the administration; socio-economic ruin of the country. The discussions have been broadcasted on radio, and many new papers appeared. The general mood of the conference was the reject of the past, the challenging of authorities, and the will to shootout the past. Politically the National Conference and the Rural Code had two main consequences:

- ▷ The fact that land tenure conflicts are not forbidden anymore, contributes to the formal recognition of the local administrative hierarchy (village chief, chef de canton, sub-Prefect, Prefect) as frame of conflicts settlement;
- ▷ the turn-off of the military State’s victims associations into political party, as the AMACA which have sustained Hausa people against the djerma power and which became the CDS, the major party of the new governmental coalition.

Major Factors of Conflict in the Commercial Area of Niger

■ **External intervention of the State.** The factor of conflict analysed by Lund is linked with local consequences of legal land political interventions of the State. He analyses these consequences as the production of a situation of institutional pluralism, within which the precedence and the hierarchy between authorities are unstructured and unpredictable. Therefore, while there is a formal hierarchy expressed by local discourses, in practice, the involvement of institutions into land tenure conflict is the occasion of a competition to determine which authority is legitimate. Such situation is an “open moment”, within which

actors can play with rivalries between authorities to the advantage of their own individual strategies and of new opportunistic behaviours. Lund get two main findings about this question:

- ▷ There is a dialectic between actors' claims and the recognition of the authority which support them. The hierarchy between authorities is not predictable, it is established during the conflict process. Within each conflict process there is a dialectic between the challenging of former rules to the advantage of individual strategies, and the fact these former rules could be challenged by new rules only. Therefore, finally all challenging process reaches to the establishment of an institutional hierarchy, the recognition of authority, and the implementation of rules... until the next conflict.
- ▷ Nevertheless, in the case of Zinder, the introduction of the *commission foncière* into the former local competition between the Sultan, the chieftaincies and the sub-Prefect contribute to a kind of perpetual process of challenging, with a short cycle, renewed with conflict. Therefore, hierarchies, rules and authorities are frequently challenged when one of the opponent get the occasion to replay the conflict to his advantage, because at no moment the precedence and the coordination between authorities sound open to be stabilized.

7. Economic system and development narratives as roots of conflicts between administration and farmers in Sudan

The case study: Victoria Bernal (1990)

Bernal bring together two case studies to understand conflicts between peasants and irrigated systems societies in Sudan. She tries to explain how interests of societies can contaminate the viewpoint of consultants and researchers, who contribute to reinforce policies that favour conflicts over resources. Thus, in the Wad al Abbas region, irrigated schemes were attacked violently twice times:

- In 1966 peasants attacked managers and staff. The police and the army have intervened;
- in 1982, young schooled villagers damage all buildings, furniture and offices of societies;
- below these violent expressions of resistance, Bernal highlights silent and passive forms of resistance that reveal also tensions and oppositions between peasants and irrigated system societies.

According to the author, roots of the conflict can be finding in the evolution of agrarian system imposed by the government and companies to peasants. They notably imposed irrigated systems for cash crops at the expense of food producing.

Historical trends

During 20', the British colonial administration of Sudan and a British private company established a joint venture to exploit irrigated systems dedicated to commercial cultivation of cotton, wheat, and peanut.

- Irrigated plots are given to inhabitants, on which they have to cultivate cotton, food-crops and fodder;
- farming agenda, watering, crop association and rotation, and the commercialisation of cotton are managed by the company;
- in return, peasants are backed to get credit, fertilizers, pesticides, and selected seeds.

During 60'-70', while international cotton prices fall-down since 50', British and Sudanese governments made cotton production as a priority of national agrarian policy. In fact, for peasants cotton does not fetch money and needs lot of work. But the system of distribution of inputs and credits puts most of peasants in debt with companies. Thus, they have to work on cotton fields to refund credits. Along this system, a competing logic is implemented: the commercial production of cotton imposed by State and companies according to financial interests versus the food-crop production required to the household's livelihood. According to Bernal, this strong contradiction of production objectives contributes to a conflictive situation between companies and peasants. This contradiction will be revealed during the 1984-85 starvation: the national agricultural production is exported and the food production is not enough to feed local populations...

The other conflictive point between peasants and the company concern work management. Inspectors are in charge of looking after peasants' work and their productivity on commercial fields, and they fine them.

While the low investment of work by peasants into commercial fields is analysed by experts as idleness, for peasants it is a real strategy of distribution of work and workforce between imposed farming and food production. Peasants tend to work mainly on their fields of sorghum rather than on commercial fields that fetch them not enough. In addition, they got extra-agricultural jobs to bail out themselves. The strategic behaviour of peasants to diversify their incomes is analysed as an anti-economic behaviour by experts and researchers. Such a vision has consequences on the decision-making about agricultural policies:

- Companies implement frame of incitation to cotton production without taking in count the consequences of the development of commercial cultivation on food production
- quite obviously, incitation and condition of transfer of work from food-crops toward commercial production are implemented to the expense of food security.

Major factors of conflicts

■ **Economic contradictions.** The main factor of tensions between peasants and joint ventures rests upon economic and agrarian conditions imposed by projects. They are irrelevant with local modalities of work and farming priorities management. On the one hand, cotton not fetches enough to household and needs great investment in workforce. On the other hand, strategies of production are mainly oriented toward diversification of risks at a larger level than the individual landholder level. While, joint ventures implement a restrictive system to concentrate peasants' work investments into cotton, latter reproduce a system within which cotton is one resource of many. Within these conditions, we can understand pressure and contradictions that conduces peasants to damage violently joint ventures' buildings and staff...

■ **External interventions of State and joint ventures along a development ideology.** Bernal highlights that those strategies of development, which conduced to peasants riots and to the 1984 starvation, were funded on inaccurate analyses based on joint ventures commercial interests. Researchers and experts who worked with these companies had ensured a function of ideologists of development. They implemented managerial schemes of thinking :

- Reification of irrigated schemes as an autonomous economic entity, "dis-embedded" from local agricultural systems;
- Subjection of villagers: they are considered as "target group" instead of citizens in their rights;

- While local farming systems are embedded in spread social entities, at the scale of which strategies of production and workforce management are implemented, analyses rest upon the model of the individual landholder.

This kind of construction of the peasants' reality is case in point of the development system. It demonstrates that development projects do not take in count the reality of local populations. Bernal shows well how this kind of analyses conduces to make policies that contribute to situations of tensions for peasant households and to conflicts between them and with companies.

8. Politics and policies of entitlements in the Jubba Valley, Somalia

The case study: Catherine Besteman (1994)

Besteman aims to show that policies of entitlement implemented in Somalia in 1975 do not increased so much agricultural production than social inequalities. Her study does not rest upon a conflicts emergence analysis. However, she highlights how State's interventions about entitlement can generate new inequalities and reshape those that already exist around land tenure stakes.

Historical trends

Former slaves from east-african tribes (Yao and Nyassa) populate the Middle Jubba Valley, Somali. In fact, inhabitants are migrants who leaved the South. There, they reproduced a social organisation based on kinship and lineages, whose the identity is based on the name of the clan from which ancestors have been slaves. Lands of the village are well delineated. Croppers distinguish three types of plots: riverbanks; *dhasheeg*, low-lying depression of periodically flooded fertile soil; *doonk*, higher ground where rain-fed farming are practised. Land is acquired by inheritance, purchase, gifting or, in the past, through the independent clearance. The risk-aversion strategy of most croppers conduce a system of fragmented plots. A household owns several small plots spread on the village and nearby territories. The social differentiation is based on lineages and its segments, and on elder relationships. The main source of economic differentiation lies on the quality of exploited plots, which is determinated by the rank of the lineage.

The Middle Jubba Valley is an agricultural zone with high potentialities for investors and merchants. The land registration law of 1975 is defined for them. In fact, it brought all land under the authority of State and override customary land tenure. Households have to register their plots to obtain free un-inheritable leasehold of 50 years. One title is given per household. 30 ha of irrigated plots, 60 ha for crop cultivation, 100 ha for banana plantation. However, there were no size limitation for cooperatives, State farms, and private companies, and "all registered land had to be developed within two years following registration, and land left idle was subject to repossession" (Besteman, 1994, p.496).

Major factors of conflicts

- **Imposed registration and entitlement against customary rights.** The registration law's provisions are radically different of peasant practices: fragmented plots vs. One title per household; inheritance and transfer of rights vs. un-inheritable and un-transferable title; fallow and land reserve vs. agricultural enhance must.
- **Grabbed administration.** Title is free. Nevertheless, gift, thanks, grace, and backhander to ensure the procedure make the title very expensive for peasants.
- **The unequal land distribution tied to capture of resources by urban elites.** The lack of knowledge of peasants about locus and processes to obtain titles contributes to favour urban elites. Latter are well socially connected to State agents. Thus, merchants, investors, and officials get great plots overriding local owners. "village's sons" who come from cities are involved in strategies land accumulation. Firstly they obtain plots through customary ways, and then they register their plots and nearby ones - and sometimes all the zone – in their name. Such a strategy leads to a legal and military land dispossession of peasants to satisfy urban elite's prestige and land speculation.
- **The competition between or in social groups.** These strategies are graft on tensions between social groups. On the one hand between villagers and "outsiders" who appropriate village lands, and, on the other hand, amongst villagers when entitlement allows a household chief – along an opportunistic logic – to refuse access to land to his woman and children.

9. The Kenyan highlands and wetlands

The case study: Southgate & D. Hulme 2000 related to C. Médard 1996, 1998

The Southgate and Hulme's case study analyze in depth environmental, economic, institutional, and political factors that contribute to divide the commons wetlands in Southern Kenya. They highlight two major points. Firstly, they show how this process is embedded in social cleavages and how it reshapes tensions around landed resources access (wetlands and pastures). Secondly, they link up turning of tensions into open conflicts with the "ethnic" construction of the State and the territory by the KANU and the President Moi (1978-2002). While they do not analyze processes of arbitration – related with Médard's analysis (1993, 1998) – their case study allows us to understand how the tie of the politics of belonging at the national level and the dynamics of local socio-economic systems contributes to turn tensions into violent conflicts.

Historical trends

Colonial and post-colonial States of Kenya organised their relations with population and the construction of their territory along an ethnic logic. Thus, social relationships to resources access are mainly shaped by ethnic referential and by patron-client-type relationships between local elites and State's agents.

In Kenya, registration and entitlement of land are the most former and the most sustain of Africa. Colonists implemented the entitlement policy in 1950. After independency, the State follows up it, insomuch, in 1983, 2/3 of cultivated lands are entitled (Shipton 1988: 105).

Major factors of conflicts in Kenyan wetlands

- **National and international agribusiness investors.** The comparison of Southgate & Hulme's study and Médard's one, allows to understand how the presence and the role of foreign investors contribute to intensify tensions amongst local resources users. In highlands and wetlands of Kenya, the implementation of land policies favourable to investors close by the Kanu, shapes local conflicts. In fact, peasants are jammed between interests of investors and State companies.
- **Development.** Implementation of ranches and irrigated schemes leads to three main processes. Firstly, the appropriation of commons by groups which manage ranches and irrigated schemes. Secondly, Kanu representatives infiltrate these groups and contribute to unfold patron-client-type relationships that reshape former tensions. Thirdly, fittings contribute to over-value resources and spaces. Within such a context, resources access stakes reshape social tensions.
- **Land tenure Policies and politics.** Land tenure policies in Kenya were based on ethnic referential. During most of elections, from government to local committees of ranches and irrigated schemes management, most of actors linked to State manipulate ethnic referential. This instrumentation contributes to crystallize groups' relationships and to turn social tensions into conflicts over resources access.

10. The Tanzanian game-reserves and protected parks

The case study: Homewood & alii (2004)

The Homewood and alii's case study takes place in the Serengeti-Mara ecosystem. This area consists of the contiguous core conservation areas of the Maasai Mara National Reserve, Kenya, and the Serengeti National Park, Tanzania. In this specific context invested by national and private investors for tourism, commercial farming, and livestock breeding, the goal of Homewood and alii was to understand how trajectories of exclusion and socio-economic change have been increased conflicts or coordination over landed resources. Broadly, they conclude that national and international investors manipulate tensions due to socio-economic change. 1) In Kenya, local tensions are due to land pressure and insecurity inherited from high flows of in-migration foster by state and the multi-actors context which results from this. Local elites to fuel their class and patron/client relations with national elites exploit the irruption of disputes often. 2) In Tanzania, land tenure law let the way open to investors to the detriment of local customary users of land. The access to landed resources is widely shape by competition between *ujamaa* villages (village which land is registered), the accumulation of land by national and international investors, and the Land Tenure Act of 1992 that aims to extinguish all customary rights. In this context of high competition, rural poor access to landed resources is squeezed.

While it does not analyze process of settlement, this case study well analyzes how policies of land settlement and tenure favourable to investors (farms, ranches, tourism) create new kind of exclusion and defuse tensions and conflicts amongst local societies.

Historical trends (Tanzania)

- ▷ German, then British colonists organised territory and land rights along logic of apartheid. The Europeans get best lands with titles. The Africans were in reserve in which customary and tenure is applied. The colonial State construction has been based on a double hierarchy

founded on land access and the organisation of territory: the apartheid between Europeans and Africans and the “ethnicisation” of land access amongst Africans through the crystallization of the identity/territory symmetry.

- ▷ During the WW I, various conflicts rose up within reserves due to overpopulation and low productivity of allocated lands. The colonial government brought customary land tenure systems under authority of the State. Local rights are preserved but they are under administrative authority. Then, in the morrow of WWII, the government implemented a policy of land dispossession toward Africans. It increased land distribution toward colonists and implement the firsts protected parks and game reserves (Mkomazi, Serengeti, Ngorongoro) through the expropriation of local populations.
- ▷ Construction of the post-colonial State is shaped by national unification rhetoric drive by Nyerere. Such a vision has led a policy of purge of customary land tenure rights and implements entitlement and registration of lands. The *ujaama* (“villagisation”) is the administrative tool of this policy. In fact, this process implied to register village lands, to demarcate its borders, and to give land to those who can invest and cultivate it.
- ▷ From 80’, under pressure of WB and IMF, the government led the promotion of foreign investments and gave great domains to British agro-businessmen. Poor peasants are squeezed between state enterprises, parks, and foreign investors who created joint ventures with ujaama villages for tourism, mining, ranching and commercial farming. In 1992, the Land Tenure Act, legally assent to the political trends of land tenure policies(-tics): the purge of customary rights; the access to resources for all Tanzanians who can invest and cultivate land; promotion of investors (local, national and international); repression of conflicts over land and resources.

Major factors of conflicts

■ **The unequal land distribution.** The post-colonial State has clearly followed up and intensified the colonial organisation of the territory and the distribution of users groups depending on their capacities of investment, and against local customary land tenure systems. Since Independencies, landed resources are widely allocated in favour of national and local elites embedded in patron/client relations. That, through various shapes: domains, farm enterprises, parks and game reserves, ranches, mine, and ever to the expense of local poor peasants or those who stand within a low commercial vision of their activity. Socially, such a policy favours agriculturists against pastoralists; dynamic migrants against local poor peasants; and state and private companies against villagers... this kind of process intensifies tension-lines, which are open to be instrumented by "well-connected" groups to found their land hold.

■ **The capture of land by national and international investors.** Linked to the previous factor of conflict, the holding of investors on domains from which local populations are systematically expropriated gives rise to conflicts between organisations and villagers. Homewood and alii study the conflict emergence between the *Ngorongoro conservation area authority* (NCAA) and local populations organised in lobbies (due to lack of administrative and legal backing – migrants and ex-NCAA officers representatives infiltrate instances) The normal NCAA objectives are to lead to the preservation and the development of its zone. However, since independencies, development objectives were dropped and those of preservation were intensified with legal and police means. For instance, in 2001 NCAA choose to expropriate and fine all peasants who have cultivated in the protected zone since

1959! Nor mediations instances nor claims of peoples functioned as long as political and police pressure has impeached elders and women to express their claims...

11. Environmental change and struggle over access in Mozambique

The case study: Bowen, Chilundo & Tique (2003)

Mozambican Ministry of Agriculture presents environmental deterioration, increase of competition over resources access and resulting conflicts as local land tenure and farming systems results. However, Bowen, Chilundo, and Tique's inquiries have shown that such a situation results rather from development policies implemented since Independence. Successive weaves of communalisation then of privatization, war between government and rebels, and the development of land tenure grabbing have unfold a context which favours competition for resources and social inequalities amongst peasants. Within this context, peasants are led to implement practices that deteriorate environment.

While this study does not describe conflict dynamics, it shows how several factors and their relations on the long national history scale contribute to shape a conflictive context. It highlights how increase of inequalities lead to the unfolding of environmental damages that increase, in turn, competitions and conflicts over resources.

Historical trends

- ▷ In 1975, Frelino's government established a Marxist-Leninist polity. Parastatal farms are created. In each province, these farms are in charge of cotton management and commercialization. They are created upon the same infrastructures and organisations of colonial concessions. Such a policy contributes to the development of agricultural industry planed by the State. This economic provision is doubled by a political action: peasants are driven to, then, forced to join communal villages. They are forced to produce cotton for the State, which have in charge to give them inputs, and to manage production. Though, *regulos* (as chief of canton in french colonies), which get good competencies in cotton management during colonisation, were denounced and replaced by political activists with no competences. This policy contributes to weaken cotton production and commercialisation. To minimise the situation the administration decides to reserve cotton cultivation to communal lands and to allocate land to peasants for food-production. After some years, villages' lands are saturate and peasants cannot continue their activities of hunting, fuelwood, commercial, and food productions. After three years, households of communal villages are entirely under State dependence.
- ▷ War between Renamo's rebels and Frelino's government make various zones unsafe. Most accesses to markets are closed. Now, the Nampula province seems safer. Therefore, numerous migrants try settled down to cultivate; due to the lack of food peasants seek to cultivate extended fields of food-crops. Thus, they renounced to cotton production. This double pressure over resources intensifies environmental deterioration and, at the same time, conflicts between migrants and autochthonous. To resolve the cotton production fall, the State remind peasant to cotton production is not a service but an order: peasants are assigned in communal villages during the cotton production cycle, and they have to no cultivate more than 9,88 acres of crops and 7,41 acres of rotation. These authoritative actions, inspired by colonial system, contribute to increase production.

- ▷ The following year, the WB applies structural adjustment in Mozambique and imposes the disassembly of parastatal farms into joint ventures with private investors. The farm of Nampula is split up into two joint ventures, and the private company SODAN unfolds her influence in the region. The SODAN follows up colonial strategies: it founded on household production and numerous smallholdings; it manages cotton commercialisation and allocates inputs to farms; it rests upon *ex-regulos* to plan local production in exchange of privileges (bicycles, cars, bonus, and pesticides).

Major factors of conflicts

■ **The capture of land by private investors for commercial agriculture, the increase of demographic pressure by migrations and soil erosion that make resources scarce and turning some resources as strategic and overvalued.** This case study is original. It allows us to highlight that conflictive situations are not based on only one factor. They are constructed by historical links between various factors of change. Thus, the historical concurrence of communalisation, war, and privatization has widely contributed to build a situation of conflicts over natural resources access. Authors have noticed a great increase of social inequalities between peasants' households, small-investors, and commercial investors. Between 1992 and 1997, land possessions of small-investors have increased of 1112% (!), those of commercial farms of 65% and those of smallholders have decreased of 9%. The increase of land allocation inequalities backed by the Sodian strategies in Nampula region, contributes to unfold practices that deteriorate environment. Investors and commercial farms aim high productivity objectives, so they practice little crop rotation and fallow. Smallholders get same practices. But not for the same reasons. In fact, rarefaction of land and soil erosion conduce them to minimise rotations, and the fear of cotton policies which allow farms and investors to requisition uncultivated lands conduce them to do not practice fallow.

12. Politics of land rights: land tenure and elections in Zimbabwe

The case study: Alexander & Mc Gregor (2000)

Alexander et Mc Gregor analyse movements of white farms occupations in 2000 in Zimbabwe. They suggest analysing these movements through a dual outlook. At the political level, they show these occupations are embedded in competitions between the governing party (Zanu-pf), their opponents (MDC), and the Liberation War veterans and in the instrumentation of land allocation by the State. At the land tenure and agrarian level, they show how the local history makes unsuccessful the attempt of Zanu-pf to instrument white farms occupation in Matabeleland. Thus, they accent the overlapping of political history and local land tenure history.

This study describes how the land redistribution is a mean of election strategies, and how, at the same time, it shapes local political features and social tensions.

Historical trends

- ▷ Matabeleland is an historic territory that supports the Zapu, the opposition party. However, after 1980' elections, the two parties have created a government of coalition. Nevertheless, from 1982 to 1987, tensions between the armies and the refusal of some Zapu chief to subject themselves under Zanu-pf authority have violent consequences in Matabeleland and Midlands. In 1983-84, the fifth squad – the Zanu-pf army “death squadron” – led the *gukurahundi*: a high violent repression against peoples, veterans, and Zapu members sus-

pected to support dissidents. This violence crystallized the Matabeleland inhabitants' opposition against Mugabe and the Zanu-pf: they elect the Zapu in 1985 again. In 1987, to stop tensions between the two parties and the ethnicisation of their competitions, the Zanu-pf integrates Zapu chiefs. The Matabeleland expresses its loyalty to the government. However, tension rise up in 1999 again, when Matabeleland inhabitants claims their discontentment. According to them, the unity did not fetch them anything: national economic conditions stand precarious; Zanu-pf did not apologize and did not give indemnities for the 80' *gukurahundi*; and the Land Reform was promised but no implemented. These claims are expressed when the Zapu chief who have been integrated the Zanu-pf die. This institutional and political resetting constitutes an "open moment", within which tensions are publicly expressed and competitions between actors are activated.

- ▷ White farms occupations start within this context doubled by the refusal of the new constitution and the emergence of a new opposition party (MDC). Mugabe presents occupations as a popular movement. According to him, the peasants land needs are due to the blockage of the land reform by the British government, which supports white farmers. Then, he pronounced a discourse proclaiming the start of the "second phase" of the land reform, which intensifies the occupations spreading. All the conflicts was presented by the power and the medias as ethnic conflicts against Whites and "totem-less peoples", notably the Ndebele traitors who have collaborated with colonial state during the Liberation War.
- ▷ Effectively, the State instruments occupations. Groups of occupation are made of some peasants of communal zones (working in state farms), Zanu-pf Liberation War veterans, and Zanu-pf youth supported and transported by the party. Militaries and members of secret services ensured coordination, logistic, supervisory and intelligence. The implicit strategy of the power was electoral. Through the support to farm occupations and their spread on the country, Zanu-pf reached to gain votes and to overthrow the MDC and the Zapu.

This strategy was unsuccessful because of several reasons:

- Veterans have a strong legitimacy with Zimbabweans. Many of them denounced the Zanu-pf instrumentation, insomuch they create two scission into their group (ZNLWVA) : the LPPD of pacifists and the ZNLWVC of the ex-soldier-children;
- Matabeleland peasants are displaced peoples installed by the colonial administration on unfertile lands. Thus, it is more interesting for them to work in parastatal farms rather than to colonize private farms. Although, two types of commercial farms were occupied: those well watered with rich lands, and those obtained in an illegitimate way for peasants.
- For peasants, occupations were means to resolve their conflicts over limits with commercial farms. Occupations were means of arbitrage rather than violent requisitioning.
- Most of troops transported by the Zanu-pf to Matabeleland were foreigners. Peasants understand these groups as strangers came to "eat" their lands, and they construe these actions as the continuance of the *gukurahundi*.

Finally, after occupations, the Zanu-pf just wins national elections, and loses massively in Matabeleland, Midlands, and Minacaland.

Major factors of conflicts

■ **The unequal land distribution and the capture of land by national and international investors.** Au Matabeleland comme partout ailleurs au Zimbabwe, la

distribution foncière est répartie entre les paysans locaux, les fermes commerciales blanches et les fermes d'État. Les paysans sont coincés entre les deux types de fermes.

■ **Politics of land distribution.** Les tensions liées à la distribution foncière inégale sont exploitées par le pouvoir en place pour gagner des suffrages auprès de populations qui lui sont opposées en désignant un ennemi commun : les fermes commerciales blanches. Le pouvoir joue ainsi entre populisme et répression.

13. Conflicts over meaning in Botswana

The case study: Pauline Peters (1984)

Peters show how land tenure conflicts are not only conflicts over resources (access, limits, use...). They are disputes over meaning of inclusion/exclusion dynamics also. The author analyses manoeuvres of meaning and customary to justify new dynamics due to the construction of boreholes by States. She describes this process on a long time scale: before colonisation, during colonisation, and since independencies.

Historical trends

- ▷ Tswana is a society with a state organisation. It is centred on the residence [*motse*] of the political and ritual chief [*kgosi*]. The latter is responsible for rain-rituals, agrarian cycles, and political relations. He is assisted by the public assembly free social groups, which are responsible for management of workforce and landed resources [*kgotla*]. Kinship shape political relations between groups. Filial relationship is used to designate relations of domination between free groups and captives, between major and minor lineages. Thus, in the name of kinship solidarity, kinship conceals social relations of inequalities.
- ▷ Tswana are pastoralists and merchants. Political and economic organisation rests upon the control of cattle movements and of pastoral fittings. Through the control of water-places, Tswana chiefs control pastures, agricultural spaces, and commercial ways. Such a control establishes a means to govern humans, a support of patron/client relations and the possibility to subject social groups as agriculturists.
- ▷ The Kgosi power is concentric. Thus, sub-kingdom chiefs [*modisa*] fill in his control of the territory. They are responsible in management of strategic places. Their function of water-places guardians in the name of the Kgosi allows them to govern peoples and to establish political patron-client-type relationships. In addition, their responsibilities in water points management, give them a privileged access to resources, pastoral fittings and commercial routes. The Tswana political system, allow *modisa* to play with their political responsibilities in the name of the Tswana community and the central power, and with a quasi-individual appropriation of their territory resources.
- ▷ Within such a system the building up of reserves in 1899 and then of the colonial State, have rest upon alliances and patron/client relations between Tswana chiefs and natives State agents. When Tswana refer the matter to the Native Advisory Council (NAC) about lack of water in 1920, they activated their patron/client relations. This claim has led to an alliance between the Tswana chiefdom and the colonial government to control resources. In 30', the State build boreholes that are object to interventions from colonisation to nowadays. These wells were classified as individual private properties on common spaces. Thus, new dynamics of exclusion and inclusion fan out around these wells. To justify those dynamics Tswana chiefs and major lineages tamper customary.

Major factors of conflicts in Botswana

■ **State interventions and competitions between social groups.** The building up of boreholes by State according to a private property system intensifies and crystallizes the Tswana system of domination. In fact, such an intervention contributes to strengthen the power of modisa over resources and their trend to an individual appropriation of water points, to the expense of the community. Thus, conflicts rise up between them and local populations. Boreholes contribute also to constitute an elite of pastoralists socially well connected, who excludes from ranches less socially connected ones. Therefore, they exclude them from access and control to pastoral resources. State intervention intensifies and polarise social tension between groups around water points access, and contribute to conflicts over resources. In addition, as chiefs attempt to tamper the Tswana customary to justify their individual appropriation of resources and new cleavages, state intervention leads to disputes over meaning also.

14. Land dispossession and wars of liberation in Namibia (1905 and 1966)

The case study: Werner (1993)

Werner highlights the socio-political and economic continuity between colonial and post-colonial land tenure policies. Within an historical outlook, he recounts the land dispossession of which African Namibians were and are object since the build up of reserves in 1905.

The author does not describe a conflict case study. He recounts the land tenure background of the german colonial occupation and the wars led against Herero and Nama, and of Afrikaans occupation and the Liberation War driven by the SWAPO during 24 years. This study shows the very clear link between social inequalities, land dispossession, and conflicts between natives and colonists.

Historical Trends

▷ Namibia is featured by a racial allocation of land implemented during colonisation whose hangovers continue to be nowadays. This situation has been consequences over allocation and cost of workforce also. Werner analyses colonial land tenure policies as conscious policies of capital accumulation. Land dispossession of Namibians by colonists has guaranteed the development of cheap farming and industrial wage earnings. This accumulation of capital has been backed by the reserves building up. They were cheap labour reserves also and they guaranteed some political control over population through cooptation of natives' leaders into low scales of the colonial administration. Into reserves land tenure and consumption systems were maintain along common law logic to impeach peoples to unfold a system that could entrench over capitalist system: land access was guarantee with strict limitations to capital accumulation as, for instance, high taxation of cattle.

Land dispossession has begun with german colonisation in 1883. They used tensions between tribes and kingdoms to acquire lands and signed military protection pacts with some chiefs. Provisions of these pacts were, along others:

- Interdiction of pacts with other nations;
- interdiction to make decisions about land tenure without emperor authorisation.

These pacts allowed colonists to acquire most of pastoral territories in 1893, through height great colonial commercial companies. In 1902, Namibians controlled 38% of Southern territories, commercial farms 35%, and colonial administration 23%.

Such a pressure of colonists over natives conduces to the Herero and Nama uprisings in 1904-1905. The colonial power responded with an incredible violence: extermination of 75% of Herero and 50% of Nama peoples with help of kingdom that were in patron-client-type relationships with colonists; land expropriation of all tribes between 1904 and 1907; Namibians were forced to wear distinctive badges; they cannot obtain land without governor's authorisation; creation of natives reserves.

In 1907, the police zone is established. It delineates the colonial jurisdiction and is match with the railroad. A clear borderline delimits this zone and the northern Ovambo and Kavango kingdoms. These kingdoms succeed in keep their political and economic autonomy. In fact, their territories are not rich and they, according to the e author, their political and military strength restrain colonists.

In 1914 the land dispossession process is achieve in the police zone. Colonial farms own 94% of cultivated lands, 90% of bovine cattle, 70% of caprine and ovine ones. 90% of the adult male Namibian population work for commercial farms and the other 10% cultivate 6% of lands in the South... in short, in the police each one of the 1331 farms own 79 073,72 acres...

In 1915, german colonial power is break-down by the South African Union army. Land tenure decisions are transferred to the Pretoria's governor. In the same time Namibians claims officially their "ancestral lands" from which colonists chased them; movements of vacant lands occupation fan out within all the Police zone; presented as a Liberator Pretoria is squeezed between the satisfaction of Namibians' claims and the support of South Africans settlers to get back commercial farms.

In 1920, Pretoria voted various laws to void Namibian laws, to support South Africans to get back commercial farms of the police zone, to manage land access in reserves. The natives' reserves commissions recommend:

- A land access racially delimited;
- To conserve the german allocation of lands between farms and reserves (94% - 6%);
- The creation of four new reserves between 1923 and 1926, and three other in 1932, 1947, and 1951.

These laws open the ways to a trade-in of white colonies. From 1926 to 1954, Pretoria fund 2291 white commercial farms, whose 150 were for Boers of Angola.

In 1962, the *Odendaal Commission* has to legislating reserves and land allocation between natives and colonist. According to the *Commission*, in hundred years of being, native reserves have been unable to achieve more than subsistence economy. The *Commission* suggests reducing the number of reserves, to extend their surface and to implement a schema of ethnic enclaves instead of a national schema, reserved to white commercial economy:

The 17 reserves of the ex-police zone are reduced to seven

79 073 722, 08 acres were allocated to reserves but most are drylands. 87% of damara's reserves is a desert, 30% of the Herero's one are unsuitable for agricultural production due to the presence of a noxious plant and a shortage of water, the entire Nama reserve is semi-desertic.

- In the late 80', the implementation of the *Odendaal Commission* recommendations leads to a real land tenure apartheid. Richest lands are reserved to white commercial farms, and

poorest ones are allocated to natives' reserves. The abolition of the law that has made the purchase of land by black Namibians impossible is a deception as they are in an economic, social, and political impossibility to acquire land within a land market controlled by commercial farms.

This situation have conduce to the war led by the SWAPO against South Africa in 1966, and which finish around 1990 with the independence of Namibia through New-York and Brazzaville agreements.

Major factors of conflicts

■ **The unequal land distribution and the capture of land by national and international investors for commercial agriculture, tourism, conservation, and mining speculations.** As it described in the history of land dispossession of Namibians by German colonists then by Afrikaans, the capture of land by white investors for commercial agriculture is a major factor of tensions and conflicts. During the process led by the *Odendaal Commission*, each allocation of land to a commercial farm means a forced natives clearing off toward marginal places of the country. For instance, Werner describes the case of the Aukeigas reserve (1993, p. 145):

Before 1914 the farms Fürstenwalde and Aukeigas had been allocated to a Damara community by the German colonial Government to form the Aukeigas reserve. By 1932 Aukeigas had reached its final size of 13,837 ha. Before long, however, the reserve was considered to be overgrazed and was closed to new entrants in 1947. In June 1956 the reserve was finally deproclaimed. 254 families (1,500 individuals in all) together with 1,780 large stock units and 15,820 small stock units were moved to Soris-Soris in the arid north-western parts of the country. This farm had been bought by the South African government as compensation for the deproclaimed reserve. Aukeigas was subsequently divided into two commercial farms of 5,000 ha. each. In addition, 1,000 ha. of the former reserve was set aside for the development of a recreation resort — the present Daan Viljoen recreation resort — while 2,000 ha. were added to the Aukeigas farm school.⁵⁴

This factor is doubled by the unequal land allocation along racial lines. As we seen it, in 1914 commercial farms own 94% if land suitable for cultivation, 90% of bovines, 70% of ovine and caprine. From 1932 to 1990, Pretoria follows up and maintains this kind of repartition.

During the german period, the combination of these factors has been expressed through the Herero and Nama uprising against colonists. During the Afrikaans period, it has been expressed through occupations of vacant farms and then through the Liberation War led by the SWAPO.

III. PROVISIONAL CONCLUSION ON CONFLICT, SCALE, HISTORY

The fourteen case studies we have presented so far do not pretend to draw any zoning of land conflicts in Africa, neither in terms of occurrence nor of risk. They are instantiations of historical situations within which the combination of various factors conduce or have conduced to conflicts where access to land and natural resources was at stake. The interplay of scales in the construction of land tenure issues and conflicts, along a continuum ranging from household tensions to inter-States conflicts, renders any geographical mapping of land tenure conflicts at least irrelevant (if not impossible) for the understanding or prevention of conflicts. We have preferred to map history to determine generic situations and scope configurations of factors that underlying the emergence of conflicts. The following table presents groups of factors playing a role in the genesis of tensions and their expression in conflicts over natural resources and land, throughout African drylands.

This review of case studies gives us elements to understand which factors contribute to reshape social tensions around access to land and natural resources. Nevertheless, tensions do not automatically mean conflicts. The same group of factors underlying conflicts in the Senegal Valley would not automatically lead to conflicts in the Niger Valley between Mali and Niger. The construction of tensions in a situation open to be conflictive, and the emergence of the conflict, then its dynamics of unfolding or of settlement are different moments. They do not build any automatic or linear sequence and the way they chain up depends on local circumstances. However, as we have done it about factors of conflicts, in the next chapter, we will review in depth four case studies as generic situation to describe these sequences and internal dynamics of conflicts.

The theoretical literature about conflict is abundant. But empirical case studies that describe the whole dynamics of conflict, including the origin of the tensions, dispute outbreak, the unfolding and, eventually, the settlement of the conflict (or its re-opening), are rare. Despite interesting cases, land conflicts in Africa are often analysed from a macroscopic point of view, in relation to pre-established global criteria (demographic pressure, resource scarcity, environment degradation, political instability, and ethnic resilience). Conflict studies rarely draw upon the point of view of the actors involved in the chain of events and the complexity of the historical background is all too often neglected.

There are very few studies depicting the whole story, from tensions to conflict outbreak and escalation, without forgetting the way back to peace or resolution. This last dimension is of major importance for our study and the criteria ‘description of conflict settlement mechanisms’ was central for the selection of the four in-depth case studies.

Relying on the bibliographical review and the analysis of fourteen cases drawn from the literature, we have identified four in-depth analyses and empirical descriptions of conflict over land and natural resources

- ▷ The analyse of the emergence of Senegal/Mauritania conflict by Jean Schmitz (1993)
- ▷ The description of the settlement of the Comoe violent conflict between Fulla and Karaboro in Burkina Faso by Sten Hagberg (1998)

- ▷ The analyse of the emergence of land tenure struggles in Niger since the democratization and the Rural Code by Christian Lund (1998)
- ▷ The description of the emergence of tensions and then of the violent conflict between two Bissa villages during the revolution in Burkina Faso, by Armelle Faure (1993)

We have summarised in the following table the results of the fourteen cases in terms of the three sets of factors of tension we had identified in the introduction.

Table 3.1.

Case Studies/factors types	Demography and environment	Law and development	Politics, policy and economy
Case 1: The Senegal valley		Contradiction between State and customary borderlines Development	Commercialization/socio-economic inequalities Competition between or in groups
Case 2: The Niger Delta	Environmental volatility and increase of demographic pressure	External interventions of State	
Case 3: The contact area between agriculture and pastoralism	Volatility in climate	External interventions	Competition between or in social groups
Case 4: National politics and local conflict over territory		Development and administrative interventions of state that reshape social tensions around land resources	The use of local tensions by national politicians
Case 5: The densely populated cotton area	Demographic pressure/competition between or in groups		Not downwardly accountable local State institutions Commercialisation/comm odification
Case 6: The commercial area of Niger		External intervention of the State	
Case 7: Rural development and Social Conflicts in Sudan		External interventions of State and joint-ventures along a development ideology	Economic contradictions.
Case 8: Politics and policies of entitlements in the Jubba valley, Somalia		Imposed registration and entitlement against customary rights	Administration grabbing; The unequal land distribution/capture of resources by urban elites; The competition between or in groups.
Case 9: The Kenyan highlands and wetlands		Development Land tenure policies and politics.	National and international agribusiness investors
Case 10: The Tanzanian game reserves and protected park		The capture of land by national and international investors.	The unequal land distribution

Case 11: Environmental Change and Struggle over access in Mozambique		External interventions	The capture of land by national and international investors for commercial agriculture.
Case 12: Politics of Land Rights: Land tenure and elections in Zimbabwe			Politics of land distribution The unequal land distribution and the capture of land by national and international investors
Case 13: Conflicts over meaning in Botswana		External interventions (state and NGO)	The competition between or in groups.
Case 14: Land dispossession in Namibia		The capture of land by national investors	The unequal land distribution along racial boundaries.

Part III. The dynamics of conflict: Four in-depth analysis

I. CASE STUDY 1: THE SENEGAL/MAURITANIA CONFLICT OVER BOUNDARIES

1. The case studied: The Senegal/Mauritania conflict of 1989

- Schmitz J. 1993. « Anthropologie des conflits fonciers et hydropolitiques du fleuve Sénégal (75-91) ». *Cahiers de sciences humaines*, 29 (4) : 591-623.
- Boutillier J.-L. & Schmitz J. 1987. « Gestion traditionnelle des terres (système de décrue/système pluvial) et transition vers l'irrigation. Le cas de la vallée du Sénégal », *Cahiers de Sciences Humaines* 23 (3-4) : 533-554.
- Press review *Le Monde* 1988-1992.

2. Regional factors and trends

This area bears the hallmark of three historical trends:

- ▷ The socio-political organisation in ancient Toucouleur, Fulla, Wolof, and Mauro kingdoms.
- ▷ The promotion during 1980s of village and small irrigation systems to intensify agriculture and forecast the building of the Manantali barrage that impeach to pursuing agriculture based on the rise and the drop in the Senegal River level.
- ▷ The development of international migrations networks, which invest in irrigation systems promoted by State and NGO.

In relation to these structural features, we can identify in this case five major factors of conflict among the set of factors stressed in the previous chapters.

■ **Contradiction between State and customary borderlines.** The first objective factor that could contribute to conflicts is the contradiction between State and customary boundaries. In fact, while the ancient Kingdoms of the valley have organised their boundaries across the Senegal River, the administrative border between Senegal and Mauritania has been drawn along the river. Therefore, people from Senegalese villages get land in Mauritania, and conversely. In 1989, when the two States implemented two contradictory land tenure acts, conflicts between Mauritanian and Senegalese cropped up.

■ **External development interventions.** The external intervention of state and NGO, which has reset environmental conditions, constitutes a factor, which shapes the conflictive dimension of this area. During the 1980s, the construction of a barrage at Manantali minimized the rise and the drop in the Senegal River level, and impeded peasants from pursuing their agrarian system based on the motion in the river level. NGO and State, so much in Senegal than in Mauritania, promoted village and small irrigation systems. Through this, they overvalued land and forced local societies to reevaluate their NRM systems. In addition, the conditionality as regards the creation of irrigation groups contributed to favour the larger groups at the expense of the minorities. Broadly, they contributed to the emergence of new kinds of claims, and reveal and reshape tensions between local social groups.

■ **Commodification and socio-economic inequalities.** These two factors are linked. The promotion of irrigation systems and cash cropping entailed that land was overvalued by local “big men” in Senegal (involved in international migrations networks) and urban investors in Mauritania who invested in such irrigation systems. They accumulated many plots and generated land scarcity for the local farmers who do not have means to invest and get plots. This has created an unequal land distribution tied up to the capture of resources by urban and local elites. The Mauritanian land tenure acts of 1989 has clearly organized and enforced this dispossession of smallholders. This spark has launched violent conflicts between Mauritanian and Senegalese.

■ **The social competition between or within groups.** The Ancient Kingdoms of the Senegal Valley are structural along characteristic social cleavages. Schmitz (1993) identified and analyzed cleavages within lineages; within villages between districts or lineages; between “villages-territories”; and between the different hierarchical status (freemen and slaves). At each level, a certain type of tension tends to develop. The implementation of a new irrigation system reshapes them as conflicts over the valued resources injected by the intervention.

3. Social organisation and social tensions over access to irrigation systems

In the Senegal Valley, the territorial and social organisation of activities comprises different institutional and socio-economic layers:

- Resource use variation in time and space: exploitation of a resource at a given moment in a given space. the same area can contain various resources exploited at the same time or successively;
- Correspondence between a set of natural resources and a social group endowed with a specific system of activities (pastoralists, agriculturalists, fishers). All these groups are dependent of a hierarchical organisation: the kingdom;
- Several kingdoms share the territory: eight ones inherited from the Fuuta Toro, the Jolof kingdom, the five Brakna sub-kingdoms, the two Trarza ones and the two Idaw’ish ones.

Most of villages lands spread out beyond national borders. They are politically transnational and economically multifunctional. In this context, the introduction of irrigated schemes jointly with the unfolding of national and international networks of migration contribute to reshape local social tensions around the access to irrigated schemes and to land on the both sides of the river:

- Within major lineages, there is a competition between families. For instance, each family attempts to make one of her members elected as president of irrigated schemes management committee.
- Within villages organised in districts and based on strangers/autochthonous relationships – or firstcomers/latecomers ones – tensions are between various groups of migrants which have founded the village, but which occupy different places on the territory.
- These tensions amongst oligarchies fan out at intervillage level. They are mainly due to the conversion of local elites to control irrigation systems. This line of tensions is the most complex. Indeed, it polarizes various shapes of competitions as competitions between lineage segments, between factions and, into major lineages, between generations. Thus, we observe a competition organised on age groups into lineages, which allows a candidate to develop patron-client-type relationships that connect him to State. These tensions are revealed during elections for presidency of management committees and of the rural commune.
- Tensions between statutory groups are based on unequal access to and appropriation of resources. Thus, slaves work as farmers. Fishers and some fulla clans get access to poorest lands only. Therefore, they have to engage themselves into patron-client-type relationships to get rich land. Irrigated schemes contribute to challenge and crystallized former cleavages and lines of social tensions. On the one hand, for fishers and *Haratins* who are involved in international migration network, irrigated schemes constitute small islands of independency and weaken their land tenure dependence. However, on the other hand, migrants associations that invest the “migration allowance” into irrigated schemes are controlled by noble lineages. The introduced dynamic conduce to intensify statutory tensions.

However, the irrigated schemes implementation has generated competitions over resources, which match social tensions.

1. Usually, though it was not the will of Ngoc, when they have introduced irrigated schemes dominants social groups and members of major lineages get a privileged access.
 - When the national society in charge of irrigated schemes (SAED) has promoted first fittings, groups have had to match with demographic conditions. Thus, minority groups as fishers or pastoralists where in front of restricted choices: associating themselves with other minorities with the risk of plural points of view about the management of the irrigated schemes; associating themselves with a group in which they are minority with the risk to get no influence and no breathing space.
 - The substitution of the SAED by local « Groupe d’Intérêt Economique » (GIE) reshapes the access to irrigated schemes according social groups’ capacities of investment. These capacities are widely based on integration into international migrations networks whose financial resources are directly invested into schemes and their development. Access to migrations networks is the first condition to accede to irrigation schemes. It favours individuals and groups, which are well socially connected.
2. The success of pilot irrigated schemes, conduce NGOs and the State to promote them widely. In the Senegal valley, within intervillage exchanges lending plots seems usual.

Thus, villages, which are short of lands close by riverbanks, can get it with nearby villages. Generally, when irrigated schemes were introduced, villages that have lent plot did not express any opposition. On the other side, when their “guests” have clearly tried to extend their schemes, village authority and inhabitants clearly disagreed with, and they destruct schemes. This kind of conflict is embedded into complex relations of lend, farming and indirect-tenure between families and statutory groups of different villages, and into latent tensions between villages.

Introduction of irrigated schemes in a context of transnational kingdoms and of international migrations, have contributed to intensify lines of social tensions (lineages, villages, factions, status) and to create new tensions (demographic stature, inequality according to migration networks, tensions about plot lending). Within such a context of tensions, the statement of competing laws on both sides of the River has played a role of spark.

4. National Land Tenure Acts and users’ groups: the spark

Development of irrigated schemes on both sides of the borderlines conduced States to take legislative measures to regulate it and delineate users groups. Each according her way, these laws contribute to disrupt the local organisation of users groups.

- In Senegal, the 1987 June 4th Land Tenure Decree bases access to irrigated schemes on the belonging to the rural commune. This decree excludes urban elites and protects peasants against agribusiness. Nevertheless, the gap between kingdoms limits and administrative jurisdictions exclude members of kingdoms who have customary land tenure rights on the land of a rural commune, but live in a different one. It gave means to a kind of “land tenure twitch” from wolof and soninke village founders toward Fulla-*jeeri* pastoralists and *Haratin* of Mauritania.
- In Mauritania, the 1983 Land Tenure Order founds land appropriation on improvement. Now, it favours two levels of disrupting. On the one hand it gives power to Haratin slaves of Moore noble lineages to claim the appropriation of lands that they improves many years ago, but owned by nobles. On the other hand, it gives liberty to urban investor to implement strategies of land accumulation and of commercial farming. However, those who cultivated in Mauritania upon transnational village land under authority of Senegalese lineages have understood the law beyond the customary village land organisation as “the right riverbank for Mauritanian, the left riverbank for Senegalese”. They understood the law as a mean to free themselves of customary trusteeships.

This situation leads to two levels of conflict

- Mauritanian businessmen and their patron-client-type relationships at local level against the Baydan aristocrats, Wolof and Haalpulaar in the Delta;
- the same local aristocrats against Haratins and Fulla in the Middle Valley.

Through the modification of groups, which benefits or do not benefits of irrigated schemes, the competing land tenure laws filler contributes to intensify social inequalities and political cleavages that pre-existed:

- ▷ The Senegalese law generates conflicts between Soninke, Wolof, and Haalpullar village-founders who refuse access to irrigated schemes to peoples who do not belong to the rural commune. It will favour conflicts between pastoralists in migration and croppers settled on riverbanks:

« ... [L]es conflits opposèrent également les Peuls-jeeri de l'arrière-pays - ceux qui pratiquent l'élevage transhumant et qui ont peu accès aux terres de décrue - à leurs congénères plus sédentarisés, Peuls-wanlo, ou aux autres Haalpulaar (musulmans, guerriers, etc.)... un certain nombre de fractions peules, durement frappées par la sécheresse des années 1983- 1984, ont essayé d'avoir accès à l'irrigation, alors qu'on assistait à une crispation des Haalpulaar de la rive sénégalaise sur leurs droits fonciers.... Cela explique les tensions qui existèrent entre les gros villages haalpulaar de la rive gauche [Sénégal] - dont le territoire enjambe le fleuve et donc la frontière entre les deux pays, comme à Nguidilogne, Sadel - et les communautés peules de l'autre rive [Mauritanie] » (Schmitz 1993 : 609).

Therefore, through transnational village lands, tensions on the Senegalese side between agriculturist village founders and stranger pastoral communities fan out to the mauritanian side.

- ▷ Indeed, the land tenure of village founders, notably soninke ones, unfold beyond the borderline on fulla villages settled on riverbanks:

« Dans cette conjoncture, l'ordonnance foncière mauritanienne de 1983 sera comprise comme « la rive droite aux Mauritaniens », pour supprimer la dépendance foncière des Peuls vis-à-vis des « maitres de la terre » sénégalais... Les 30 et 31 mars, un champ du village de Diawara situé sur la rive sénégalaise près de Bakel fut envahi par des troupeaux gardés par des bergers peuls en provenance de la rive mauritanienne. Ce champ de dunde khore localisé sur un grand îlot (dunde en soninké) avait été cultivé en décrue par les Soninké du village, mais n'était pas encore récolté. Une première fois, les gens de Diawara réussirent à mettre en fourrière les animaux divagants. Le phénomène se reproduisit une seconde fois le 9 avril. Les Peuls répliquèrent en faisant appel à la gendarmerie mauritanienne : c'est alors que l'affaire dégénéra et se transforma en incident tragique » (*Ibid.* 1993 : 608).

- ▷ The conflict was object of « ethnicisation « at two levels »:
- From medias which highlights rumours and hasty interpretations in words of white/black cleavage ;
- « bureaucratic » through the implementation by Ngo of a flyover and refugees camps for « Black » victims of « Whites ».

That while local actors know "who was who" and define their identities according to tribal belonging on the Moor side and in line with statutory hierarchies on the senegalese side. According to Schmitz, this is the conflict itself and its exploitation by medias which have "ethnicised" social relationships:

« ... c'est justement le conflit lui-même qui instaure, post festum - à la suite de tout une série de médiations que nous ne pouvons expliciter ici - des assignations ethniques que l'observateur croit « éternelles » alors même que des deux cotés du fleuve, les gens se définissent selon d'autres critères : en Mauritanie, dans le « pays des baydïn » chacun se définit en fonction de son appartenance à une « tribu » (Bonte et al., 1991), alors que parmi les sociétés riveraines - wolof, haalpulaar, soninké - les références aux hiérarchies statutaires - ordres, castes - sont encore largement prégnantes » (Schmitz, 1993 : 619).

- Finally, within a context of tensions due to the introduction of irrigated schemes, the main spark was the overlapping of two competing national laws over transnational land tenure systems. Within an organisation of territory and land access depending to statutory hierarchies, tensions linked to lineages cleavages, to village's relations and to factions do not

erupt as violent conflicts. These ones are rather the expression of the challenging of statutory hierarchies made possible by laws.

II. CASE STUDY 2: THE COMOÉ CONFLICT OVER IDENTITIES

1. The case studied: the 1986 Fulla/Karaboro Conflict in Sidéradougou, Burkina Faso

- Hagberg S., 1998. *Between Peace and Justice: Dispute Settlement between Karaboro Agriculturalists and Fulbe Agro-pastoralists in Burkina Faso*. Uppsala Studies in Cultural Anthropology 25, Uppsala, Acta Universitatis Upsaliensis, 268 p.
- Hagberg S., 2001. « A l'ombre du conflit violent. Règlement et gestion des conflits entre agriculteurs karaboro et agro-pasteurs peul au Burkina Faso », *Cahiers d'Etudes Africaines* 161, XLI-1 : 45-72.

2. Regional factors and trends

This area is deeply featured by three deep trends:

- ▷ Socio-politically, the neighbourhood of various peasant lineage societies features this area across the Mali/Burkina Faso border.
- ▷ In-migration of Mossi from the Yatenga (Northern Burkina Faso).
- ▷ Promotion of the cotton production and the Volta Valley Surveys that increased in-migration.

Following these features, amongst our sets of factors of conflict we can underline three major factors.

■ **Commercialisation and commodification.** The promotion and organization of cotton production is the main economic feature of this area. Firstly, because it has reshaped the local production system and it has drawn conditions to attract great migrations flows from the north of the country. Nevertheless, the process was different in Mali and in Burkina Faso. 1) In Mali, on the natural, economic, and technical sides the environment has been very secure and has permitted a high appropriation of cotton cultivation by Minyanka and Senufo societies. In addition, these societies had important land reserves and have benefited of a long wet season, which have allowed them to intensify productivity. The evolution toward cotton commercial agriculture was rooted into the internal transformation of local production systems within a very favourable environment. 2) In Burkina Faso the process is less integrated. The process is deeply rooted into the massive migration stream of agriculturists from Mossi Highlands to the South to get new lands. The Volta Valley Surveys and the policies of cotton agriculture promotion increased this ancient stream. While in Mali, this promotion benefited of a favourable management toward local societies, in Burkina Faso it was oriented to pioneers with little economic security. Mossi roots this process into a kind of land tenure colonization to southern lands. It has shaped tensions between autochthonous and migrants over land access.

■ **Demographic pressure/competition between or in social groups.** On both sides of the border the demographic pressure over landed resources was highly increased by

migrations of pioneers who cultivate according to extensive practices, of pastoralists during drought periods of 1970s and 1980s, and by the correlative increase of stocks through the combination of agriculture and stock as much by agriculturist as pastoralists. This process favours tensions at two overlapped levels: autochthonous/migrants, pastoralist/agriculturists.

■ **Local State institutions not yet downwardly accountable.** In Burkina Faso, the co-existence of various politico-legal institutions that are not coordinated favours actors to exploit conflicts to get social, economic, or political advantages. As Hagberg and Lund (1998) shows it, conflict resolution evolves along the resort to various institutions and actors that try, more or less, to exploit the conflict to get social and political legitimization.

3. Disputes and co-operation between Fulla, Karaboro, Tiefo, Mossi, Dyula and State local agents

In the Sideradougou province, while land priests are Tiéfo, the chieftaincy is Dyula. Both made alliance against the colonial power on their territory. The current land tenure context concern Fulbe and Karaboro migrants mainly. Their relations are original. They are migrants in competition over resources over which Tiéfo land priest gave them delegated rights and they are accountable for Dyula chiefs. Therefore, they have to respect patron-client-type relationships with their political hosts and to respect local sacrifices to access to land. However, the "patrimonialist" policy, which has relieved land priests from their duties, has made an open moment that allowed migrants and satellites villages to challenge them and try to get land beyond them. Nevertheless, land priest are took in count again by State since 1990. This new policy led to a new local situation.

- ▷ Karaboro are both autochthonous and migrants in the Comoe province:
 - Karaboro pendular in-migrations between Sidéradougou and Karaborola where elders go back to die, favour the fact that power is concentrate into elders hands already but favour also lineages autonomy;
 - The secret society Donsoton is often interpreted as a reaction of young peoples against internal social problems, as a militia or as an ethnic movement. For them, it is rather a mean to delineate a borderline between animist first comers and muslim latecomers;
 - The autochthony referential is more common than the ethnic one.
- ▷ Internal social dynamics of fulbe society are the following:
 - Fulbe group is constituted by various small local groups whose each is as different from each others as the fulbe group is different from other ethnic groups;
 - As the *pulaaku* (the fact to belong to fulbe identity), the word *jon* (slave) used by Fulbe to name – as joking relationships – other groups often is a reason of tensions ;
 - Migration is a central strategy for fulbe. It is an answer to several stakes: shortage of pastures, droughts, conflicts.
 - Socio-political control over men and cattle is link to the control over water points.
 - Tensions between fulbe groups to the gain control over water points and people are expressed in opposition between former and new actors.
- ▷ Local officials are seen as key actors at the interface of central State and local populations:
 - They bear an urban and administrative ideology;

- They evolve in social space constituted by the State/civil society interface and by the interface between administrative organisation and breathing space that they need to act. they used this bipolar social space to reach their political, economic, symbolic and social interests ;
 - Sons of the villages who get administrative function are important « brokers ». Through their allowance to the chieftaincy and their political efforts to represent the village at the national level they gain a local legitimacy. While they are close by the village they bear an “administrative culture” through their normative vision of local conflicts;
 - local officials play several roles in conflict settlements. On the one hand, they have to deal out the justice amongst frustrations, demands, oppositions, and competing interests. On the other hand, they are involved in social relations in which they have to maintain peace.
- Hagberg pictures the local officials position as a capacity of adaptation in hostile place or as a management in practice of contradiction within conflicts settlements.
- ▷ On of the most discover of Hagberg is the fact that social groups of the Comoe Province are linked by relations of co-operation and cultural exchange that delete ethnic borderlines as:
 - The Dyula spoken in the whole province;
 - the role of mediator between groups played by smiths;
 - joking relationships (*senankunya*) between some groups that defuse tensions and disputes.

4. The conflict and its settlement: key actors and relations

Thirty years ago fulla camps are many and many numerous in the Comoe province. This settlement became a problem in 1986 and 1995 when it comes out of violent open conflicts. These conflicts have begun between two individuals and, through a process of generalisation, they became ethnic conflicts.

Nevertheless, while the escalation from a dispute to a violent conflict results from events that intensify tensions, according to Hagberg, manipulations of the various interpretations of these events is a deeper factor. A reason that contribute to settle the conflict or to intensify, open and lead it toward ethnicisation and violence. For Hagberg a dispute is a tension between two parts within a formal and legal frame; a conflict is a struggle around values and claims for statuses, power, and resources.

From amicable settlements of damages to crops to ethnic open conflicts

Amicable resolution is presented as a valued normal agreement between neighbours or friends. It unfolds as the following sequence:

- A cattle graze a cultivated plot;
- Witnesses (neighbour, friend, parent, walker...) inform the cropper;
- The culpable is identified by witnesses or following cattle’s tracks;
- Discussions unfold on the field border or at the concession of one of the parts with few discussants;
- When both parts agree with facts : damage to crops, the negotiation is about the amount the pastoralist has to pay to the cropper;

- If the dispute is not clear, the two parts have to go to the Tiefo land priest. If one of them is not agree with his judgement he has to leave the villages;

Administration is more and more resorted. Either cropper let directly an administrative plaint without seek for an amicable resolution, or the both parts « jump » the Tiefo land priest's duties and go to administration to resolve their dispute. However, such a practice is expensive for the cropper who has to pay to administration more than he can expect from the fine the pastoralist has to pay to him. Peasants also morally depreciate this practice.

In the escalation of the 1986 Sideradougou conflict between Karaboro and Fulbe, Hagberg highlights two key events: competing definitions of facts and insults to honour.

- ▷ As most disputes, this conflict begins with damages to crops:
 - Damages to a Karaboro's cultivated plot by a Fulbe's cattle;
 - Some women go to witnessed the situation to the cropper;
 - The cropper's son goes to the plot with his gun.
- ▷ When the two men encounter themselves they are not agree with facts:
 - According to the Fulbe, the field was harvested, according to the Karaboro it was not. each one raise his voice, and the Karaboro guns down the Fulbe;
 - The cropper goes back at his' and bring himself to police;
 - Fulbe sit up the deceased on the field.
- ▷ An administrative procedure is implemented which will insult Fulbe's honour and fuel their payback.
 - While Fulbe are sitting up the deceased, officials and the cropper go to the plot to evaluate damages. Fulbe understand that as an insult : they shoot the cropper ;
 - He is bring to the Sideradougou hospital where he die;
 - The dead body is bring to the Sideradougou Karaboro chief's place;
 - Numerous armed Karaboro gather themselves to sit up the dead body, but they are disarmed by police;
- ▷ A Fulbe wants to across the Karaboro district where the deceased is sited up. This act insult Karaboro honour :
 - They take back their guns and begin a Fulbe hunt throughout the city;
 - News spread out like wildfire and conduce to numerous violent acts between the two groups in the city and in villages.
- ▷ Nevertheless, means of pacification are implemented
 - Army takes the city and stops Karabos;
 - Tiefo land priests do sacrifices to wash up the earth, calm down djinns and maintain peace ;
 - Policemen go to villages to calm down villagers and remind them to the Law, but they do not want to recognize it ;
- ▷ In this conflict, six Fulbe and one Karaboro have died and many violent acts were done (cattle gun down, damages to fields, camps ravaged).

To understand resolution of this conflict, Hagberg suggests understanding its unfolding as a social space whose stakeholders resort to social relations to regulate, manipulate, and intensify tensions. Such an unfolding is analysed as a tension between the promotion of peace to maintain valued social relations, and the claim of rights to do establish justice:

“My main argument throughout the study is that these disputes prevail in an environment strained by mobilising key social relations on the one hand and by claiming rights on the other. Hence disputes are located between peace and justice.” (Hagberg 1998: 243).

Key social relations: The peace

Hagberg show that Karaboro and Fulbe have resorted to some key social relations to manage disputes and conflicts:

- Their bilateral relation with Tiéfo and Dyula according to “guardianships”;
- Fulbe herder/ Karaboro cattle owner;
- Neighbourhood relationships in which women play a key role ;
- Peasants very morally depreciate relations of one of parts in conflict with local or national officials used to succeed in a conflict.

As institution that we seen before (Dyula, smiths, joking relationships), relationships contribute to make ethnic boundaries soft and to organise co-operation and exchanges.

These relationships often refer to local idioms of conflict settlement. The peace is the most shared one. Nevertheless, these relations are open to rights and duties, so they found the justice also:

- Key social relations are based on a hierarchical principle of rights and duties and they contribute to local definition of good relations. However they are manipulated by some social actors;
- initial equal relations between Karaboro and Fulbe due to their position of strangers in Dyula/Tiefo society is challenged when the land priest authority is challenged:
- “... they tend to ‘jump the traditional basis’, the authority of Masters of the Earth [land priest] is, at least implicitly, challenged.” (Hagberg 1998 : 217) ;
- Notion of peace and forgiveness is not even applied by peasants toward Fulbe. Some ask for money, other refuse to forgive.

While rights are object of a procedure, social relations are object of a general moral discourse (peace, prosperity, land fertility). Tiefo land priests are in charge to maintain or re-establish it. They intervene before and after open conflicts. Mediation and manipulation during the conflict is rather the fact of actors and organisations whose legitimacy is at the interface modernity and customary.

About the Sideradougou conflict, Hagberg highlights that actors involved in the peace were:

- Police captain ;
- Cercle commander ;
- Karaboro elders;
- Fulbe leaders;
- Karaboro political activists (former rebels).

RAF, syndicate and Donsoton: The Justice

About claim and promotion of justice, actors resort to organisation as the Land reform (RAF), the Donsoton, and the cattle owners syndicate. Each one claim right in the name of the community but serves a specific group:

- According to Hagberg, the RAF serves, at least, Mossi agriculturists in the name of all Burkinabè. Implementation of the law depends widely of local interactions. The Raf is

open to numerous and competing interpretations which become more important and real than the text of the law;

- the cattle owners syndicate serves fulbe pastoralists in the name of all pastoralists. But his organisation is fulbe and it backs Fulbe's interests in their disputes with croppers and the administration;
- the *donsoton* is a hunters association, which is between a selective initiation group and an open religious cult, the *benkadi*. This organisation is also a local militia that looks after cattle. It is forbidden to Fulbe. Very biased and seen as a concurrent, the *donsoton* causes many troubles for local police.

The three organisations are between customary and modernity:

- According to Hagberg, the RAF is a modern law which follow up the *mossi* empire hegemony upon other social groups and societies of Burkina Faso;
- The syndicate is a “modern” organisation which is struggle for customary stakes;
- The *Donsoton* is an animist customary cult that is regulated by administration.

The Syndicate and the *Donsoton* are even involved in conflict around three stakes:

- The definition of the matter, which contribute to designate responsibilities;
- They drive partisan actions to conserve their local legitimacy;
- Each one get relay into administration and State, which allow them to lead conflicts.

Hagberg highlights that claim of rights provide an ideological justification for external actors who intervene in the conflict settlement as the Syndicate and the *Donsoton*:

“Rights provide an ideological justification for external actors to defend a disputing party. In practice, relations are, however, important, but are played down in public discourse.” (Hagberg 1998: 242).

Mechanisms of settlements

Finally, since 1986 events relations between croppers and pastoralists are locally described as conflictive. However, despite deads, violence and related to conflicts in other regions, these conflicts were quickly resolved. Pacification was not much the fact of the army as the fact of actors whose social position has allowed legitimization of their discourses for peace: elders, smith, *Donsoton* and the Syndicate notably.

However, which real mechanisms have allowed settlement and management of conflicts in Comoe?

■ **“Decontamination” of administration.** According to Hagberg, during the Comoe conflict strategies of predation, exercise of power and local bribery have been reduce by State within acceptable limits.

■ **Public effort to do not “ethnicised” social tensions.** Official position of the government tends to individualize conflicts and match them with specific situations:

“The point is to play down ethnic classification of disputing parties as to avoid ethnicisation of disputes. This view-point is ideologically expressed in the official discourse in government offices, but refuted in everyday practice.” (Hagberg 1998: 246).

■ **Local institutions of mediation.** Joking relationships are key relations of conflict management. Fulbe are seen as a very different group from others. They have unfolded joking relationships with all social groups of the Comoe. Conflictive situation often are turned into

joking relations. Amongst croppers, blacksmiths constitute a kind of “broker group” or a “social interface” between Fulbe and agriculturists. They are determinant supports to defuse disputes and bear conflicts.

■ **Sacrality of land.** The sacred conception of land contributes to the regulation of conflicts. Customary institutions of land management have gotten back importance after the Revolution. Land priests have a symbolic and religious importance which could be used in a political way:

“... land has remained sacred. Bloodshed threatened the sacredness of land, but harmony was restored through sacrifices.” (Hagberg 1998: 247).

Land priests, whose capacities to settle conflicts are recognized by the RAF, control these sacrifices. In fact, Karaboro and Fulbe recognize the sacred status of the land and the authority of Tiefo land priests. However, the firsts, as croppers do sacrifices, and the latter, as Muslims, pay Tiefo to do it. This situation could be another source of conflict in favour of Karaboro...

III. CASE STUDY 3: INSTITUTIONAL PLURALISM AND OPPORTUNISTIC BEHAVIOURS IN NIGER

1. The case studied: conflicts and land tenure reform in the department of Zinder, Niger

Lund, 1998. *Land, Law, Power, and Politics in Niger: Land Struggle and the Rural Code*. Munster: APAD/LIT.

2. Historical trends

The *arrondissement de Mirriah*, Zinder district is one of most densely populated of southern Niger (22 inhabitants/mi²). Migrations and informal trade at the nigerian border dominate local economy. Insomuch the naira replaces the franc CFA in the most commercial transactions. The local market economy is embedded in the old Hausa Empire’s organisation of economy and resource access. As a result, land market, concentration, and speculation exist since a long time.

“(...) Land is increasingly scarce and expensive to acquire for the rural producers, while low productivity often makes other investment options more attractive for the rich, urban-based merchant class” (Lund, 19998, p. 58). While, these latter invest in transport, trade, housing estate and urban land tenure, get plots in rural area without invest in. Therefore, peasants are face to face with a land market with high costs and a farming sector few dynamic.

Ethnic groups present in this area are locally distinguished between Hausa and Hausa-speakers. While Fulla and Buzu are bringing together in the latter group, Beriberi are assimilated with Hausa.

Amongst moral principles of the hausa social organisation, Lund highlights that we have to count in the *arziki* to understand dynamics of conflicts. Associated with the notion of force, the *arziki* gives the socially recognised capacity to override social rules: « ...excellence, suc-

cess or the transgression of normative boundaries are the only valid signs of *arziki* – i.e. the transgression is in itself its justification... » (Lund, 1998, p. 61).

In the Zinder district, Lund has identified a “tenurial triangle” of claims of property according to the origin of the right:

- First occupant’s claim;
- tiller’s claim;
- buyer’s claim.

With ambiguity, the colonial period recognised the first occupant’s rights and the tiller’s rights. Then, the reforms of 1960-61 recognised only the tillers’ rights. Currently, in case of contradictory claims, the Rural Code gives the power to local authorities to recognise first occupant’s rights to establish the individual private property on land.

Nowadays, in addition of the overlapping of the different rights’ origins, authorities, or politico-legal institutions that can pronounce rights are overlapped also:

- The *chefs de canton*, were established by the colonial administration to organize the territory and to locally represent the Administration. The post-colonial State attempted to constraint their power placing them under the Prefects and sub-Prefects’ authority;
- sub-Prefect;
- judges pronounce the right in line with a translation of the custom right through the Law;
- political parties which attempt to influence the settlement of conflicts through their supporters;
- the police, which establish statements and contribute to establish facts;
- the Sultan of Zinder;
- the land tenure commission set up by the State to manage local land tenure issues.

The Rural Code of Niger coincides with the National Conference during which the democratic constitution of Niger was established. The National Conference was conducted about three major topics: the political assassinations since the Independence, the grabbing of administration, and the socio-economic ruin of the country. The discussions were broadcasted on radio, and many new papers appeared. The general mood of the conference was the reject of the past, the challenging of authorities, and the will to shootout the past. Politically the National Conference and the Rural Code had two main consequences:

- The fact that land tenure conflicts are not forbidden anymore, contributes to the formal recognition of the local administrative hierarchy (village chief, chef de canton, sub-Prefect, Prefect) as frame of conflicts settlement;
- Most military State’s victims associations turned off into political parties, as the AMACA, which has supported hausa people against the djerma power, and which became the CDS, the major party of the new governmental coalition.

Following these features, amongst our sets of factors of conflict we can underline the State’s interventions as a major factor.

■ External intervention of the State

- The main factor of conflict analysed by Lund is linked with local consequences of legal and political interventions of the State. He analyses these consequences as the production of a situation of institutional pluralism, within which the precedence and the hierarchy between authorities are unstructured and unpredictable. Therefore, while there is a formal hierarchy expressed by local discourses, in practice, the involvement of institutions into land

tenure conflict is the occasion of a competition to determine which authority is legitimate. Such situation is an “open moment”, within which actors can play with rivalries between authorities to the advantage of their own individual strategies and of new opportunistic behaviours. Lund get two main findings about this question:

- There is a dialectic between actors’ claims and the recognition of the authority which support them. The hierarchy between authorities is not predictable, it is established during the conflict process.
- within each conflict process there is a dialectic between the challenging of former rules to the advantage of individual strategies, and the fact that these former rules could be challenged by new rules only. Finally, all challenging process reaches to the establishment of an institutional hierarchy, the recognition of authority, and the implementation of rules... until the next conflict.

Nevertheless, in the case of Zinder, the introduction of the “Commission foncière” into the former local competition between the Sultan, the chieftaincies and the sub-Prefect contribute to a kind of perpetual process of challenging, with a short cycle, renewed with conflict. Therefore, hierarchies, rules and authorities are frequently challenged when one of the opponent get the occasion to replay the conflict to his advantage, because at no moment the precedence and the coordination between authorities sound open to be stabilized.

3. Various kinds of conflict

Lund does not describe a specific case of conflict. He makes global conclusions about the genesis of conflicts over land and resources from a repertoire of various conflicts.

Emergence of conflicts and open institutional moments

According to Lund, the emergence of conflicts over land tenure in Niger is tied to institutional moments within which situational adjustment, i.e. the challenging of former rules by new rules, is important:

“when a village chief dies, the opportunity to reappraise a decision occurs, and when a man dies, the moment is ripe for claiming back land he had once transferred to someone else under undocumented conditions” (Lund 1998, p. 132).

In addition, for instance, the proclamation of the National Conference was an important open institutional moment that permits actors to hope in a new socio-political order build on the challenging of former rules and agreements.

All the Lund’s analysis argues that “historical conjunctures of changes on different levels provide moments where situational adjustment is important” (Lund 1998, p.132).

Social struggles over resources

■ Access to pastures

In the department of Zinder, pastures in the agricultural area are under pressure. Agriculturists get two kinds of advantages: they are often autochthonous, so they get the advantage of the first coming and time passed on the territory; they are also more numerous than pastoralists. These two features, give them advantages to challenge pastoral area: because they constitute the larger tax base of the Chef de canton, the latter avoids supporting the pastoral territory of

one family of pastoralists against three or four families of agriculturists who claim this territory. Time play another role in pastoralists/agriculturists struggles: the content of convention between actors concern precedence, time passed to graze, timing of the convention and relations. Struggles often emerge about misinterpretations of these temporal features, and when an actor seek to challenge a convention he challenge these features. In such conflicts within which time is an important structure, the cyclic resetting of institutions (death of chiefs, change of Prefect and civil servant) get an important impact of the emergence and the unfolding of struggles.

■ Access to land for agriculture and inheritance

About struggles over land and inheritance, cases analysed by Lund in Zinder shown two main points:

- The hierarchy between authorities is not clear and predictable, and if the hierarchy is formulated it is nor process directing nor controlling. The process of regularization of conflicts over land in Zinder is not monitoring following a static hierarchy, it is rather undulatory according to situations and cases;
- cases of litigation are composed by two elements: when a litigant resort an institution to support his claim he do not resort it only, he recognize it legitimacy and the issue of the struggle will confirm or undermine the power of the institution;
- rules enforced by institutions “exert different degrees of constraint and regularization on actors depending on their argument, and their power and skills to situationally adjust their claim” (Lund 1998, p. 163).

Thus, investment in an open conflict needs to control two main resources:

- Economic resources, “money is a sine qua non for addressing a politico-legal institution” (Lund 1998, p. 162);
- knowledge about political situations and capacities of the different politico-legal institutions liable to be resorted in the conflict.

Lund concludes, “there is a general tendency that legal rules as well as legal procedure favour the already economically and politically powerful” (Lund 1998, p. 162).

When individuals challenge institutions

This kind of conflict, begin with an ordinary land tenure struggle but the process of the conflict turned into more than that, when one of the opponent get a place in State. Lund highlights a process of immunization from institutions governors when an individual directly or indirectly attacks one of them. While they pursue competition for jurisdictions between them, institutions governors protect each others from individuals’ attacks and challenging.

Competition for jurisdictions

According to Lund, in Niger, the various politico-legal institutions have experienced increased activity, as they have become arenas for political competition. This activity appears as a demand of local population who seek to experienced hopes of democratization promised by the National conference. Thus, local arenas became spaces of expression of unexpressed claims hitherto, and the occasion arose to former and new institutions to reshape the distribution of powers and jurisdictions. However, the same political process of competition fuelled a process

of institutional congruence and rivalry, which reduces the prospects of development towards an increasingly coherent practice for dealing with tenure disputes.

Politicisation: political national stakes and local land tenure issues

During the military regime of the MNSD, the CDS party has built his legitimacy on parallel institutions implemented to counter injustices made by the State. Thus, about local land tenure issues the CDS representatives get a kind of “Robin Hood” legitimacy. They defended peasants against abuses of local State representatives. Today, the CDS is the major party of the government coalition. Their representatives cannot build their legitimacy as State opponents any more and they do not propose parallel institutions. However, on the one hand, peoples continue to resort them “because they believed the party was the appropriate avenue for the specific situation” (Lund 1998, p. 203). On the other hand, there is a real competition for jurisdiction between local representatives of the state belonging of different parties of the coalition, and there is a competition between local representatives of parties and representatives of the State. In such context of transition toward political pluralism, land tenure issues became highly politicized by competition between parties and between state members.

4. Legal pluralism, hierarchy, and negotiation

Finally, for Lund “The disputes are rooted in social contradictions and are backed by contradictory rules and norms. The re-opening of tenure as an issue released a vast number of disputes; or allowed them to surface publicly to the administrative sphere.” (Lund 1998, p. 126). However, he highlights various points that help us to understand the emergence and the dynamics of conflicts over land and natural resources in Niger.

- The “*Code Rural du Niger*” was established by the government but the concrete systems of land tenure result of a competition between the various local institutions and their exercise of power. The land tenure reform appears as a process in which administration and customary powers interact. In this context, the introduction of the “*Commissions foncières*” which participate in the local politics and produce land tenure rules, have conducted to the overlapping of institutions and the crystallization of their competition.
- Lund defines the space of expression of claims, of their applications and their guarantees as a political arena in which actors negotiate rules according to their social dispositions. In this arena, two diverging processes are at play: a process of regularization that is an effort to stabilize rules and norms, and a process of situational adjustment that is a tendency to challenge former rules and norms according to individual and situational interests.
- Despite the hierarchical or egalitarian formal narratives, the practical hierarchy between authorities is not clear and is rather a structural overlapping of institutions. This is the characteristic trajectory of each conflict that establishes a « situational hierarchy » between institutions. Within this process, resort an authority means to recognize her legitimacy to exercise her power of regularization.
- Within this process, socio-political power over-determines economic power. Nevertheless, materials resources stand an important factor of access to authorities. Indeed, during a conflict, opponents exchange goods and money with each authority they resort. It is difficult to draw a frontier between a gift of reconnaissance and pure grabbing. However, money is a *sine qua non* to addressing authorities.
- Within such context of unpredictable hierarchy, actors have to be capable to well understand the situation and avoid economic determinisms. Practices of situational adjustment

are implemented in open situations, in moments where institutional haziness is opportune. The competition between institutions is an open moment where actors can claim new rules or modifications in the repertoire of norms and justify their new practices :

“The competitions between politico-legal institutions over the extension of jurisdiction moreover provide a series of “open moments” where adjustment to the situation and competent appreciation of the moment’s potential could be exploited by resources users for securing access.” (Lund 1998, p.210).

To resume, the implementation of the rural code of Niger and the opening of the political life, create an institutional situation at the both national and local levels within which many conflicts over land and natural resources risen up. Lund describes this situation as an institutional open moment, within which politico-legal institutions are not formally "hierarchised", rules and norms are often contradictory, and institutions compete for legitimacy and jurisdictions. Such a state of political relations, permits actors to claim new practices, challenge former rules and norms, and assert their individual and situational interests.

Focusing on institutional open moments leads to understand how social contradictions are expressed and backed by competing rules and norms, which appear in specific institutional moments. Conflicts and situational adjustments express a certain state of social relations and institutional structures at national and local levels.

IV. CASE STUDY 4: THE LINK BETWEEN NATIONAL TENSIONS AND LOCAL CONFLICTS IN BURKINA FASO

1. The case studied: Struggles over wetlands and ethnic politics

Faure A., 1993, « Niaogho versus Beghedo, un conflit foncier à la veille de la révolution burkinabè », *Cahiers de Sciences Humaines*, 29 (1) : 105-119.

2. Regional trends and factors

This area is deeply featured by four deep trends:

- ▷ The symbolic competition between two villages since the colonization, to know which one will control which one;
- ▷ Beghedo is settled on the Niaogho territory, and does not get management rights over land, but use rights only;
- ▷ the construction of a bridge between the two villages and the setting up of the prefecture in Beghedo;
- ▷ the government subsidy and the proclamation of the Revolution by Thomas Sankara in 1983.

Following these features, amongst our sets of factors of conflict we can underline five major factors.

■ **Tensions between social groups.** This case study well describes the link between local tensions, land tenure situations and national competitions and decisions. The first factor, which contributes to create a situation of tension, is a kind of "historical symbolic competition" between villages. A competition to know which one is the "greatest", in word of economic power or in word of political power. Each village and their supporters found their power on a specific repertoire of norms and different historical references and events. Such symbolic competition is not only rhetoric. First, they are anchored in land tenure situation between the two villages : Beghedo is the richest village but do not have any land, it is a vassal village of Niaogho; the latter is the most ancient village and get political power even if it does not get economic power. Second, these competitions have concrete and material consequences when they are resorted to get new resources flux and fuel political competitions at the national level.

■ **External interventions of State.** Two interventions of the State have fuelled the symbolic competition between Beghedo and Niaogho: a bridge between the two banks of the Karambé River that separate the two villages, and the setting up of the Prefecture in one of the two villages. Each intervention was implemented without count in the tensions between the two villages. Material, political, and social resources carried with the bridge and the Prefecture will fuel symbolic tensions and turning them in conflicts.

■ **Political tensions at the national level.** The investment of national politicians who are also “village’s sons” of Beghedo and Niaogho in national political events of 1983 (revolution), will contribute to increase local tensions as far as the use of military weapon and death.

3. Local-level politics and symbolic competition

Niaogho and Beghedo are two villages from Burkina Faso separated by the Nakambe River.

- ▷ The first one is a bisσα village whose inhabitants have integrated moose culture. For instance the Mogho Naaba, the moose king of Ouagadougou, appoints Niaogho chiefs. The land priest controls a vast territory including Beghedo. Through school and customary patron-client-type relationships with the capital, Niaogho is a “live-box” of officials and militaries.
- ▷ Beghedo is a village of yarsé, bisσα, hausa, and fulla merchants. The local economy is based on the speculation of onions and cash crops production. Merchants are pawnbrokers also. The great mobility of merchant population contributes to the introduction of various new techniques as sorghum grinder, machine for cultivation, transports. This situation appears as the result of an economic strategy due to the poor quality of Beghedo land and the absence of bush as land reserve.
- ▷ There is a conflict of norms to establish the political hierarchy between both villages: according to which norms, statutory or economic, one the village would control the other?

Two State interventions have fuelled tensions that have spill over in two violent conflicts, which have let 50 wounded and 5 killed; have need intervention of CRS and army; and have led to imprisonment of the Niaogho chief and several villagers.

4. The setting-up of social tensions

First state intervention: The Karambé’s bridge

The Karambé’s bridge was drawn to link Niaogho and Beghedo along the Tenkodogo-Ouagadougou way. This fitting fuels immediately resentment of the pirogue-driver who is Niaogho land priest; but it fuels also the joy of Beghedo peasants who will reach easily to Niaogho bush to cultivate cash crops.

After the bridge building, a first Beghedo cropper negotiates a plot with Niaogho land priest and village chief.

In 1976, the first tractor arrives at Niaogho. It is loan to rich croppers. Its arrival conduces to a small movement of agrarian clearing over Niaogho bush by Beghedo croppers. Their agrarian system is featured by:

- Open fields to make tractors manoeuvres easier;
- workforce employment;
- cash crops cultivation.

Economically, the gap increasingly deep between Beghedo peasants who have great capacities of investment, and Niaogho ones. The agrarian system unfolded by Beghedo on Niaogho land conduce the increase of economic inequalities between “in-migrants” and their hosts.

At the land tenure level Beghedo's croppers' game is confused:

- Their economic power seems to give them a kind of recklessness. In fact, some of them have cleared plots either without ask nor land priest nor village chief, or through the retribution of both;
- when, according to the fact that landowners delegate land use rights but keep trees use rights, Niaogho women come to pick up karité nuts over fields exploited by Beghedo's peasants. But cultivators stopped and driven them away;
- a rumour circulated: Beghedo « migrants » who have loaned money to Niaogho's landowners, conceive implicitly their plots as mortgage bond, hence they would aim to unfold a land market.

In front of this kind of commercial insolence, Niaogho inhabitants accumulate resentments and frustrations, which are expressed in even brawls with Beghedo's ones related by newspapers.

« '1980 : Un homme de Niaogho meurt mystérieusement dans une case de champ d'un Beghedolais. Les soupçons se portent sur Beghedo. Lors d'un match de football opposant les deux localités se produit une rixe entre deux supporters. Celui de Niaogho aurait été poignardé. Le match dégénère en bagarre généralisée. Le lendemain, des hangars appartenant à des commerçants de Niaogho sont brûlés au marché de Beghedo. dit-on à Niaogho; un seul. et qui fut refait par l'auteur sur ordre du président de l'association des commerçants, rétorquent ceux de Beghedo.' (Le Carrefour Africain, 1983). » (Faure, 1993 : 112, note 10).

Second State intervention: Beghedo Préfecture

In 1974, the State announces the creation of Prefectures. Chosen villages will benefit to various fittings. This announcement fuels immediately competition amongst villages, cantons, and fuels rumours about bribery of officials who are in charge to choose prefectures.

Niaogho peoples expect that their revenge over Beghedo will be fuelled by the installation of the prefecture in their village. Sons of the village hold down jobs in the General staff that controls the country. Unfortunately, in 1980, the CMRP announces the build of the prefecture in Beghedo. Well-educated of Niaogho will have to cross the Karambé's Bridge to get their papers at Beghedo's unstudied merchants! For them this outlook is unbearable and they accuse them of bribery...

In the escalation of social tensions and brawls between both villages, it seems that the hope of a prefecture in their village has suppressed the will of Niaogho's inhabitants. The blockage of all political and statutory outlooks leads them to express their frustration violently on April 26 1982. Faure does not describe any particular event that sparks of the conflict. She describes rather the accumulation of daily tensions that, one day, across limits of acceptable, and conduce Niaogho authorities to announce and implement a kind of Beghedo's cultivators hunt to drive them away.

The first conflict was quickly settled through interventions of the police. It lets 20 wounded. Nevertheless, tensions are not calmed down. The conflict is latent and resentments between Niaogho's and Beghedo's inhabitants are bitter. The situation explodes one year later.

The State's Collapse

The high level of institutional and political uncertainty gave the occasion for the sons of the village holding down places at the national level to fuel their competitions with those of their both villages.

While a commission was still in charge to understand land tenure and agrarian snarls of tensions between both villages, the CSP overthrew the CMRP. The new government was a place of disputations amongst young militaries and the political situation was uncertain. Politicians and militaries tended thus to rely upon their villages:

- Militaries from Niaogho decided to arm up their uncles: they sent them machineguns and logistic support. Immediately Niaogho's elders threatened Beghedo cultivators, assuming they had the « force » with them;
- At the same time CRS were arrayed to escort Beghedo's cultivators and guard the bridge;
- Thomas Sankara was arrested on May 17 1983 and the country was in a state of extreme uncertainty. Niaogho and Beghedo villagers expected that depending on the General staff who would gain the presidency, one of the two villages would succeed. Twenty days later some Niaogho's prepared an ambush against CRS and Beghedo's cultivators: 5 people died and 30 were injured. The army was arrayed.

The access of Sankara to presidency and execution of many officers from Niaogho contributed to calm down the situation. Litigious plots were attributed to Ministry of Justice, a prefecture was built in Niaogho, as well as police offices in Beghedo and nearby villages.

5. Normative conflicts and institutional resetting

The rise of tension and the explosion of conflicts between Niaogho and Beghedo could be described as the expression of a process within which actors try to make economic logics autonomous from social logics – as a kind of “social dis-embeddedness” of economy:

- It is clear that Niaogho inhabitants and authorities based their power on statutory and social norms that ascribe land tenure control to the former village. From this land tenure control results a political control strengthen by patron-client-type relationships with the Mogho Naaba of Ouagadougou;
- on their side, the cultivators-investors of Beghedo base their practices on an economic logic. Possession of an economic capital justifies a “natural” access to full land tenure rights and to political positions.

Pursuing of social logics by Niaogho and it challenging by Beghedo conduce to a situation of institutional confusion. However, this contradiction does not appear anywhere at anytime:

- Disputed land is located in “free-bush”, managed jointly by the land priest and the village chief, without a clear hierarchy between them, except a processual one, depending on cases
- The spark out of conflicts between both villages corresponds to moments of institutional and political confusion at the national level, during which competing interests are articulated and “well-connected” actors try to take over.

Two open institutional situations within which arbitration and regularization of competing societal projects are not ensured.

Faure's case study well highlights:

- How social tensions turn into conflicts about spaces during moments of institutional uncertainty;
- The role played by the State to calm down or intensify this process
- The fact that conflicts and tensions are never completely settled, they are calmed down, forgiven, borne and abided, but they are never forgotten...

V. CONCLUSION: CONFLICT RESOLUTION OR MANAGEMENT?

1. Results synthesis

We have summarised in the following table the main features of the four in-depth case studies according to three types of criteria: the genesis and social construction of tensions and conflictive situations, the emergence and outbreak of the conflict, the dynamics of unfolding and settlement (resolution or appeasement).

Table X.

Case studies	The social construction of conflictive situations	Emergence of conflicts	Dynamics of unfolding and settlement
Case I: Senegal/Mauritania	State interventions that overvalued local resources that reshape social tension around resources access	Within a context of contradiction between custom borders and national borders appear, unconcerted land tenure laws about overvalued resources between neighbour states appear as a major stake that establishes conditions of social conflict	Local social relations and local power organization permit to resolve struggles and tensions; The role play by State
Case II: The Comoé conflict	--	The spark was a daily social interaction that derives in murder.	Social relations beyond modernity and custom play an important role to settle conflicts
Case III: The rural Code of Niger	The introduction of political pluralism create a situation of transition in which institutions are overlap and compete for jurisdiction	Institutional open moments in which actors resort various authorities to claim new rules and norms fitted to their interests; this also a process of recognition of their power and legitimacy for authorities	The settlement of conflict appears as the success of one authorities to impose her legitimacy in the process
Case IV: Beghedo vs. Niaogho	Local social tensions are increased by state interventions and national political tensions Economic transition between a domestic economy socially embedded and a commercial economy socially "dis-embedded".	The spark was a daily social interaction that derives in murder; The possibility of one of the opponents to resort to military resources and get weapons.	The role played by State

2. Conflict management and policy

Policy makers are of course interested in concrete proposals for settling or preventing disputes and violent conflicts. Actually, we did not find many empirical data in the literature on this dimension of conflict trajectories. This can be explained by the very dynamics of conflicts over natural resources in Africa, and the comment could be expanded to political conflicts at large (see Bierschenk & Olivier de Sardan 1998). The tendency goes toward calming down conflicts rather than solving them, “*balayer sous le tapis*” – sweeping under the carpet? – as the French say. This explains why cases are so frequently reopened later or elsewhere. In a few cases, what is at stake is so to say “too big” for a local handling and it is instrumentalised within supralocal/national arenas.

The last point, namely the embeddedness of local disputes in wider setting, up to the national political arena is obviously a factor of tension. It shows clearly the political nature of land issue, expressed by the intricacy of land-related and other stakes in conflicts over land and natural resources.

Among the actors involved, the ‘state’ in fact a set of differentiated actors, groups and administrations – play a key role, actually at odd with the idea of a neutral arbitrator guaranteeing the common interest. State actors and institutions are players, not referees, and they are instrumental in the production of institutional uncertainty and proliferation (Berry 1993, Lund 1998, Le Meur 1999) as well as in establishing linkages between local and national arenas. These observations apply to the development apparatus too.

State and development interventions tend both to strengthen a tendency toward institutional pluralism. Furthermore, they generate an in-flow of resources of various orders (financial, technical, political, symbolic) without being able to redefine and enforce the rules of the game. The discrepancy between resources in-flow and weak regulations generate room for opportunistic behaviours and conflict emergence.

Hagberg’s study is the only one really exploring the conflict settlement issue. He proposes the strong hypothesis of a shifting balance between peace – restoring the web of social ties – and justice – invoking a higher moral or legal principles at the risk of disrupting social relations. We will come back to this in the concluding chapter.

Multilocalisation, sequences of conflict, appeasement and reopening, shifting relations and mutual instrumentalisation between local and supra-local arenas: none of these conflicts can be seen as merely resulting from a unique – demographic or ecological – factor. They are part of the historical trajectory of social relations revolving around the access to and control of natural resources. This means conflict and consensus are the two sides of the same coin.

From a methodological point of view, this conclusion renders the mapping objective even more tricky. Conflicts are often multilocalised and their position shifts in the course of their evolution, as new, ‘external’, ‘national’ actors enter the play.

Part IV. Generalising, mapping, policy-making: Elements of reflection and proposals

I. CONFLICT DYNAMICS ANALYSIS: SYNTHESIS

This section sums up our four step-approach to conflict analysis as presented and discussed during the experts meeting jointly organised by GRET and FAO and held in Dakar in March 2006. (see in annex the lists of the participants and the titles of their papers). More generally, the whole chapter owes much to the fruitful discussions we had during this intensive workshop.

1. The approach

The central issue is the competition between social actors and institutions for the access to, and the control of scarce and fragile natural resources in a context of legal and institutional pluralism, of uncertainty as regards norms and policy. The governance of land and natural resources is problematised as:

- ▷ A matter of wealth, power, and meaning: the ‘what-question’ (what is at stake)
- ▷ An arena of actors and institutions: the ‘who-question’ (who is involved, and where: multi-localised processes)
- ▷ A negotiation between peace, conflict, and justice: the ‘how-question’ (conflicts over land access and control as social processes)

The four steps of the analysis are:

3. Identification of the underlying factors at the regional level
 - Pressure: demographic and environmental factors
 - Pluralism: law, development and policy factors
 - Inequality: socio-political and economic factors
4. Conflict dynamic analysis, resorting to descriptive indicators:
 - Social actors involved in competing claims, emergence of ‘strategic groups’
 - Politico-legal institutions: ‘traditional’ and ‘modern’, local and ‘extra-local’, explicit domains of competency and implicit legitimacy
 - Conflictive issues: explicit subject matters and ‘hidden agendas’, conflicts of interpretation, disputes within or about the rules
 - Conflict trajectory: genesis, outbreak, evolution (actors, places: degree of ‘localisation’, issues), arbitration procedures, justifying discourses, settlement and/or re-opening

This is a two-step process: (1) 14 cases presenting historical trends, actors involved, underlying factors and conflict dynamics; (2) 4 in-depth case studies emphasizing the whole conflict trajectory, from tension to conflict outbreak, escalation and then settlement mechanisms.

5. Generalisation and comparative hypothesis
6. Proposals and recommendations as regards policy orientations and mapping possibility

2. Underlying factors

Beyond or mediating demographic and ecological factors, we can establish the following list of factors underlying tensions around natural resources. This list results from the literature analysed in the report, the case studies presented during the experts meeting and the discussions that followed.

Policy, law, and development

- Models of agriculture (family farm versus agribusiness, ranching in East Africa, Niger, large dams and induced effects on agriculture type)
- Economic priority: tourism (and protected areas, Eastern/Southern Africa), mining (small-scale or industrial mining) at the expense of traditional livelihood systems (and especially pastoralism based on the mobility allowing the seasonal exploitation of patchy and scarce resources; Fratkin 1997, 2001)
- Underlying discourses and ‘received wisdom’: modernisation theory, pastoralism equating resources degradation (thus the colonial and post-colonial permanent call for sedentarisation), equilibrium viewpoint and the nature/culture and nature/society divides (preventing a sound integration of pastoralists and conservation for instance), etc.
- Decentralisation and local natural resources management: administrative boundaries creation & contradiction with customary territories/management (cf. Mali), ‘villagisation’ and ‘*gestion des terroirs*’, contradictions between territorialising policies and the creation of boundaries, and the mobility and multilocalised action space of pastoralists, and also many rural dwellers
- Legal pluralism and the differential recognition of ‘customary’ rights (and “customary” politico-legal authorities and ‘customary’ territories/boundaries? Cf. Uganda)
- The production of law: proliferation and confusion (Tanzania), questions about implementation (see the South African case) and enforcement capacities (cf. the dysfunction of State administrations, a.o. judiciary institutions)
- The political dimension of policy building (for instance: formal – legislative: Senegal – or informal – through political ties and clientelism; Burkina Faso – promotion of agribusiness).
- The discrepancy between water policy and land policy, in terms of conceptions, legal frameworks, staff involved (Cotula 2006).

Politics and economy

- The emergence of ‘new enclosures’ (Woodhouse et al. 2000): wetlands, ranching, conservationist policy and protected areas in Eastern & Southern Africa.
- Land concentration, land sale market development (see Kenya), the influence of urban land buyers, class formation (see Peters 2004).
- Tendency toward women’s exclusion of land access (see Gray & Kevane 1999); the issue was unconclusively debated during the workshop.
- Pastoralists’ exclusion from the national politics and development orientations.
- Linkages between national politics and the local politics of land and natural resources.

- Inequalities in access to land and natural resources and citizenship – linked to issues on autochthony (Côte d’Ivoire), ‘indigenous people’ discourse (see Tanzania, South Africa), ‘community-based’ management, locality, settler colony & agrarian reforms (Southern Africa).

II. GENERALISING: LINKING MICRO-STUDIES AND MACRO-ANALYSES

The idea of generalising conveys an idea of obviousness that is misleading. There are different ways to “generalise” – making inferences about a larger population or category of phenomenon - on the basis of localised knowledge (or of a sample of this population or phenomenon) (Mitchell 1983: 188 et seq.). One form is the statistical inference from a sample, which is built so as to be representative of the wider population or class of events under study. The other form of generalisation is based on inductive inference highlighting social linkages, processes, and mechanisms that are deemed to be explanatory in other comparable situations.

“As a working definition we may characterise a case study as a detailed examination of an event (or series of related events) which the analyst believes exhibits (or exhibit) the operation of some identified general theoretical principle. (...) A case study is essentially heuristic” (Mitchell 1983: 192).

1. Quantification attempts: establishing and spatialising statistical correlations

Hussein (1998; quoted in Homewood et al. 2004) analyses conflicts over natural resources in Africa by focusing on the issues of scale and intensity. The criteria are:

- ▷ Frequency, in terms of number of separate incidents,
- ▷ Intensity, in terms of casualties,
- ▷ Scale: individual violent confrontations, instances of the State violence against groups within national borders, political and military conflict between groups within or across national borders.

Such method can give an overview of the situation but it fails to take account of conflict dynamics and evolving linkages between distant (in time and/or space) situations. Such an approach relies on a naive theory of conflict as opposed to consensus, whereas consensus in a place can reflect tension or violence on another scene. Third point, this kind of quantification has no explanatory power per se. But it helps build hypothesis about the link between macro-factors and the emergence of conflict.

Quantitative approaches face practical challenges too. One regards what one of the workshop participants called the “limits of visibility”. This is not only a matter of scale and intensity, which raises questions of monitoring. It is also an affair of publicness and categorisation.

In the same way, visual representations based on this type of approach reveal uneasy or unsatisfying, due to the multilocalisation of conflicts and to the complexity of causal chains.

2. Linking underlying factors and conflict outbreak: lessons learnt from the case studies and general proposals

The shortcomings of statistical approaches make it necessary to study conflicts as social processes, implying the reshaping and re-interpretation of what is at stake and why.

Through the case study method, “the extrapolation is in fact based on the validity of the analysis rather than the representativeness of the events”. Related to the purpose of our study, this mode of reasoning is at once promising and frustrating.

- ▷ Frustrating because this approach does not give us the means to categorise conflictive situations in a systematic classification that would allow, for instance, to build a sort of scale of conflict potential according to the co-presence of certain factors in an area.
- ▷ Promising for the same reason: It releases us from the illusion of the possibility of social engineering in the field conflict prevention.

As a observed in several cases, **there is no mechanical link between factors of tension** (demographic pressure, land and natural resources scarcity, environment degradation, economic inequality, social exclusion, political instability) **and the outbreak of conflicts. The mutation of tensions into conflict has its own dynamics, as well as the very process of conflict unfolding.**

This is a very important empirical result. It helps get rid of the usual narratives and stereotypes about the demographic and ecological causes of conflicts over resources. Leach and Mearns (1996) analyse them in detail – from and degradation caused by ignorant farmers and pastoral practices as inherently destructive because they are deemed ‘traditional’ or ‘irrational’ to the ineluctability of deforestation and rainfall decline, though the equilibrium ideology and nature/culture divide, the tragedy of commons as allround explanation, or the ethnic belonging as a primordial tie.

Second point, we must **differentiate between form and levels of causality:**

- ▷ Between the origin or roots of a conflict (why?), the means (how?) and the efficient cause (who/what?)
- ▷ Between perceived/subjective causes (perception of threat, of exclusion, etc.) and ‘objective’ causes of factors.
- ▷ Perceived causes are to be linked to justifying principles (cf. the concept of ‘moral economy’ as cognitive and interpretive grid for social actors, defining what is acceptable and what is unacceptable).

The comparison between cases and situations allows to go beyond the local or regional scope of the case studies to highlight regularities and recurrent features in terms of actors involved, types of conflicts, phases of escalation/de-escalation. We have summarised them in the following lists:

- Macro factors such as demographic pressure, natural resource scarcity or macroeconomic policy do not generate conflicts as such. **Conflicts result from the mediation of localised contexts (not strictly “local” and bounded configurations) involving the interplay of local situations and exogenous influences** (even in cases where a strong tendency – demographic pressure in the Sudanese cotton area, case 5 – is at work).

- **The influence of external factors plays a key role in conflict escalation**, in the form of political instrumentalisation (from outside; see Faure 1993, case 4) and the use of these factors as resources (from inside) (see cases in Burkina Faso and Kenya for instance).
- Among these political elements, **land laws and public policies** constitute a specific set of factors linking the local and national levels (see Lund 1998, 2001, case 6; Homewood et alii 2004, case 10; see also the impact of land laws in the history of Kenya and Ivory Coast, as well as Shem's report).
- The influence of external intervention (land development and reform, development programme, environmental policy) often has **deep historical roots** that are to be taken into account for a sound understanding of contemporary conflicts (see as typical examples of large-scale irrigation scheme the Niger Delta in Mali, Barrère & Barrère 2001, case 2; van Beusekom 2002; the Gezira Scheme in Sudan; Bernal 1990, case 7).
- External interventions take very often the paradigmatic form of 'development project'. They implies the in-flow of resources of various orders (financial, technical, political, symbolic) beyond the sole project objectives. The rules of the (new) game are often lacking or their legitimacy is weak, the intervention thus adding to the existing legal pluralism. **The discrepancy between resources in-flow and weak regulations generate room for opportunistic behaviours and conflict emergence** with an overvaluation of resources, the institutions generated by the intervention being used as resources (Basserie, Jacob, workshop discussion; see Shem's report too).
- The localised mediation through which factors of tension are understood and conflicts are built, avoided, settled or calmed down rely on moral principles and norms (see Richard 1996 for Sierra Leone). **At any level, one can define conflict as expressing as perceived break in a compromise on social equity. This break must be public.** This means that, in a way, the passage from tension to conflict implies the entry of a third party into a dyadic relation. Conflict is thus about contesting and negotiating a public compromise on equity between different levels or communities of belonging (household, lineage, village, ethnic group, national level) in relation with different public authorities (Jacob 2005, Le Meur 2006b).
- If conflict is about the contestation of a public compromise on equity as regards resource access, **shared principles (about justice and morality) could constitute a sound ground for the construction of peace and accountability** (see Touré's discussion on the social foundations of equity in his report, Basserie, workshop discussion).
- This is not always the case and one must analytically distinguish between '**productive conflict**' and '**blocked conflict**'. This distinction stems from the general hypothesis about the conflict as a 'normal social fact' (from both the statistical and the normative point of view). Conflict reveals social cleavages, diverging interpretations, perceived inequities, it is a mode of communication. The distinction between tension, negotiation, conflict, consensus is often tricky and always a matter of context, point of view and history. **A conflict can be 'productive' in that it gives room for the re-negotiation of rights or rules. It is a dead end if there is no more shared value.**

The distinction between productive conflict and blocked conflict is an analytical one. From a policy perspective, **the distinction productive/blocked conflict is a matter of evaluation and decision, thus a matter of the political legitimacy of the authorities involved.** More on this in the section IV of this chapter.

As regards the linkage between knowledge and policy, policy makers are of course interested in concrete proposals for settling or preventing disputes and violent conflicts. Actually, **we did not find many empirical data in the literature on this resolution side of conflict trajectories**. This can be explained by the very dynamics of conflicts over natural resources in Africa, and the comment could be expanded to political conflicts at large (see Bierschenk & Olivier de Sardan 1998). The tendency goes toward calming down conflicts rather than solving them, '*balayer sous le tapis*' as the French say, playing 'peace' against 'justice'. This explains why cases are so frequently reopened later or elsewhere. In a few cases, what is at stake is so to say "too big" for a local handling and it is instrumentalised within supralocal/national arenas.

III. MAPPING (SPACE, HISTORY) OR IDENTIFYING (MECHANISMS, SITUATIONS)?

The regional analyses and in-depth case studies we have presented so far do not pretend to draw any zoning of land conflicts in Africa, neither in terms of occurrence nor of risk. They are instantiations of historical situations within which the combination of various factors conduce or have conducted to conflicts where access to land and natural resources was at stake. The interplay of scales in the construction of land tenure issues and conflicts, along a continuum ranging from household tensions to inter-States conflicts, renders any geographical mapping of land tenure conflicts at least irrelevant (if not impossible) for the understanding or prevention of conflicts.

Even if it were possible to give a spatial image of the multi-localisation of a conflict that breaks out in a place under the pressure of events taking place somewhere else, and develops ramification in a third and fourth locale, the question of causality would remain. Where is the causal epicentre of this web of events? One could of course imagine the superimposing of chronological maps each of which illustrating a phase of the unfolding of the conflict. This type of tool can be useful to analyse retrospectively the trajectory of specific conflicts without giving clue in terms of predictability.

Actually, it seemed more relevant to try to highlight ideal type or generic situations underlying the emergence of conflicts. These elements are, as said in the section above, difficult to translate into a spatial representation, as they involve a set of multilocalised factors. **We can nevertheless sort out which elements can be mapped, among those the case studies highlighted as instrumental in conflict genesis**. We use here Raynaut's proposals (1997) as a starting point (see Peter Hochet's contribution to the workshop).

- ▷ National policy, land law, international regulations are per definition non localised (or distributed on the whole national territory)
- ▷ Social and political networks are multilocalised and difficult to grasp in spatial terms. We could say the same for other elements that reveal decisive in tension rising up, such as inter-generation tensions or firstcomers/latecomers disputes.
- ▷ The factors that are 'usually mapped' comprise elements such as demography, vegetation, land use, protected areas, pastoral mobility, human migrations, wells and ponds, periurban areas and urban centres, administrative boundaries, where they are clearcut. Ill-defined boundaries have emerged in the workshop discussion as a very important cause of conflict.

The location of public or private investments and of development programmes should be indicated too.

- ▷ Land concentration and the origin of land buyers and external investors would require a statistical apparatus that goes far beyond the capacities of national land administrations.
- ▷ Mapping conflicts is either illusory (it would need a dense network of observatory points) or misleading (by taking account of violent conflicts – the most visible ones – but neglecting many small-scale conflicts that could be highly revealing as regards increasing tensions and the changing nature of land relations in an area)
- ▷ Mapping history seems reasonable though difficult. A map of past conflicts can give useful indications, for instance by highlighting the recurrence of conflicts in some regions or their absence elsewhere.

A last point is worth noting. The idea of a map rests upon the hypothesis of a homogenous space. There are however ‘real gaps’, areas partially or totally unknown to research. As Raynaut puts it (1997: 10), the only way of dealing with such fragmentary and uncertain data is extrapolation, “in an attempt to generalise to a greater area the few specific and reliable data available”. He explains that to do this, they resorted to the “principle of non-contradiction”, by cross-checking information pertaining to different domains, for instance natural environment, human environment, development actions... At the end of his journey through Sahelian natures and societies, Raynaut still emphasises ecological and social diversity and variability, and the need of contextualising data and interpretation.

Maps are useful for they allow visualising elements structuring situations as far as access to natural resources is concerned. Localising areas of actual tensions on a map can help formulating hypothesis about the role of macro-factors. But maps do not say anything about conflict genesis as a process. We must rely on qualitative studies identifying what is at stake and who are the stakeholders if we are to interpret conflict. The translation of an objective pressure on resources or economic inequalities into dispute and violent conflicts is out of reach of a geographical approach. One must thus combine within an iterative approach the mapping of macro-factors and historical elements and the identification of mechanisms and social configurations.

IV. POLICY-MAKING

Putting in perspective micro and macro-studies allows identifying elements of crisis prevention. It is not only a matter of connecting macro and micro levels, but also of trying to interpret in a more prospective way the link between risks factors and actual conflictive events (and conflict-solving processes). The first step is about the complex link between knowledge and policy.

1. Linking knowledge and decision-making

We can formulate as a starting point the following observation. There is no such thing such as “the right technical solution” as regards land and natural resources policy. In the same vein, mapping risk is largely illusory, as processes revolving around access to, and control over land and natural resources are inherently political processes. They are shaped by the action of local and non-local stakeholders who mobilise differentiated resources and interpretations of the situation on the basis of specific principles and expectations.

In this respect, crisis prevention is, well before the rise of any tension, about the crafting of a public policy that is sensitive to the heterogeneity of local contexts and historical situations.

Policy-making is thus about negotiating compromises and not about imposing technical and institutional packages. Common history and shared principles could constitute a good starting point in this respect.

Oussouby Touré elaborates in his report on the notion of equity as different equality that refers to an egalitarian benefit sharing among all the users of a specific resource. Equity is a contextual and dynamic notion emphasising the variability of resource availability along the year and the distinct interests and bargaining powers of the actors involved in the use and management of a resource. Equity is thus a matter of accepted compromise and shared normative principles. However, one observes a frequent neglect of local principles at the national policy level. Jean-Pierre Jacob notes in the case of Côte d’Ivoire (workshop discussion) the discrepancy between local notions of rights and duties and a national principle of free circulation of people. This results in two conflictive visions of citizenship (a ‘local’ and a national citizenship).

Second observation, conflicts happen. One must conceive conflict as a “normal” social fact. This proposal was the object of lively debates during the workshop. For some participants, depicting conflict as ‘normal’ presents the risk of a banalising it or ‘normalising’ it from a moral point of view, whereas violence outbreaks are unacceptable. We must take this risk seriously. However, the qualification of conflict as normal facts belongs to a sociological point of view, not a moral one.

Conflicts are normal social facts (in the sense of inescapable and expressing social dynamics (and not social pathologies). The objective is thus not an illusory avoidance of conflict but about the crafting of institutional spaces (public forums) for negotiating solutions to disputes.

Exclusion is a central element to take into account. It has to be characterised however. It is a matter of effective access to resources (in relation to the bundle of rights) and of access to politico-legal authorities and public arenas. This means that any institutional solution (rights allocation or securing, the creation of resources management committees, the implementation

of political and administrative decentralisation) must be monitored in order to evaluate its inclusive or exclusive effects.

An important issue linked to access and control over resources is the human rights issue (including minorities and women's rights; see Wisborg 2002, Ik Dahl et al. 2005 and Judy Adoko, workshop discussion).

As highlighted by Mahaman Tidjnani Alou (workshop discussion), land rights are part of human rights. Rights over natural resources contribute to the definition of specific forms of citizenship. Any policy making process in the field of natural resources management must take a human rights perspective.

2. A few policy proposals

We have now three general assertions relying upon the careful analysis of a wide range of case studies of conflicts over land and water.

- Policy as a negotiated process
- Conflict as a normal social fact
- Access to natural resources as a human right issue

Let's try to translate these general statements into a few short and modest policy proposals.

1. Any policy should start with what exists. This sounds reasonable, all too often forgotten though.
2. Starting with the existing means taking account of actors' points of view and more precisely of shared norms and values upon which viable policy are to be elaborated.
3. Local norms and actors' viewpoints constitute the basis for crafting policy as a negotiated process (t.i. for taking this proposal seriously) and not as the implementation of a solution in search of a problem
4. Organising the negotiation means crafting public arenas (or using/modifying the ones that exist) to provide participants with a space for expressing claims and contestations and discussing possible solutions
5. Organising the negotiation means also giving space for perspectives attuned to actors' points of view, conceived in terms of action space and activities rather than of separated resources (water, tree, land, cattle; see Cotula 2006 on the separation of water and land in public policy design and implementation)
6. Opening public spaces is not enough. Without negotiated rules and legitimate authorities for the enforcement of equity principles, the risk is to have 'free foxes and free hens in a free hen house'. In other word, seeing rights over landed resources as a human right issue implies to organise arenas, identify authorities and support legitimising processes – not an easy task.

V. BACK TO MAPS AND CONFLICTS: PROSPECTS FOR THE NEXT PHASE

In brief, the recognition of social and spatial heterogeneity, the conception of policy as a negotiated process, the importance of process monitoring in policy implementation are key elements.

1. Mapping as a cognitive device and a tool for action

At this stage, it is important to come back to the mapping issue. As already said, maps can have different meanings and functions:

- ▷ Illustrative, clarifying and supporting an assertion
- ▷ Descriptive, translating database into visual presentation
- ▷ Analytical, shedding light on correlations and (possibly) causalities

We have already seen to what extent mapping was often about the past, about ‘mapping history’ (as reasserted by Judy Adoko, workshop discussion). Mapping history is first about comparison. It helps identify areas that used to be conflictive. Although no strict correlation can be established between past conflicts and the occurrence of new ones, this information can be useful for identifying the co-presence of different factors. Second point, mapping history can have a pedagogical function against widespread tendencies toward ‘amnesia’. In any case, mapping history is never merely about history¹. The historical inscription of any form of mapping involving human activities also shows that mapping cannot be reduced to a neutral illustration of a phenomenon or of a potentiality (negative or positive), it has always social and political implications.

Maps can have a much more active role, as the military knows it. One of the origins of maps lies in the military field: identifying and representing natural obstacles, enemies strongholds and refuges, civil and military targets, troops configuration, as well as negotiating peace agreements (after the fight) or compromises (to try to avoid it). Related to (and beyond) this, map is also a matter of state power and territorial sovereignty, as matter of “crafting governable space” (Rose 1999). However, as Herlihy and Knapp note in the introduction of an essays collection on participatory mapping in Latin America, “while mapping has been of tool of the powerful, today it is becoming a tool of empowerment for indigenous people” (2003: 303)².

Participatory mapping “constructs knowledge beginning with cognitive mental constructs and converting these to consensual images and then into conventional map or descriptive form. It is a bottom-up methodology because it builds on the understanding of place from the individual level to progressively larger social aggregates at progressively smaller scale, working from mental maps to regional maps [...] It has been used: (1) to document spatial information about human land use and occupancy; (2) to design conservation plans; (3) to survey bio-diversity;

¹ I have experienced the importance of mapping the past for current political purpose in New Caledonia (Le Meur 2004). See for Latin America the map-based native community information system (SICNA) analysed in “Mapping the past and the future: Geomatics and indigenous territories in the Peruvian Amazon”, Smith et al. (2003).

² See the terms of “counter mapping”, “power mapping”, “social mapping”, “remapping” evoked in the same text (Herlihy & Knapp 2003: 303).

(4) to protect and manage conservation areas and indigenous reserves; (5) to delimit and demarcate land claims and titles; (6) to educate and empower communities and (7) to build consensus and promote conflict resolution over land and natural resources” (Herlihy & Knapp 2003: 308).

Beyond descriptive and illustrative functions, maps can thus be used as a tool for concertation and negotiation between stakeholders around an issue.

“All human being create and use maps. Maps are an intimate and necessary part of our everyday existence. Most of our maps, however, are mental images that are never expressed in graphic form” (Smith et al. 2003: 365). Participatory mapping implies the explicit recognition of this local knowledge “understood in the broadest terms to encompass not only people’s understandings of the social universes they inhabit, but also of their rights” (Pottier 2003: 4). In this sense, this proposal goes beyond the descriptive and predictive functions usually assigned to map to enter the domain of social action. It is a matter of “investigating the reality in order to change it” (Herlihy & Knapp 2003: 309).

Related to this, the second issue is about how this investigation of reality should be done. Participation means here that spatial knowledge about people and place is co-produced by and among all the stakeholders. We stand here far from the positivistic stance underlying the idea of map as a descriptive tool to enter the political field where map works as a cognitive and bargaining resource within the politics of natural resource management. As Janis Alcorn puts it, “community-based mapping isn’t ‘action research’, it is political action” (2000: 16). Mapping implies the translation of local knowledge about people and place at once into a specific form (map) and a specific actors network (alliances)³.

2. Participatory mapping and conflict management: first proposals for the FAO/GEF Tanzanian programme

We are back to the main objective of the present study. As explained in the introduction, the study is part of the project “Novel forms of livestock and wildlife integration adjacent to protected areas in Africa: Tanzania”. This project, funded by the GEF, implemented by FAO, with scientific support from the International Livestock Research Institute, focuses on the reduction of conflicts over natural resources through the integration of agriculture, pastoralism and nature conservation. The case of a protected area is highly relevant for testing our proposals about the linkage between cartographic representation, participatory mapping, natural resources management and conflict solving and prevention.

Protected areas are primarily defined according to environmental concerns (protecting wildlife, limiting soil degradation, fighting deforestation). Economic objectives (developing tourism, creating jobs) are also at stake. There is no area empty of human presence and the authorities in charge of the creation and management of protected areas have to deal with diverging, and often conflicting, interests. **Mapping can be useful at this stage if used as the tool for identifying issues, interests and stakeholders, and contributing to designing solutions.**

³ See Callon (1986: 181-199) and Callon et al. (2001: 73-104) on translation as a political process of “problematization, interestment, enrolment and mobilisation”.

Mapping is here participatory in the sense that it takes account of the viewpoints of all the stakeholders and relies on them for elaborating spatial tools of negotiation around natural resources use.

1. The first step is the identification of stakeholders or strategic groups involved in the use of the area to be protected.
2. The second step is about identifying the types of uses and issues linked to these uses (farming, pastoral activities, hunting, circulation & transportation, religious shrines, access to water, logging, non timber forest products, etc.).
3. The different stakeholders would draw a map showing how they conceive and use the area, where are the strategic spots. This point is thus about local knowledge as regards ecology, land use and rights over resources.
4. The different maps would be used as a means for confronting data, and thus at once producing a specific knowledge (about interactions between users and uses) and helping negotiate arrangements, compromises, temporal and spatial boundaries, etc.

An important point regards the conversion of mental maps into geographic map and the possible integration of these data in GIS for instance. This raises technical as well as political questions. As already said, the 'effect of truth' exerted by maps is strong, especially in sensitive situations, and one must be cautious about it. The non-conversion of sketch or mental maps into GIS maps can reduce the truth effect of cartography. Three-dimensional maps (extensively used in Northern Thailand) offer an interesting option too (see Alcorn 2000a: 11).

The project will be the right context for testing the cartographic proposals. This phase implies a close collaboration with authorities and policy makers involved in the programme.

At this stage, we face the 'scaling-up' issue, which is by no way a mere matter of 'making things bigger'. It implies for instance a reflexion about the link between mental map and GIS map, as well as between knowledge production, local issues and policy making. The question of scale is also a question of objective. This means that the reflexion on mapping strategy must come after a reflexion on policy orientation involving administration, development agencies and policy-makers operating at the local, regional and national levels.

3. An intermediary and necessary step: involving policy-makers up to the national level (Tanzania/Kenya)

This study was in its first stage based on an overview of the existing literature on conflicts over natural resources in African dry lands. We then involved experts from countries in West, East and Southern African countries in order to share experiences and discuss our analysis. This second step resulted in a strongly improved analysis and in the expression of a concern. **If the study is to be useful, we need to involve policy-makers at an early stage, not at the end of the process.**

One of the the results emerging out of the study is the importance of the national 'factor' (in terms of historical trajectory and current political economy) in the explanation of conflict or stability. The contrast between Kenya and Tanzania was striking in this respect.

The proposal is thus to invite experts and policy-makers for debating and outlining proposals. As the GEF project is located in Tanzania, it seems relevant to have a pool of decision-makers and researchers from this country and also from Kenya, to give a comparative basis to the

discussion. At this stage, we will resort more extensively to Martin Shem's report on the Tanzanian situation. The presence of research and policy specialists from both countries can help build innovative proposals and solutions on the basis of crosscutting perspectives.

The objective of this step is twofold:

- ▷ Discussing the results and the political implications of the study on the basis of these two countries.
- ▷ Refining the proposals revolving around participatory mapping as a tool potentially relevant in the process of managing conflicts around natural resources use, access and control in the African drylands⁴.

It is necessary to involve at that stage national policy-makers as well as representatives of deconcentrated state administrations, development and conservation programmes and decentralised bodies.

⁴ For case studies and methodological insights in various contexts (with a strong Latin American/indigenous peoples focus however), see Alcorn (2000a & b), Chapin & Threlkeld (2001), Chapin et al. (2005), Herlihy (2003), Rambaldi (2005), Robiglio et al. (2003), Smith et al. (2003).

Annex 1 – Executive summary

Presentation

The study is part of the project “Novel forms of livestock and wildlife integration adjacent to protected areas in Africa: Tanzania” focusing on the reduction of conflicts over natural resources through the integration of agriculture, pastoralism and nature conservation. FAO executes this project funded by the GEF (Global Environment Facility) and the International Livestock Research Institute provides scientific support.

The study elaborates an analytical framework and provides concrete indicators to policy makers and field agents working in the field of pastoralism, natural resources management and agriculture in the dry lands of sub-Saharan Africa. The objective is to help national decision-makers and international development agencies to formulate policies and prioritising their action for an improved sustainable use of the land and water resources, while resolving conflicts among the different users.

This study is mainly a desk study based on a review of the literature in social sciences describing and interpreting modes of access to – and control over resources in land and water in African dry lands. It analyses too public policy texts and takes account of macro-studies focusing on demographic, economic, agrarian and political contexts and evolutions. In order to complete the picture, two experts carried out reviews respectively in West Africa (Touré) and in Tanzania (Shem).

Approach

The central issue is the competition between social actors and institutions for the access to, and the control of scarce and fragile natural resources in a context of legal and institutional pluralism, of uncertainty as regards norms and policy. The governance of land and natural resources is problematised as:

- ▷ A matter of wealth, power, and meaning: the ‘what-question’ (what is at stake)
- ▷ An arena of actors and institutions: the ‘who-question’ (who is involved, and where: multi-localised processes)
- ▷ A negotiation between peace, conflict, and justice: the ‘how-question’ (conflicts over land access and control as social processes)

The four steps of the analysis are:

1. Identification of the underlying factors at the regional level
 - Pressure: demographic and environmental factors
 - Pluralism: law, development and policy factors
 - Inequality: socio-political and economic factors
2. Conflict dynamic analysis, resorting to descriptive indicators:
 - Social actors involved in competing claims, emergence of ‘strategic groups’

- Politico-legal institutions: ‘traditional’ and ‘modern’, local and ‘extra-local’, explicit domains of competency and implicit legitimacy
- Conflictive issues: explicit subject matters and ‘hidden agendas’, conflicts of interpretation, disputes within or about the rules
- Conflict trajectory: genesis, outbreak, evolution (actors, places: degree of ‘localisation’, issues), arbitration procedures, justifying discourses, settlement and/or re-opening

This is a two-step process: (1) 14 cases presenting historical trends, actors involved, underlying factors and conflict dynamics; (2) 4 in-depth case studies emphasizing the whole conflict trajectory, from tension to conflict outbreak, escalation and then settlement mechanisms.

3. Generalisation and comparative hypothesis
4. Proposals and recommendations as regards policy orientations and mapping possibility

Results

Policy makers are of course interested in concrete proposals for settling or preventing disputes and violent conflicts. Actually, we did not find many empirical data in the literature on this dimension of conflict trajectories. This can be explained by the very dynamics of conflicts over natural resources in Africa, and the comment could be expanded to political conflicts at large. The tendency goes toward calming down conflicts rather than solving them, “*balayer sous le tapis*” – sweeping under the carpet? – as the French say. This explains why cases are so frequently reopened later or elsewhere. In a few cases, what is at stake is so to say “too big” for a local handling and it is instrumentalised within supralocal/national arenas.

The last point, namely the embeddedness of local disputes in wider setting, up to the national political arena is obviously a factor of tension. It shows clearly the political nature of land issue, expressed by the intricacy of land-related and other stakes in conflicts over land and natural resources.

Among the actors involved, the ‘state’ in fact a set of differentiated actors, groups and administrations – play a key role, actually at odd with the idea of a neutral arbitrator guaranteeing the common interest. State actors and institutions are players, not referees, and they are instrumental in the production of institutional uncertainty and proliferation as well as in establishing linkages between local and national arenas. These observations apply to the development apparatus too. State and development interventions tend both to strengthen a tendency toward institutional pluralism. Furthermore, they generate an in-flow of resources of various orders (financial, technical, political, symbolic) without being able to redefine and enforce the rules of the game. The discrepancy between resources in-flow and weak regulations generate room for opportunistic behaviours and conflict emergence.

As regards the conflict settlement issue, one observes a shifting balance between peace – restoring the web of social ties – and justice – invoking a higher moral or legal principles at the risk of disrupting social relations. Multilocalisation, sequences of conflict, appeasement and reopening, shifting relations and mutual instrumentalisation between local and supra-local arenas: none of these conflicts can be seen as merely resulting from a unique – demographic or ecological – factor. They are part of the historical trajectory of social relations revolving around the access to and control of natural resources. This means conflict and consensus are the two sides of the same coin.

Mapping,

From a methodological point of view, these conclusions render the initial mapping objective tricky. Conflicts are often multilocalised and their position shifts in the course of their evolution, as new, 'external', 'national' actors enter the play. Some possibilities are to be explored however.

Mapping history helps identify areas that used to be conflictive. Although no strict correlation can be established between past conflicts and the occurrence of new ones, this information can be useful for identifying the co-presence of different factors. Second point, mapping history can have a pedagogical function against widespread tendencies toward 'amnesia' in the world of development and policy-making.

Beyond descriptive and illustrative functions, maps can be used as a tool for concertation and negotiation between stakeholders around an issue. Mapping can be useful at this stage if used as the tool for identifying issues, interests and stakeholders, and contributing to designing solutions. Mapping is here participatory in the sense that it takes account of the viewpoints of all the stakeholders and relies on them for elaborating spatial tools of negotiation around natural resources use.

The study is part of the project "Novel forms of livestock and wildlife integration adjacent to protected areas in Africa: Tanzania". This project, funded by the GEF, implemented by FAO, with scientific support from the International Livestock Research Institute, focuses on the reduction of conflicts over natural resources through the integration of agriculture, pastoralism and nature conservation. The case of a protected area is highly relevant for testing our proposals about the linkage between cartographic representation, participatory mapping, natural resources management and conflict solving and prevention.

Proposals

There is then the 'scaling-up' issue, which is by no way a mere matter of 'making things bigger'. It implies for instance a reflexion about the link between mental map and GIS map, as well as between knowledge production, local issues and policy making. The question of scale is also a question of objective. This means that the reflexion on mapping strategy must come after a reflexion on policy orientation involving administration, development agencies and policy-makers operating at the local, regional and national levels. If the study is to be useful, we need to involve policy-makers at an early stage, not at the end of the process.

One of the the results emerging out of the study is the importance of the national 'factor' (in terms of historical trajectory and current political economy) in the explanation of conflict or stability. The contrast between Kenya and Tanzania was striking in this respect.

The proposal is thus to invite experts and policy-makers for debating and outlining proposals. As the GEF project is located in Tanzania, it seems relevant to have a pool of decision-makers and researchers from this country and also from Kenya, to give a comparative basis to the discussion. At this stage, we will resort more extensively to Martin Shem's report on the Tanzanian situation. The presence of research and policy specialists from both countries can help build innovative proposals and solutions on the basis of crosscutting perspectives.

The objective of this step is twofold:

- ▷ Discussing the results and the political implications of the study on the basis of these two countries.

- ▷ Refining the proposals revolving around participatory mapping as a tool potentially relevant in the process of managing conflicts around natural resources use, access and control in the African drylands.

It is necessary to involve at that stage national policy-makers as well as representatives of deconcentrated state administrations, development and conservation programmes and decentralised bodies.

Annex 2 – Experts and workshops participants

■ Experts reports

Martin Ndabizunke Shem, Rwanda Agricultural Research Institute, Butare, Rwanda: Factors underlying conflicts over access to land and water resources in East African dry lands with special reference to Tanzania.

Oussouby Touré, Dakar: Conflits pour l'accès à la terre et aux ressources en eau dans les zones arides de l'Afrique subsaharienne.

■ Workshop participants & papers

Vincent Castel & Pierre Gerber, FAO LEAD, Rome – (1) Introduction to the workshop, (2) Protection and enhancement of natural resources as affected by livestock production while alleviating poverty, (3) Conclusions.

Pierre-Yves Le Meur, GRET, Paris – (1) Underlying factors, processes and policy. Issues and debates, (2) Case studies and the generalisation issue, (3) Linking knowledge, policy making and prevention.

Peter Hochet, GRET & RECIT, Ouagadougou – Mapping and conflicts over natural resources.

Maxwell Kinyanjui, ELCI (Environment Liaison Centre International)/ Woodlands Trust, Nairobi, Kenya – Major determinants of land use conflicts in Kenya's drylands.

Amadou Tamsir Diop, Bernard Toutain & Cheikh Mbacké Ndione, PPZS/ISRA, Sénégal – La compétition entre agriculteurs et pasteurs au niveau des différentes régions du Sénégal : gestion et prévention des conflits.

Aliouné Ka & S. Traore, Unité de recherche en partenariat (URP) PPZS, Sénégal – La gestion alternative des conflits liés à l'utilisation des ressources naturelles: le cas de la zone sylvo-pastorale (Ferlo nord et sud).

Kraai, TRALSO (The Transkei Land Service Organisation), South Africa

Judy Adoko, LEMU (Land and Equity Movement in Uganda), Uganda – Potential for Land Conflict in Uganda today as a result of differences between the land market policy and customary tenure as practiced in north and east of Uganda.

Moussa Djiré, Juriste, Mali – Litige foncieret médiation communale à Sanankoroba (Mali)

Boureima Dodo, Secrétaire Exécutif AREN (Association pour la Redynamisation de l'Élevage au Niger), Niger – Gestion et prévention des conflits liées à l'accès aux ressources pastorales: l'expérience de AREN (Association pour la Redynamisation de l'Élevage au Niger).

El hadj hamidou Amani, Chef du département du développement rural à l'Autorité du Liptako-Gourma, Burkina Faso – Conflits pour l'accès aux ressources en terre et en eau. Le cas de la région du Liptako-Gourma.

Amadou Tamsir Diop, vétérinaire pastoraliste, PPZS/ISRA, Sénégal – La compétition entre agriculteurs et pasteurs au niveau des différentes régions du Sénégal : gestion et prévention des conflits

Musso Munyeme, Department of Disease Control, University of Zambia, School of Veterinary Medicine, P.O. Box 32379 Lusaka, Zambia – Kafue river basin interface of a multifaceted source of conflict over its natural resources.

Jean-Pierre Jacob, anthropologist, Laboratoire RECIT, Ouagadougou, Burkina Faso – Discus-sant.

Mahaman Tidjani-Alou, political scientist, LASDEL & Université de Niamey, Niger – Dis-cussant.

Vincent Basserie, French Ministry of Foreign Affairs, Land Policy Platform, Dakar.

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